

Environmental Planning Committee



Agenda

Monday 1 February 2021 6.00pm

Meeting to be held using conferencing technology (refer to details over page)

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 holding Council and Committee meetings (i.e. Environmental Planning (EP), Finance, Community & Services (FC&S) and Strategic & Corporate (S&C) remotely using conferencing technology (until further notice).

The Mayor, Councillors and staff will be participating in meetings by an audio-visual link instead of attending in person. Meetings will be webcast and member of the public can watch and listen to meetings live (via YouTube) or dial in to listen to the meetings using a telephone.

Members of the public are invited to listen to meetings by either using conferencing technology or by teleconference. Public participation online or by phone will be managed in accordance with meeting procedures.

A link will be available on Council's website:

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

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.

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee Members and/or Staff to present apologies and/or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- · At the beginning of each item the Chairperson will invite member(s) of the public who registered to speak to address the Committee.
- Members of the public who have registered to address the Committee, will be allowed four (4) minutes in which to address the Committee. One (1) warning bell will be rung at the conclusion of three (3) minutes and two (2) warning bells rung at the conclusion of four (4) minutes. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (e.g. applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allocated four (4) minutes, the speaker will take no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

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.

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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.

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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
- 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).

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

- 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

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

28 January 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 – 1 February 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 using teleconferencing technology, on **Monday 1 February 2021 at 6.00pm.**

Councillors and members of the public are advised that we will be holding Council and Committee meetings remotely using conferencing technology (until further notice).

Watch and listen to the meeting live via Council's website:

 $\underline{https://www.woollahra.nsw.gov.au/council/meetings_and_committees/committees/environmental_p}\\ \underline{lanning_committee_ep/ep_agendas_and_minutes}$

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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Item No: D1 Delegated to Committee

CONFIRMATION OF MINUTES OF MEETING HELD ON 30 **Subject:**

NOVEMBER 2020

Author: Sue O'Connor, Governance Officer

20/221767 File No:

Reason for Report: The Unconfirmed Minutes of the Environmental Planning Committee of

30 November 2020 are 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 30 November 2020 be taken as read and confirmed.

Annexures:

1. Unconfirmed Minutes of the Environmental Planning Committee Meeting of 30 November

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Environmental Planning Committee





Minutes

Monday 30 November 2020

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Environmental Planning Committee Minutes

Monday 30 November 2020

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30 November 2020



Minutes of the Meeting held on 30 November 2020 at 6.00pm Held using teleconferencing technology.

Present: Councillors: Mary-Lou Jarvis (Chair)

Nick Maxwell Luise Elsing Matthew Robertson Isabelle Shapiro Mark Silcocks Toni Zeltzer

Staff: Nick Economou (Acting Director – Planning & Development)

Aurelio Lindaya (Manager – Engineering Services)

Kelly McKellar (Senior Strategic Planner)
Carolyn Nurmi (Governance Officer)
Sue O'Connor (Governance Officer)
Craig Swift-McNair (General Manager)

Helen Tola (Manager – Governance & Council Support)

Anne White (Manager – Strategic Planning)

Jacquelyne Della Bosca (Executive Planner)
Kristy Wellfare (Strategic Heritage Officer)

Also in Attendance: Councillor Anthony Marano (Items D1 to R6)

David Tetley (Council's Consultant Planner)

Note: Item R5 (Advice of the Woollahra Local Planning Panel - Planning Proposal -

Interpretation of Desired Future Character in Woollahra LEP 2014) was heard

after R7 (Draft Woollahra Integrated Transport Strategy).

30 November 2020

Leave of Absence and Apologies

An apology was received and accepted from The Mayor Councillor Susan Wynne and leave of absence granted.

Late Correspondence

Late correspondence was submitted to the committee in relation to Item: R1

Declarations of Interest

Nil

Unconfirmed

Woollahra Municipal Council

Environmental Planning Committee Minutes

30 November 2020

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

2 NOVEMBER 2020

Author: Sue O'Connor, Governance Officer

File No: 20/180743

Reason for Report: The Minutes of the Environmental Planning Committee of 2 November

2020 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/Shapiro)

Resolved:

THAT the Minutes of the Environmental Planning Committee Meeting of 2 November 2020 be taken as read and confirmed.

Item No: D2 Delegated to Committee

Subject: SMALL BUSINESS & START-UPS GROUP - MINUTES -

14 AUGUST 2020 & 9 OCTOBER 2020

Author: Kate Burgess, Temp Coordinator Placemaking
Approvers: Anne White, Manager - Strategic Planning

Conic Sprift McNin Control Manager

Craig Swift-McNair, General Manager

File No: 20/202330

Reason for Report: To report the minutes of the Small Business Working Party that took

place in the final quarter of 2020.

(Maxwell/Silcocks)

Resolved:

THAT the Minutes of the Small Business & Start Ups group meetings that took place on 14 August 2020 and 9 October 2020 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 Nil

Councillor Jarvis Councillor Maxwell Councillor Robertson Councillor Shapiro Councillor Silcocks Councillor Zeltzer

7/0

30 November 2020

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

Item No: R1 Recommendation to Council

POST EXHIBITION REPORT - PLANNING PROPOSAL -

Subject: PADDINGTON FLOODPLAIN RISK MANAGEMENT STUDY

AND PLAN 2019

Author: Kelly McKellar, Team Leader Strategic Planning
Approvers: Anne White, Manager - Strategic Planning

Aurelio Lindaya, Manager Engineering Services

Nick Economou, Acting Director Planning & Development

File No: 20/201204

Reason for Report: To report on the public exhibition of a planning proposal to implement the

recommendations of the Paddington Floodplain Risk Management Study

and Plan 2019.

To obtain Council's approval to proceed with the finalisation of the

planning proposal and preparation of a draft LEP.

Note: Late correspondence was tabled by Kelly McKellar, Council's Senior Strategic

Planner, Esther Hayter, Paddington Society, Dr Nina Mistilis, Carlisle Procter &

Della Herbert.

Note: David Tetley, Consultant Town Planner attended the meeting.

Note: Keri Huxley, Bill James and Dr Nina Mistilis, addressed the Committee.

Note: The Committee amended Resolution B.

(Robertson/Shapiro)

Recommendation:

- A. THAT the Paddington Floodplain Risk Management Study and Plan 2019 is amended based on the recommendations of Council's consultant floodplain risk management specialist to refine the flood planning area by removing the following nine properties:
 - 180 Ocean Street, Edgecliff
 - 1 Hargrave Street, Paddington
 - 106 Hargrave Street, Paddington
 - 10 Harris Street, Paddington
 - 22 Hopewell Street, Paddington
 - 19 Paddington Street, Paddington
 - 34 Paddington Street, Paddington
 - 19 Sutherland Avenue, Paddington
 - 80 Ocean Street, Woollahra.

30 November 2020

- THAT Council proceed with the planning proposal at Annexure 1 of the report to the Environmental Planning Committee meeting of 30 November 2020, and prepare a draft local environmental plan to amend the Flood Planning Maps in the Woollahra Local Environmental Plan 2014 subject to amending the planning proposal to remove nine properties identified in Schedule 3, and also contained on the Flood Planning Maps, consistent with the amended Paddington Floodplain Risk Management Study and Plan 2019 identified in part A of this recommendation which identifies 828 additional properties to be included in the flood planning area).
- THAT Council use its authorisation as the local plan-making authority to exercise the functions under Section 3.36 (2) of the Environmental Planning and Assessment Act 1979 to make the LEP.

Note:

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

Nil

For the Motion

Against the Motion

Councillor Elsing Councillor Jarvis Councillor Maxwell Councillor Robertson Councillor Shapiro Councillor Silcocks Councillor Zeltzer

7/0

Item No: Recommendation to Council

POST EXHIBITION REPORT - PLANNING PROPOSAL -Subject: 46 VAUCLUSE ROAD, VAUCLUSE - HERITAGE LISTING

Kristy Wellfare, Strategic Heritage Officer Author: Anne White, Manager - Strategic Planning Approvers:

Nick Economou, Acting Director Planning & Development

File No: 20/204830

To report on the public exhibition of the planning proposal to list 46 **Reason for Report:**

Vaucluse Road, Vaucluse (including interiors) as a local heritage item in

Schedule 5 of Woollahra Local Environmental Plan 2014.

To obtain Council's approval to proceed with the finalisation of the

planning proposal and preparation of a draft LEP.

Note: In accordance with Councils Code of Meeting Practice Councillors Zeltzer,

> Robertson & Marano requested that the Mayor calls an extraordinary meeting of the Council to deal with following recommendation from the Environmental Planning

Committee on 30 November 2020 given the urgency of the matter.

Motion moved by Councillor Silcocks

THAT Council not proceed with the planning proposal of listing the premises at 46 Vaucluse Road, Vaucluse at for the dwelling house (including interiors) at 46 Vaucluse Road, Vaucluse, as a local heritage item.

The Motion lapses for want of a seconder.

30 November 2020

Motion moved by Councillor Zeltzer Seconded by Councillor Robertson

- A. THAT Council proceed with the planning proposal at **Annexure 1** of the report to the Environmental Planning Committee meeting of 30 November 2020 and proceed with the preparation of a draft local environmental plan to amend Schedule 5 of Woollahra LEP 2014 to list the dwelling house (including interiors) at 46 Vaucluse Road, Vaucluse, as a local heritage item.
- B. THAT Council use its authorisation as the local plan-making authority to exercise the functions under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* to make the LEP.
- C. THAT due to the urgency to this matter (specifically in regard to new extensions in the time in which DA approvals can be carried out and the fact that this Interim Heritage Order, imposed by the Minister himself, lapses on 6 December 2020) that an Extraordinary Council meeting is called as a matter of urgency so this matter is resolved prior to the Ordinary Council Meeting due on 14 December 2020, given the building is at risk of demolition immediately after the 6 December 2020, with a view that Mayor be requested to advocate this to the Minister.

The Motion was put and carried.

(Zeltzer/Robertson)

Recommendation:

- A. THAT Council proceed with the planning proposal at **Annexure 1** of the report to the Environmental Planning Committee meeting of 30 November 2020 and proceed with the preparation of a draft local environmental plan to amend Schedule 5 of Woollahra LEP 2014 to list the dwelling house (including interiors) at 46 Vaucluse Road, Vaucluse, as a local heritage item.
- B. THAT Council use its authorisation as the local plan-making authority to exercise the functions under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* to make the LEP.
- C. THAT due to the urgency to this matter (specifically in regard to new extensions in the time in which DA approvals can be carried out and the fact that this Interim Heritage Order, imposed by the Minister himself, lapses on 6 December 2020) that an Extraordinary Council meeting is called as a matter of urgency so this matter is resolved prior to the Ordinary Council Meeting due on 14 December 2020, given the building is at risk of demolition immediately after the 6 December 2020, with a view that Mayor be requested to advocate this to the Minister.

30 November 2020

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 Silcocks

Councillor Elsing Councillor Jarvis Councillor Maxwell Councillor Robertson Councillor Shapiro Councillor Zeltzer

6/1

Item No: R3 Recommendation to Council

Subject: PROPOSED CHANGES TO THE APPROVAL FRAMEWORK

FOR A-FRAME SIGNS ON FOOTWAYS

Author:Jacquelyne Della Bosca, Executive PlannerApprovers:Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

Craig Swift-McNair, General Manager

File No: 20/201566

Reason for Report: To respond to a recommendation of the Small Business Working Party to

prepare a report on the approval framework for A-frame signs.

(Shapiro/Silcocks)

Recommendation:

- A. THAT Council amend the approval framework for A-frame signs as identified at Option 1 in the report to the Environmental Planning Committee of 30 November 2020 by:
 - i. Identifying A-frame signs as exempt development under *Woollahra Local Environmental Plan 2014*.
 - ii. Requiring an application to Council for approval, consistent with an adopted local approvals policy.
- B. THAT a draft local approvals policy for A-frame signs is prepared based on the draft criteria at **Annexure 1** of the report to the Environmental Planning Committee of 30 November 2020.
- C. THAT in the event Council adopts a local approvals policy for A-frame signs, the operation and implementation of the policy is reviewed one (1) year from commencement.
- D. THAT a planning proposal is prepared to identify A-frame signs as exempt development in Schedule 2: Exempt development of Woollahra Local Environmental Plan 2014.
- E. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- F. THAT the advice of the Woollahra Local Planning Panel and the draft local approvals policy for A-frame signs be reported to the Environmental Planning Committee.

30 November 2020

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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.

Nil

For the Motion

Against the Motion

Councillor Elsing Councillor Jarvis Councillor Maxwell Councillor Robertson Councillor Shapiro Councillor Silcocks Councillor Zeltzer

7/0

Item No: R4 Recommendation to Council

ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL -

Subject: PLANNING PROPOSAL - DOUBLE BAY BOWLING CLUB AT 18

KIAORA ROAD, DOUBLE BAY

Author: Kelly McKellar, Team Leader Strategic Planning
Approvers: Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 20/215884

Reason for Report: To give Council the advice of the Woollahra Local Planning Panel.

To obtain Council's approval to proceed with the planning proposal to amend the Woollahra Local Environmental Plan 2014 for land known as

the Double Bay Bowling Club at 18 Kiaora Road, Double Bay.

Note: The Committee amended Resolution B.

(Silcocks/Shapiro)

Recommendation:

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 19 November 2020 for the planning proposal for the Double Bay Bowling Club at 18 Kiaora Road, Double Bay (Lot 101 DP 614016).
- B. THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee on 30 November 2020, which seeks the following amendments to *Woollahra LEP 2014*:
 - Rezone the site from Zone R3 Medium Density Residential to Zone RE2 Private Recreation
 - Increase the minimum lot size for subdivision from 700m² to 8,800m² be forwarded to the Department of Planning, Industry and Environment requesting a gateway determination to allow public exhibition.

30 November 2020

C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

Note:

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

Nil

For the Motion

Against the Motion

Councillor Elsing Councillor Jarvis Councillor Maxwell Councillor Robertson Councillor Shapiro Councillor Silcocks Councillor Zeltzer

7/0

Item No: R5 Recommendation to Council

ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL -

Subject: PLANNING PROPOSAL - INTERPRETATION OF DESIRED

FUTURE CHARACTER IN WOOLLAHRA LEP 2014

Author: Kelly McKellar, Team Leader Strategic Planning
Approvers: Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 20/206632

Reason for Report: To give Council the advice of the Woollahra Local Planning Panel.

To obtain Council's approval to proceed with a planning proposal to amend the Woollahra Local Environmental Plan 2014 to introduce provisions clarifying the interpretation of desired future character.

Note: This Item was heard last on the Agenda after Item R7.

(Zeltzer/Shapiro)

THAT the Committee resolve to enter into closed session with the press and public excluded to consider the Confidential Annexure and legal advice on this matter in accordance with the provisions of Section 10A(2)(g) of the Local Government Act 1993.

Adopted

In Closed Session

Note: The Committee discussed the Confidential Annexure and legal advice.

(Zeltzer/Shapiro)

Resolved:

THAT the Committee move into "Open Session".

30 November 2020

In Open Session

(Zeltzer/Silcocks)

Recommendation:

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 19 November 2020.
- B. THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee on 30 November 2020, be forwarded to the Department of Planning, Industry and Environment requesting a gateway determination to allow public exhibition.
- C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal to make the local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979.

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 Maxwell Councillor Robertson Councillor Shapiro Councillor Silcocks Councillor Zeltzer

7/0

Item No: R6 Recommendation to Council

Subject: SMALL BUSINESS WORKING PARTY TERMS OF REFERENCE

Author: Kate Burgess, Temp Coordinator Placemaking
Approvers: Anne White, Manager - Strategic Planning
Craig Swift-McNair, General Manager

File No: 20/200014

Reason for Report: To report to Council on the Draft Small Business Working Party Terms of

Reference.

(Maxwell/Silcocks)

Recommendation:

A. THAT Council adopt the revised Terms of Reference for the Small Business Working Party.

30 November 2020

B. THAT Council note that the revised Terms of Reference for the Small Business Working Party will replace the Terms of Reference for the Small Business & Start-Ups Group, including a name change to the Small Business Working Party.

Note:

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

Nil

For the Motion

Against the Motion

Councillor Elsing Councillor Jarvis Councillor Maxwell Councillor Robertson Councillor Shapiro Councillor Silcocks Councillor Zeltzer

7/0

Item No: R7 Recommendation to Council

Subject: DRAFT WOOLLAHRA INTEGRATED TRANSPORT STRATEGY

Authors: Aurelio Lindaya, Manager Engineering Services

Emilio Andari, Traffic & Transport Team Leader

Approver: Tom O'Hanlon, Director - Technical Services

File No: 20/221782

Reason for Report: To seek Council's endorsement to place the Draft Woollahra Integrated

Transport Strategy on public exhibition.

(Robertson/Silcocks)

Recommendation:

- A. THAT the Draft Woollahra Integrated Transport Strategy be updated to include the following key signature projects:
 - i. The Paddington Greenway (Paddington Greenway Feasibility Study)
 - ii. The Knox Street Plaza (Double Bay Pedestrianisation Study)
 - iii. Transvaal Avenue Pedestrianisation (Double Bay Pedestrianisation Study)
 - iv. 30km/hr or 40km/hr zone for Double Bay
- B. THAT the updated Draft Woollahra Integrated Transport Strategy be placed on public exhibition for 28 days.
- C. THAT a further report be prepared for the Environmental Planning Committee following the close of the public exhibition period and assessment of submissions received.

Woollahra	a Municipal Council		
Environm	ental Planning Committee Minute	es	30 November 2020
Note:	In accordance with section 37 recorded on this planning mat	· ·	let a Division of votes is
	For the Motion	Against the Motion	n
	Councillor Elsing Councillor Jarvis Councillor Maxwell Councillor Robertson Councillor Shapiro Councillor Silcocks Councillor Zeltzer	Nil	
There bei	7/0 ng no further business the meeting	e concluded at 7 47pm	
v	Ve certify that the pages numbenmental Planning Committee Manning Environmental Planning	red 700 to 712 inclusive are t leeting held on 30 November Committee on 1 February 20	2020 and confirmed by
	11/1		

Item No: D2 Delegated to Committee

Subject: SYDNEY COASTAL COUNCILS GROUP MINUTES - 26

NOVEMBER 2020

Author: Micaela Hopkins, Team Leader Environment & Sustainability

Approvers: Paul Fraser, Manager - Open Space & Trees

Tom O'Hanlon, Director - Technical Services

File No: 20/234805

Reason for Report: To submit the minutes of the Sydney Coastal Councils Group Full Group

Annual General Meeting.

Recommendation:

THAT the minutes of the Sydney Coastal Councils Group Full Group Annual General Meeting held on 26 November 2020 be received and noted.

Background:

The Sydney Coastal Councils Group (SCCG) was established in 1989 promote collaboration between member Councils on environmental issues relating to the sustainable management of the urban coastal and estuarine environment.

Woollahra is one of 9 Member Councils who represent nearly 1.3 million Sydney residents. Collectively, the Group covers an area of approximately 800 square kilometres with a total coastline of almost 600 kilometres, encompassing the following waterways;

- Broken Bay
- Pittwater
- Port Jackson
- Port Hacking
- Botany Bay
- Middle and North Harbours
- lower reaches of the Lane Cove, Georges and Cooks Rivers.

The mission of the SCCG is to lead sustainable management of the coastal and estuarine environment through collaboration, capacity building, advocacy and research. The SCCG is providing benefits to Councils across a range of coastal management issues including; climate change adaptation and resilience; coastal infrastructure and asset management; strategic and land use planning; biodiversity restoration and conservation; natural hazard and emergency management; and integrated water management.

The SCCG Full Group consists of 1-3 elected representatives as determined by the Member Council. Meetings are held quarterly and direct the core activities of the SCCG. Woollahra Council delegates to SCCG Committees are as follows:

Committee	Delegate
Full Group	Cr Maxwell, Cr McEwin
Executive Committee	Craig Swift-McNair
General Manager's Forum	Tom O'Hanlon (alternative Micaela Hopkins)
Technical Committee	Karen Harper, Micaela Hopkins

The minutes from the Annual General Meeting held on 26 November 2020 are attached.

Item No. D2 Page 23

Annexures

1. Sydney Coastal Councils Group AGM Minutes 26 November 2020 🗓 🖺

Item No. D2 Page 24



MINUTES OF THE ANNUAL GENERAL MEETING HELD ON THURDAY 26 NOVEMBER 2020

IN ATTENDANCE

Name	Council/Organisation
Mr George Cotis	Honorary Member
Clr Colin Hesse	Inner West Council
Mr Sarah Kamarudin	Inner West Council
Clr Kathy Neilson	Randwick City Council
Clr Lindsay Shurey	Randwick City Council
Clr Greg McLean	Sutherland Shire Council
Clr Michael Forshaw	Sutherland Shire Council
Clr Lynne Saville	Willoughby City Council
Mr Greg McDonald	Willoughby City Council
Clr Wendy Norton	Willoughby City Council
Clr George Copeland	Waverley Council
Clr Dominic Wy Kanak	Waverley Council
Cir Paula Masselos	Waverley Council
Mr Tom O'Hanlon	Woollahra Council
Clr Megan McEwin	Woollahra Council
Ms Sarah Joyce	SCCG
Ms Jacqui McLeod	SCCG
Ms Kate Vitnell	SCCG

ITEM 1 OPENING

1.1 OPENING AND ACKNOWLEDGEMENT OF COUNTRY

The Chair, Clr Lindsay Shurey, opened the meeting at 5.pm and provided an Acknowledgement of Country.

1.2 ATTENDANCE, APOLOGIES, QUORUM

Absentees recorded were: Mr Peter Massey and Ms Niki Carey from North Sydney Council and Clr. Candy Bingham from Northern Beaches Council

1.3 DECLARATION OF PECUNIARY AND NON-PECUNIARY INTERESTS

NIL declarations were received.

ITEM 2 GUEST PRESENTATION

'How our past will influence the future of estuaries in NSW' - Professor William Glamore, UNSW

To view presentation, click here and enter password: 'SCCGMember'

- What our estuaries were: 2 mins 20 sec
- What we thought we were making: 6 mins 10 sec
- What our estuaries are: 6 mins 40 sec
- A balance between perspectives in terms of ecosystem services: 8 mins 20 sec
- 'Rescue' program: 10 mins 30 sec
- Timeline of program
 - o 1990s trial program: 11 mins 30 sec
 - 2000s increasing scale: 12 mins 10 sec
 - 2010s implementation (developing policy and confidence): 13 mins 45 sec
 - 2020 and beyond (cost-benefit analysis): 15 mins 40 sec
- Climate change in our estuaries (adaptation approaches): 17 mins 40 sec
 - o UNSW Climate Change and Estuaries website
 - o Risk Assessment Guides
- Immediate considerations (2021 2030): 23 min 30 secs
- Summary: 25 mins
- Q&A: 26 mins 20 sec

ITEM 3 ADMINISTRATIVE MATTERS

3.1 CONFIRMATION OF MINUTES

Minutes from the SCCG Technical Committee Meeting and the Executive Meeting both held on 27 August 2020 were received and noted. It was noted that these minutes were confirmed by the Executive Committee previous to the AGM.

3.2 BUSINESS ARISING

Progress against actions arising from the AGM held on 30 November 2019 were noted.

3.3 FINANCE STATEMENTS

The Quarterly Finance Statements from 1 July 2020-30 September 2020 were received and noted.

3.4 Annual Finance Statements and Audit Report 2019-2020

The Annual Finance Statements and Audit Report for the 2019-2020 financial year were received and approved. It was identified that relevant documentation will be filed with the Department of Fair Trading following the AGM. The Chair, Clr Lindsay Shurey, noted the strong financial position of the Sydney Coastal Council Group in 2019-2020 and acknowledged the recently awarded EPA grant in providing ongoing financial stability.

RESOLUTIONS

- R1. Minutes of the *Technical Committee Meeting* on 27 August 2020 were received and noted.

 (McDonald/McLean)

 Carried
- R2. Minutes of the Executive Committee Meeting on 27 August 2020 were received and noted.

 (McDonald/McLean)

 Carried
- R3. That the Quarterly Finance Statements for 1 July 2020 30 September 2020 were received and noted.

(McDonald/Kamarudin) Carried

R4. The Annual Finance Statements and Audit Report for the 2019-2020 Financial Year were received and approved.

McDonald/Kamrudin Carried

ITEM 4 GOVERNANCE MATTERS

4.1 NEW GOVERNANCE STRUCTURE

The Chair acknowledged the significant consultation process involved in the governance review, specifically the engagement of an independent consultant and representation from the General Managers Forum and Executive Committee on the Governance Working Group. This consultation process resulted in the adopted of the revised constitution on 13 August 2020, and an accompanying governance structure. With the removal of the Full group from this structure, the Chair noted that further work is needed to develop an appropriate forum for the Councillors Forum, to ensure capacity building function of Councillors continue.

4.2 ANNUAL MEMBER SURVEY REPORT 2019-20

The Chair noted that almost all of those surveyed were supportive of SCCG's activities and overall satisfied with performance. The 6% that disagreed equated to one person, and the SCCG Secretariat and Chair will look to engage with this person to ensure their concerns are addressed. The Executive Officer noted some specific comments from the Annual Survey and provided the following responses:

Survey Comment	Action
Continue to consider increasing staff numbers by, for example, obtaining multi-year funding	Continuing advocacy for 3-year funding mechanism
Provide a Q&A Forum for Council staff	Investigating opportunities such as Yahoo Group or other forum
Induction package for incoming committee members	To be developed over early 2021
More opportunity to elicit emerging issues (i.e. meetings, surveys etc.)	To be incorporated into workplan

4.3 ANNUAL REPORT 2019-20

The Executive Officer provided an overview of SCCG's activities under the five strategic goals outlined in the SCCG's 2019-2029 Strategic Plan. The last of these goals, the 'SCCG is trusted and respected to make decisions that reflect the values of its members', has already been addressed by the extensive governance review discussed in Agenda Item 4.1.

A copy of the Executive Officer's presentation is attached to these minutes.

Clr. Greg McLean noted the substantial engagement with government and strong advocacy position the SCCG has taken to several initiatives.

In response to a question from CIr. Lynne Saville regarding estimated completion date of the Greater Sydney Harbour Coastal Management Program, the Executive Officer noted that while a set timeframe cannot be provided, support from Minister Hancock and senior executives from across the NSW Government remains strong. It was also noted that the SCCG, in collaboration with Parramatta River Catchment Group, is applying for Coastal and Estuary Grant for the CMP. The Department of Planning, Industry and Environment has also been assisting in the preparation of the grant application.

In relation to CIr Saville's question regarding shark mitigation strategy and the likelihood of SMART drumlines continuing, the EO noted that the SCCC will be assisting in the community consultation process with DPI Fisheries in 2021.

RESOLUTIONS

- R1. The SCCG's new governance structure was received and noted
- R2. The SCCG Annual Survey Report 2019-2020 was received and noted
- R3. The SCCG Annual Report 2019-2020 was received and noted

(McLean/Kamarudin) Carried

ITEM 5 - EXECUTIVE COMMITTEE MEMBERS

5.1 Announcement of Executive Committee members

The Chair announced the incoming Executive Committee members for 2020-22. These are as follows:

Council	Delegate
Randwick	Cr. Lindsay Shurey
Woollahara	Mr Craig Swift-McNair
Waverley	Cr. Paula Masselos
North Sydney	Mr Peter Massey
Northern Beaches	Cr. Ian White
Inner West	Cr. Colin Hesse
Sutherland	Cr. Michael Forshaw
Bayside	Mr Peter Barber
Willoughby	Cr. Lynne Saville

It was noted that Office Bearers will be appointed by the Executive Committee at the first Executive Committee meeting held after the AGM, as stated in the SCCG Constitution.

Clr. Greg McDonald requested that committee members be notified as soon as practicable following the AGM which was actioned on Monday 30 December 2020.

ITEM 6 GENERAL BUSINESS

6.1 2021 Operational Plan

It was noted that the 2021 Operational Plan has now been approved by the Executive Committee. New initiatives identified in blue text and those actions ongoing or yet to be completed from 2020 identified in black text

6.2 Meeting Date

The next AGM date was noted as Saturday 25 November 2021. While CIr Paula Masselos noted that council elections are schedule for 4 September 2020, it was highlighted that elections will not impact committee as member Councils are able to appoint a committee delegate, if the existing delegate is removed or resigns from office. See cl 19 of the SCCG Constitution.

6.3 Agenda Items for Next Meeting

The Chair noted that proposed agenda items for any of the SCCG committees are welcome but must be provided to the Secretariat at least 4 weeks prior to the meeting.

RESOLUTIONS

- R1. The SCCG's 2021Operation Plan be received and noted
- R2. Meeting dates for 2020 AGM be noted
- R3. Delegates suggest additional agenda items for the next meeting

(McDonald/Copeland) Carried

Annual General Meeting

26 November 2020



ITEM 1: Opening

- 1.1 Acknowledgment of Country
- 1.2 Attendance, Apologies and Quorum
- 1.3 Declaration of Pecuniary & Non-Pecuniary Interests

ITEM 2: Guest presentation

Prof. William Glamore, UNSW

How our past will influence the future of estuaries In NSW



ITEM 3: Administrative Matters

- 3.1 Committee Minutes
- 3.2 Business Arising
- 3.3 Quarterly Finance Statements (July-Sept20)
- 3.4 Finance Statements/Audit Report 2019-20 FY



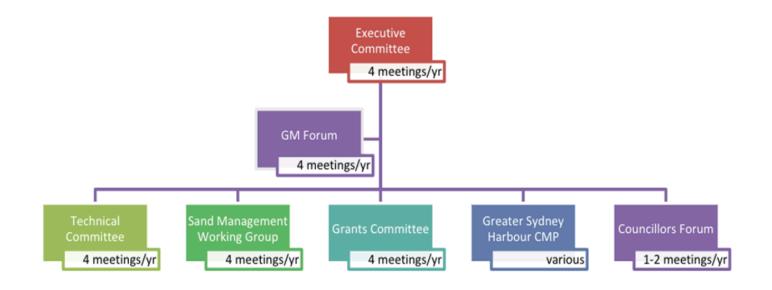
- R1. Minutes of the *Technical Committee Meeting* on 27 August 2020 be received and noted.
- R2. Minutes of the *Executive Committee Meeting* on 27 August 2020 be received and noted.
- R3 . That the Quarterly Finance Statements for 1 July 2020 – 30 September 2020 be received and noted.
- R4. The Annual Finance Statements and Audit Report for the 2019-2020 Financial Year be received and approved.

5



4.1 New governance structure

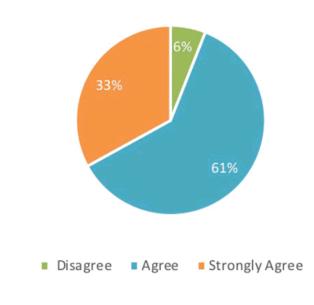
- Independent review of the SCCG constitution completed in 2020
- Special General Meeting held 13 August 2020 approved new constitution
- Ensures compliance with the Associations Incorporation Act
- Provides the General Managers Forum with a greater role in decision-making
- Improves clarity over the role of the Executive Committee
- Improves effectiveness and efficiency of operations

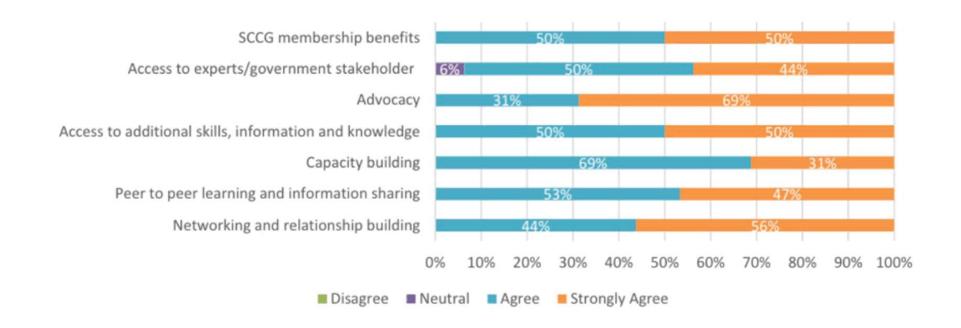


4.1 New Governance Structure

4.2 Annual Member Survey Report 2019-20

Overall, you are satisfied with our performance





SCCG Membership Benefits

4.2 Annual Member Survey Report 2019-20

How could SCCG better support member Council's needs?

- Continue to consider increasing staff numbers by, for example, obtaining multi-year funding
- Provide a Q&A Forum for Council staff
- Induction package for incoming committee members
- More opportunity to elicit emerging issues (i.e. meetings, surveys etc.)

4.3 Annual Report 2019-20



Progress update on Strategic Plan 2019-2029

- ቲ 1. People & places adapt to a change in climate and future shocks and stressors
- 2. Waterways are protected and healthier
- 3. Marine biodiversity is adequately protected in the bioregion
- 🔑 4. The SCCG Region is comprised of sustainable livable cities
- 🦸 5. There is a collaborative, effective and consistent approach to coastal and estuarine management
- 6. SCCG is trusted and respected to make decisions that reflect the values of its members



2. Waterways are protected and healthier

- Project management of the Greater Sydney Harbour CMP – waterway health focus
- Quarterly meetings with Sydney Water
- Themed Technical Committee meeting on water quality
 - Peer to peer learning
 - Presentations from Sydney Water and various NSW Government agencies
 - webinars available on SCCG members web-page
- SCCG represents members on the Marine Debris Working Group
- SCCG's Regional Litter Grant Strategy
- MOU with SIMs





3. Marine biodiversity is adequately protected in the bioregion

Little Penguin Population in Manly

- Penguin signage installed
- Reports to Transport NSW meetings and compliance issues
- Grant submitted to reduce impact of boat strike

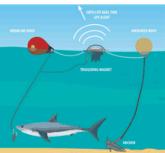
Living seawalls and seawall guidelines

- Promoting this approach in our region – MOU with SIMS.
- Grant submitted

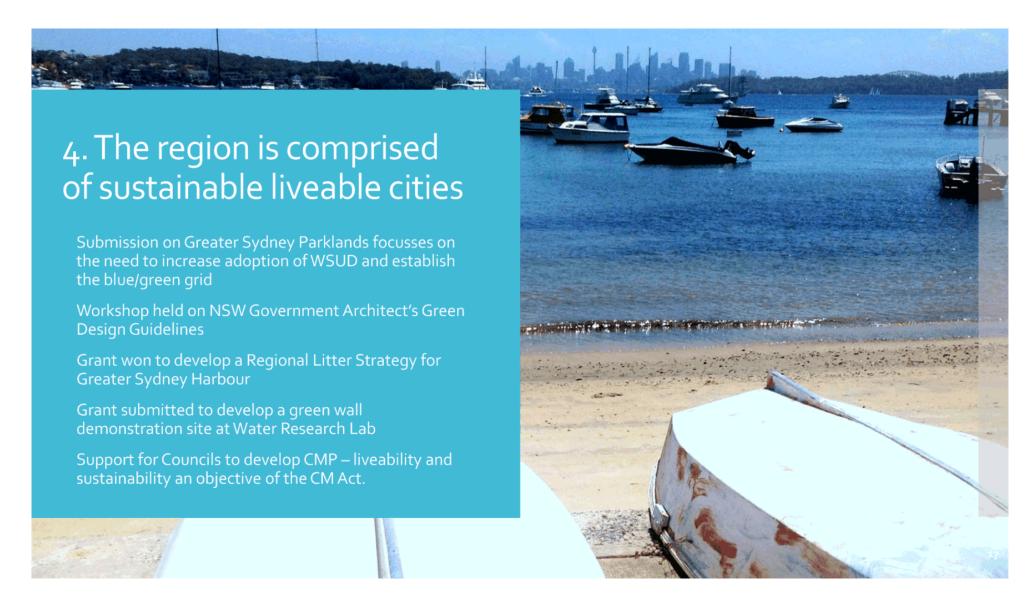
Shark Mitigation

- Workshops with member councils to better inform their community and determine expectations
- More workshops being held in 2021









5. There is a collaborative, effective and consistent approach to coastal and estuarine management

Quarterly meetings with:

- NSW Coastal Council and CMP leaders
- Sydney Water
- SIMS
- CVAG
- -Transport NSW
- DPIE

Multi-Council CMPs

Sand Management Working Group

Technical Committee meetings





- R1 The SCCG's new governance structure be received and noted
- R2 The SCCG Annual Survey Report 2019-2020 be received and noted
- R3 The SCCG Annual Report 2019-2020 be received and noted

ITEM 5: Executive Committee members

New process for EC members

- As part of the AGM proceedings, incoming Executive Committee members are to be announced in accordance with clause 27.2(b) of the SCCG constitution.
- Clause 21.2 of the SCCG constitution states that Office Bearers will be appointed by the Executive Committee at the first Executive Committee meeting held after the AGM.

Executive
Committee for 2021 & 2022

Council	Executive Committee Member
Randwick	Cr. Lindsay Shurey
Woollahara	Mr Craig Swift-McNair
Waverley	Cr. Paula Masselos
North Sydney	Mr Peter Massey
Northern Beaches	Cr. Ian White
Inner West	Cr. Colin Hesse
Sutherland	Cr. Michael Forshaw
Bayside	Mr Peter Barber
Willoughby	Cr. Lynne Saville





ITEM 6.1: 2021 Implementation Plan

2021 SCCG Operational Plan approved by the Executive Committee

New initiatives identified in blue text

Those actions ongoing or yet to be completed from 2020 identified in black text





ITEM 6.3: Agenda items for next meeting

Suggestions for agenda items for meetings to be forwarded to Chair via the Executive Officer 4 weeks before meeting

Item 4 - Recommendations

R1 The SCCG's new governance structure be received and noted

R2 The SCCG Annual Survey Report 2019-2020 be received and noted

R3 The SCCG Annual Report 2019-2020 be received and noted

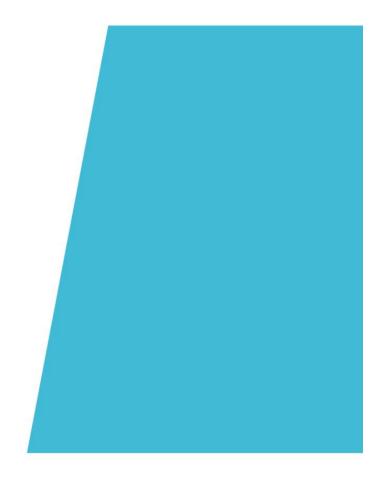


Beachwatch Local Land Services









Item No: D3 Delegated to Committee

Subject: DOUBLE BAY WORKING PARTY - MINUTES -

26 NOVEMBER 2020

Author: Kate Burgess, Temp Coordinator Placemaking Approvers: Anne White, Manager - Strategic Planning

Craig Swift-McNair, General Manager

File No: 20/234804

Reason for Report: To report the minutes of the Double Bay Working Party meeting that took

place on 26 November 2020.

Recommendation:

THAT the Minutes of the Double Bay Working Party meeting that took place on 26 November 2020 be received and noted.

Background:

Council at its meeting on 11 November 2013 resolved to establish a working party comprising selected Councillors and key stakeholders to oversee the preparation and implementation of the Double Bay Place Plan. The Working Party held its inaugural meeting on 20 May 2014.

Following the Mayoral election in September 2019 the Mayor, Councillor Susan Wynne, decided to review the role of both the Double Bay Working Party (DBWP) and the Oxford Street & Paddington Working Party to make sure the support we provide for our shopping neighbourhoods continues to be relevant and efficient. Part of this review was a survey of the members of both working parties.

The Mayor was briefed on the survey responses and it was consequently decided that the Terms of Reference under which both working parties operate be completely reviewed. This is so they reflect:

- the current aspirations set out in the new place plans as developed through the Working Parties
- operational arrangements that fit with the expectations expressed in the survey of working party members but balanced with what can practicably be achieved with available resources
- a transition from making plans to making plans happen
- current references as a result of changes which have occurred since the original Terms of Reference were adopted, e.g. Committee name changes

The revised Double Bay Working Party Terms of Reference were adopted at the Council meeting on 25 May 2020 in accordance with the following resolution:

THAT Council adopt the Terms of Reference for the Double Bay Working Party as contained in Annexure 1 of the report subject to the following amendments to membership on page 389 of the Agenda:

- Councillor membership be extended to 6 Councillors from the Cooper Ward and Double Bay Ward (for those Councillors who wish to nominate to be on the Working Party);
- Business representatives be made up of 4 representatives being a landowner, a trader, a representative from the Chamber of Commerce and a representative from the Double Bay Business Networking Group; and
- the resident membership be increased from 1 to 2 residents representatives.

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Under the DBWP's current Terms of Reference, its stated purpose is:

- Facilitate constructive advice on how to effectively progress the actions and projects under the Place Plan
- Gather people who are committed, hardworking, representative and can work collaboratively
- Recognise what resources are available and what can reasonably and practicably be achieved
- Ensure meetings are productive and outcome focused
- Allow reporting back to Council and communication of activities to the community
- Are based on placemaking principles

Meeting: 26 November 2020

The DBWP was re-formed according to the revised terms of reference in October 2020. Its first meeting took place on 26 November 2020. A copy of the meeting minutes are attached at **Annexure 1.** A summary of the key issues discussed at the meeting is provided below:

-		
	Issue	Summary
•	Revised Terms of Reference	The working party noted the revised terms of reference.
•	Update from Sydney East Business Chamber	The Chair of the Sydney East Business Chamber provided an update on the activities and plans of the Sydney East Business Chamber.
•	Woollahra Council support for businesses	Staff updated members on the actions taken by Council to support businesses during the COVID-19 pandemic.
•	Double Bay Pedestrianisation	Staff updated members on the Double Bay Pedestrianisation Study. Staff advised the Working Party that the Knox St Double Bay
	Study	Pedestrianisation project has been identified as one of the projects that could be funded as part of the NSW Public Spaces Legacy Program.
•	Double Bay lanterns project	Representatives of ADP Consulting Elliott delivered an update on the Double Bay Lanterns Project. Feedback was sought from the Working Party on the colour options.

As a consequence of this meeting, the following actions have been undertaken by Council staff:

- Staff are investigating the evidence base that pedestrianisation supports local business.
- Members of the Working Party will be provided with an opportunity to view (on site) four different coloured prototypes of the lanterns.

Conclusion:

The meeting of the DBWP on 26 November 2020 was a productive forum for staff and community representatives to discuss a wide range of issues. It is the staff recommendation that the minutes of the meeting of the DBWP of 26 November 2020 are received and noted.

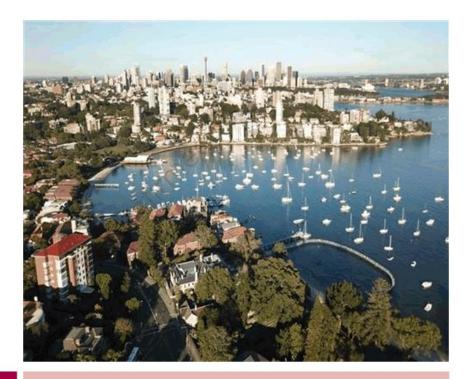
Annexures

1. Double Bay Working Party Minutes 26 November 2020 U

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Double Bay Working Party



Minutes

Thursday 26 November 2020

Double Bay Working Party Minutes

Double Bay Working Party Minutes

Thursday 26 November 2020

Present: Councillors: The Mayor, Susan Wynne (ex-officio) (Vaucluse Ward)

Mark Silcocks (Double Bay Ward) Anthony Marano (Cooper Ward) Megan McEwin (Cooper Ward)

Business: Katherine O'Regan (Sydney East Business Chamber)

Land owners: Eduard Litver (Cosmopolitan Centre)

Residents: Anthony Tregoning

Trader: Zena K'Dor (House of K'Dor)

Staff: Craig Swift McNair – General Manager

Tom O'Hanlon – Director Technical Services Aurelio Lindaya – Manager Engineering Services Anne White – Acting Manager Placemaking Kelly McKellar – Team Leader – Strategic Planning Jin Young Kim – Economic Development Officer Kate Burgess – Temporary Coordinator Placemaking

Others: Gavin White (ADP Consulting)

Craig Elliott (ADP Consulting)

Meeting opened: 6.00pm (held using teleconferencing technology)

Double Bay Working Party Minutes

- 1. Opening
- 2. Acknowledgement of Country
- 3. Apologies

Apologies were received from Councillor Richard Shields, Deidre O'Loghlin (Double Bay Networking Group) and Alex Oliver (Resident)

- 4. Declarations of Interest
- 5. Late correspondence
- 6. Confirmation of Minutes

Item No: 6.1

Subject: CONFIRMATION OF THE MINUTES OF THE DOUBLE BAY

WORKING PARTY HELD ON 29 OCTOBER 2019

(Marano/O'Regan)

Recommendation:

THAT the Minutes of the Double Bay Working Party held on the 29 October 2019 be confirmed.

7. Items for Discussion

Item No: 7.1

Subject: DOUBLE BAY WORKING PARTY REVISED TERMS OF

REFERENCE

(Silcocks/Marano)

Recommendation:

- A. THAT the Double Bay Working Party note the revised Terms of Reference which were adopted by Council on 25 May 2020.
- B. THAT a copy of the Woollahra Council Code of Conduct 2019 is distributed to the members of the Double Bay Working Party which sets the minimum standards of conduct for any person on a Council committee.

Double Bay Working Party Minutes

Item No: 7.2

Subject: WOOLLAHRA COUNCIL SUPPORT FOR BUSINESSES -

COVID-19 AND OTHER

Note: Anne White, Acting Manager – Placemaking, introduced the new members of the

Placemaking Team to the working party.

(Silcocks/O'Regan)

Recommendation:

THAT the Double Bay Working Party note the actions taken by Council to support businesses during the COVID-19 pandemic.

Item No: 7.3

Subject: SYDNEY EAST BUSINESS CHAMBER 2020 UPDATE

Note: Katherine O'Regan (Chair, Sydney East Business Chamber) updated the working

party that due to the impacts of COVID-19, the activities of the Business Chamber in 2020 have been limited and the annual Double Bay Festival was cancelled. Katherine advised that a board meeting would take place shortly to commence planning

activities for 2021.

(Silcocks/Marano)

Recommendation:

THAT the Double Bay Working Party note the update given by the Chair Katherine O'Regan on the activities and plans of the Sydney East Business Chamber.

Item No: 7.4

Subject: DOUBLE BAY PEDESTRIANISATION STUDY

Note: Aurelio Lindaya delivered a presentation on the Double Bay Pedestrianisation Study,

which was prepared following a resolution of Council in March 2019 to formulate a plan to turn more of Double Bay Commercial Centre into pedestrian only

precincts.

Tom O'Hanlon advised the Working Party that the Knox St Double Bay Pedestrianisation project has been identified as one of the projects that could be funded as part of the NSW Public Spaces Legacy Program.

Due to the timeframe of the funding programme, the public consultation and design process has been accelerated.

The members of the working party raised the following issues:

- Queried the evidence that pedestrianisation will have a positive impact on the businesses on Knox St.
- Queried whether 45% parking along Knox St had been considered. Staff responded that it had.

Double Bay Working Party of 26 November 2020

Page 4

Double Bay Working Party Minutes

- Queried whether the staging and construction had been finalised. Staff reported this has not yet occurred.
- Any proposal should create improved accessibility for walking and cycling, and link with the Guilfoyle Park upgrade. Noted by staff.
- This is the opportunity for Double Bay to lead a car-free vision for the future. Noted by staff.
- Opportunities for valet parking and an artwork/vibrant marker for a gateway to the Centre. Noted by staff.
- Staff were asked to identify if delivery trucks could be prevented from operating in Kiaora Lane after 8am.

(McEwin/Litver)

Recommendation:

- A. THAT the Double Bay Working Party note the Double Bay Pedestrianisation Study.
- B. THAT staff investigate the evidence base that pedestrianisation supports local business.
- THAT staff investigate options to prevent delivery trucks from operating in Kiaora Lane after 8am.

Item No: 7.5

Subject: DOUBLE BAY LANTERNS PROJECT

Note:

Tom O'Hanlon provided an update on the funding allocation for the project. \$335,000 was endorsed by Council at the meeting on Monday 23 November 2020 using funds allocated from the Australian Government's Local Roads and Community Infrastructure grant program.

Gavin White and Craig Elliott delivered an update on the Double Bay Lanterns Project. Feedback was sought from the Working Party on the colour options. Members of the Working Party raised concerns that the colours illustrated in the photomontages were not as previously agreed, and were Mission Brown and not iGuzzini bronze.

(McEwin/Silcocks)

Recommendation:

- A. THAT the Working Party note the design work undertaken by ADP Consulting for the Double Bay Lanterns Project.
- B. THAT the members of the Working Party are provided with an opportunity to view (on site) four different coloured prototypes, including a sample of iGuzzini bronze.
- C. THAT the Working Party provide further input into design development with a view to the design being finalised in early 2021.

Double Bay Working Party of 26 November 2020

Page 5

Double Bay Working Party Minutes

Item No: 7.6

Subject: SPENDMAPP

Note: Kelly McKellar delivered a presentation on Spendmapp, an online spending data

analysis tool to which Council has recently subscribed.

(Silcocks/McEwin)

Recommendation:

THAT the Double Bay Working Party note the staff presentation on Spendmapp.

8. General Business

Item No: 8.1

Subject: GENERAL BUSINESS

Nil

9. Next Meeting

The next meeting is scheduled for February 2021

There being no further business the meeting concluded at 7:30pm.

Double Bay Working Party of 26 November 2020

Item No: D4 Delegated to Committee

Subject: OXFORD STREET & PADDINGTON WORKING PARTY -

MINUTES - 2 DECEMBER 2020

Author:Kate Burgess, Temp Coordinator PlacemakingApprovers:Anne White, Manager - Strategic Planning

Craig Swift-McNair, General Manager

File No: 20/234903

Reason for Report: To report the minutes of the Oxford Street & Paddington Working Party

that took place on 2 December 2020.

Recommendation:

THAT the Minutes of the Oxford Street & Paddington Working Party meeting that took place on 2 December 2020 be received and noted.

Background:

The Oxford Street & Paddington Working Party (OSPWP) was originally formed following a Council resolution of 22 April 2013. The working party is made up of people from diverse backgrounds representing a broad section of the community.

Following the Mayoral election in September 2019 the Mayor, Councillor Susan Wynne, decided to review the role of both the Double Bay Working Party and the OSPWP to make sure the support we provide for our shopping neighbourhoods continues to be relevant and efficient. Part of this review was a survey of the members of both working parties.

The Mayor was briefed on the survey responses and it was consequently decided that the Terms of Reference under which both working parties operate be completely reviewed. This is so they reflect:

- the current aspirations set out in the new place plans as developed through the Working Parties
- operational arrangements that fit with the expectations expressed in the survey of working party members but balanced with what can practicably be achieved with available resources
- a transition from making plans to making plans happen
- current references as a result of changes which have occurred since the original Terms of Reference were adopted, e.g. Committee name changes

The revised OSWP Terms of Reference were adopted at the Council meeting on 25 May 2020 in accordance with the following resolution:

THAT Council adopt the Terms of Reference for the Oxford Street & Paddington Working Party as contained in Annexure 2 of the report subject to the following amendments to membership on page 394 of the Agenda:

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- Councillor membership be extended to all Councillors (up to 6 Councillor appointments) from the Cooper Ward and Double Bay Ward (for those Councillors who wish to nominate to be on the Working Party);
- City of Sydney Councillor membership be up to 3 City of Sydney Councillors;
- Business representatives be made up of 3 representatives being a landowner, a trader, a member of the Paddington Business Partnership.
- Resident membership be 2 resident representatives.

Under the OSPWP current Terms of Reference its stated purpose is to:

- Facilitate constructive advice on how to effectively progress the actions and projects under the Place Plan
- Gather people who are committed, hardworking, representative and can work collaboratively
- Recognise what resources are available and what can reasonably and practicably be achieved
- Ensure meetings are productive and outcome focused
- Allow reporting back to Council and communication of activities to the community
- Are based on placemaking principles.

Meeting: 2 December 2020

The OSPWP was re-formed according to the revised terms of reference in October 2020. Its first meeting took place on 2 December 2020. A copy of the meeting minutes are attached at **Annexure 1.** A summary of the key issues discussed at the meeting is provided below:

Issue		Summary
	issuc	Summary
•	Revised Terms of	The working party noted the revised terms of reference.
	Reference	
•	Woollahra Council	Staff updated members on the actions taken by Council to support
	support for businesses	businesses during the COVID-19 pandemic.
•	Update from City of	As a representative of City of Sydney was not able to attend the
	Sydney	meeting, an email update was requested from staff of the City of
		Sydney Council on the activities and plans of City of Sydney
		Council regarding Oxford St and Paddington.
•	Submission from	The City of Sydney is currently investigating planning changes for
	Sydney Business	Oxford Street, Paddington to support more cultural, creative,
	Chamber to City of	entertainment and late night activities. The Sydney Business
	Sydney Council	Chamber prepared a submission in partnership with consultancy
		Hatch Roberts Day which they shared with Woollahra Council
		following submission to City of Sydney Council.
		The Working Party agreed that staff should prepare a submission to
		the City of Sydney Council on planning and policy changes for
		Oxford Street, articulating the position of the OSWP.
•	Update from the	The Chair of the Paddington Business Partnership provided an
	Paddington Business	update on the activities and plans of the Paddington Business
	Partnership	Partnership.

As a consequence of this meeting, the following actions have been undertaken by Council staff:

• An email from staff at the City of Sydney Council on the activities and plans of City of Sydney Council regarding Oxford St and Paddington was distributed to the members of the OSPWP.

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• Staff prepared a submission to the City of Sydney Council on planning and policy changes for Oxford Street articulating the position of the OSWP.

Conclusion:

The meeting of the OSWP on 2 December 2020 was a productive forum for staff and community representatives to discuss a wide range of issues. It is the staff recommendation that the minutes of the meeting of the OSPWP of 2 December 2020 are received and noted.

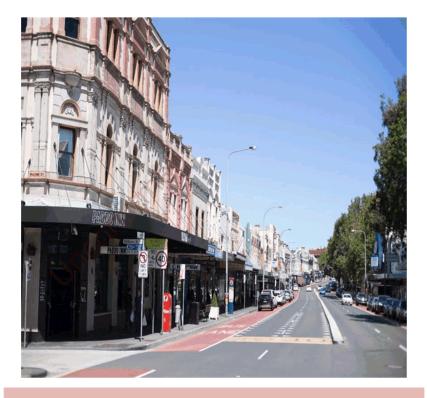
Annexures

1. Oxford Street & Paddington Working Party Minutes 2 December 2020 J

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Oxford Street & Paddington Working Party





Wednesday 2 December 2020

2 December 2020

Oxford Street & Paddington Working Party Minutes

Wednesday 2 December 2020 held using teleconferencing technology

Present: Councillors: Peter Cavanagh (Paddington Ward)

Luise Elsing (Cooper Ward)
Anthony Marano (Cooper Ward)
Harriet Price (Paddington Ward)
Matthew Robertson (Paddington Ward)

City of Sydney

Councillors: Cr Thallis (joined at Item No: 7.4)

Landowners: Sam Egerton on behalf of Merivale

Trader: Robbie Ingham

Member of the Paddington

Business Partnership: Michael Fegent

Residents: Keri Huxley

Andrew Moss

Staff: Craig Swift-McNair – General Manager

Anne White – Acting Manager Placemaking
Jin Young Kim – Economic Development Officer
Kate Burgess – Temporary Coordinator Placemaking

Meeting opened: 6.00pm (held using teleconferencing technology)

2 December 2020

1. Opening

2. Acknowledgement of Country

3. Apologies

Apologies were received from Victoria Moxey (City of Sydney Council)

4. Declarations of Interest

Nil

5. Late Correspondence

Nil

6. Confirmation of Minutes

Item No: 6.1

CONFIRMATION OF THE MINUTES OF THE OXFORD ST &

Subject: PADDINGTON WORKING PARTY HELD ON 28 NOVEMBER

2019

(Huxley/Marano)

Recommendation:

THAT the Minutes of the Oxford Street & Paddington Working Party held on the 28 November 2019 be confirmed.

7. Items for Discussion

Item No: 7.1

Subject: OXFORD ST & PADDINGTON WORKING PARTY REVISED

TERMS OF REFERENCE

(Fegent/Robertson)

Recommendation:

THAT the Oxford St & Paddington Working Party note the revised Terms of Reference which were adopted by Council on 25 May 2020.

2 December 2020

Item No: 7.2

Subject: WOOLLAHRA COUNCIL SUPPORT FOR BUSINESSES -

COVID-19 AND OTHER

(Huxley/Price)

Recommendation:

THAT the Oxford St & Paddington Working Party note the actions taken by Council to support businesses during the COVID-19 pandemic.

Item No: 7.3

Subject: CITY OF SYDNEY COUNCIL UPDATE

(Fegent/Ingham)

Recommendation:

THAT in lieu of an update at the meeting, an email update be requested from Victoria Moxey, City of Sydney Council – City Business Manager on the activities and plans of City of Sydney Council regarding Oxford St and Paddington and that this is distributed to the members of the Oxford Street & Paddington Working Party.

Item No: 7.4

SUBMISSION FROM SYDNEY BUSINESS CHAMBER TO CITY

Subject: OF SYDNEY COUNCIL - HIGH TIME: THE FUTURE OF

OXFORD ST

Note: The Working Party agreed that whilst some suggestions in the submission

were of merit, other elements are strongly opposed.

Points of merit included the acknowledgement of the conflict between the dual roles of Oxford St as a place and as a transit corridor. The strongest objection was the recommendation that the entirety of Oxford Street be transferred to City of Sydney Council to manage.

(Egerton/Ingham)

Recommendation:

- A. THAT the Oxford Street & Paddington Working Party note the Sydney Business Chamber report High Time: The Future of Oxford St submitted to City of Sydney Council.
- B. THAT Council staff prepare a submission to the City of Sydney Council on planning and policy changes for Oxford Street articulating the position of the Oxford Street & Paddington Working Party.

2 December 2020

Item No: 7.5

Subject: SPENDMAPP

Note: Jin Young Kim delivered a presentation on Spendmapp, an online spending data

analysis tool to which Council has recently subscribed.

(Robertson/Huxley)

Recommendation:

THAT the Oxford Street & Paddington Working Party note the staff presentation on Spendmapp.

Item No: 7.6

Subject: PADDINGTON BUSINESS PARTNERSHIP UPDATE

Note: Michael Fegent, Paddington Business Partnership President updated the Working Party that:

- The Visit Paddington Wayfinding Map has been redesigned to feature more businesses and local places of interest. The distribution of the map will target locals and interstate visitors. The updated map will launch on 14 December 2020
- Membership of the organisation has grown from 78 to well over 100 businesses
- · The Visit Paddington website is being redesigned
- Events for 2021 are in the development stage.
- The partnership are looking to expand the annual William Street festival.

(Huxley/Elsing)

Recommendation:

THAT the Oxford St & Paddington Working Party note the update given by Michael Fegent, President – Paddington Business Partnership, on the activities and plans of the Paddington Business Partnership.

8. General Business

Item No: 8.1

Subject: GENERAL BUSINESS

Retirement of Peter Kauter

The Oxford St & Paddington Working Party noted the retirement of Woollahra Council Manager – Placemaking Peter Kauter along with an appreciation of his many years of service.

Local Paddo

The recent publication of Local Paddo magazine by Local Publishing Co. and its exciting and useful content was noted.

2 December 2020

Pedestrian/Car conflict along Oxford Street

Kerri Huxley spoke to the conflict between pedestrians and cars joining Oxford St from side streets. Kerri proposed that pedestrian crossings are created at all intersections with Oxford Street along the Woollahra Council border.

Oxford Street activation reserve

Members of the Working Party questioned what amount is left in the budget to activate Oxford Street. The General Manager noted the discussion and advised he will confirm the amount available

Paddington Marketing Strategy

Members of the Working Party questioned the status of the Strategy. The General Manager identified that a report on the marketing strategy would be reported to a meeting of the Working Party in 2021.

Timing of Reports

It was noted by members of the Working Party that reports on items that are relevant and of interest to the members of the Oxford Street & Paddington Working Party were reported to the Small Business Working Party and the Environmental Planning Committee, but not necessarily this Working Party. The General Manager advised that a process would be put in place to coordinate the agenda items for the Small Business Working Party, the Double Bay Working Party and the Oxford Street & Paddington Working Party.

9. Next Meeting

The next meeting is scheduled for February 2021.

There being no further business the meeting concluded at 7.30pm.

Item No: R1 Recommendation to Council

POST EXHIBITION REPORT - PLANNING PROPOSAL - GEORGE S. GRIMLEY PAVILION AND THE SYDNEY

CROQUET CLUB, ROSE BAY - HERITAGE LISTING

Author: Shona Lindsay, Heritage Officer

Approvers: Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 20/237587

Subject:

Reason for Report: To report on the public exhibition of the planning proposal to list the

George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's

Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm,

3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items in Schedule

5 of Woollahra Local Environmental Plan 2014.

To obtain Council's approval to proceed with the finalisation of the

planning proposal and preparation of a draft LEP

Recommendation:

- A. THAT Council proceed with the planning proposal at **Annexure 1** of the report to the Environmental Planning Committee of 1 February 2021, and proceed with the preparation of a draft local environmental plan to amend Schedule 5 of Woollahra LEP 2014 to list the *George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern* side at Woollahra Park, off O'Sullivan Road, Rose Bay and the *Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items.*
- B. THAT Council use its authorisation as the local plan-making authority to exercise the functions under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* to make the LEP.
- C. THAT Council proceed with submitting the nomination application to Heritage NSW to list the *Sydney Croquet Clubhouse (exterior and interior)* on the State Heritage Register.

1. Introduction

This report relates to the public exhibition of a planning proposal to list the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items in Schedule 5 of Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014). The planning proposal is included at Annexure 1.

The George S. Grimley Pavilion (**Figure 1**) and the Sydney Croquet Club (**Figure 2**) are located in Woollahra Park, off O'Sullivan Road, Rose Bay. The location of each building is identified in **Figure 3**. The site is identified as part of Lot 1319 D.P. 1222163. Woollahra Council is the landowner for both sites.



Figure 1: George S. Grimley Pavilion, south-western elevation (WP Heritage and Planning)



Figure 2: Sydney Croquet Club, southern elevation (WP Heritage and Planning)



Figure 3: Location of the sites in Woollahra Park.

Key: (1) George S. Grimley Pavilion, (2) Sydney Croquet Club (Woollahra Council GIS)

2. Background

The process for assessing the heritage significance of the George S. Grimley Pavilion and the Sydney Croquet Club and preparing the planning proposal has involved the following steps to date:

- (i) Decision of the Council on 28 April 2018 to assess the heritage significance of both sites.
- (ii) Weir Phillips Heritage and Planning prepared a Heritage Significance Assessment (HSA) for each site (**Annexure 2 & 3**). The George S. Grimely Pavilion was found to have local significance. The Sydney Croquet Club was found to have local and State significance.

(iii) Consultation with leaseholders of the George S. Grimley Pavilion.

The leaseholders, Eastern Suburbs Rugby Club and Woollahra Golf Club, were consulted throughout the project. They were provided with a copy of the draft heritage significant assessment and draft heritage inventory sheet on 1 November 2019 for the relevant properties.

The land owner and lease holders were given until 2 December 2019 to make a submission. Guy Gibson (General Manager, Woollahra Golf Club) has reviewed the draft heritage significance assessment report and draft heritage inventory sheet for *George S. Grimley Pavilion*. Mr Gibson indicated his support of the listing.

An updated draft heritage significance assessment report and draft heritage inventory sheet were provided to the land owner and lease holders on 24 February 2020. The land owner and lease holders were given until 16 March 2020 to make a submission. No other comments were provided from the relevant land owner and lease holders.

(iv) Consultation with leaseholders of the Sydney Croquet Club.

The leaseholder, Sydney Croquet Club, was consulted during the project. The following outlines the consultation process:

• 31 May 2019	Notice of the heritage assessment project and request for access to		
-	the building.		
• 1 November 2019	Notice regarding completion of draft assessment of heritage		
	significance. Provision of the electronic link to the draft document.		
	Invitation to provide comments.		
• 13 February 2020	Notice of the <i>Environmental Planning Committee</i> (EPC) meeting		
	of 17 February 2020. Provision of the relevant Woollahra Council		
	website link to the report and the draft assessment of heritage		
	significance.		
• 27 February 2020	Notice requesting a meeting in response to Council's decision to		
·	defer consideration of the matter. Provision of the electronic link		
	to the draft assessment of heritage significance.		
• 12 March 2020	Notice of the EPC meeting of 16 March 2020. Provision of the		
	relevant Woollahra council website link to the report and the draft		
	assessment of heritage significance.		

- (v) Report to the *Woollahra Local Planning Panel* (Woollahra LPP) on 7 and 21 May 2020 for advice.¹
- (vi) A progress report to the EPC on 1 June 2020 for the George S. Grimley Pavilion¹.
- (vii) Report to the EPC on 3 August 2020 with the advice from the Woollahra LPP¹.
- (viii) Decision of the Council on 24 August 2020 to proceed with the planning proposal and seek a gateway determination from the Department of Planning, Industry and Environment.
- (ix) Conditional gateway determination issued on 19 October 2020 (see **Annexure 4**). The gateway determination gave authorisation to Council to exercise the plan-making functions under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* (the Act) to make the LEP.

3. Community consultation

The planning proposal and supporting material were placed on public exhibition for 31 days, from Wednesday 4 November 2020 to Friday 4 December 2020 (inclusive), consistent with the requirements of the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000* and conditions set out in the gateway determination (see **Annexure 4**). The exhibition involved the following:

- 1. Five weekly notices in the Wentworth Courier providing details of the exhibition, on 4 November 2020, 11 November 2020, 18 November 2020, 25 November 2020 and 2 December 2020.
- 2. A public exhibition page for the planning proposal and supporting material on Council's website. The exhibition page was visited by 11 customers during the exhibition period.
- 3. A public exhibition page for the planning proposal and supporting material on Your Say Woollahra. This page was visited by 58 customers during the exhibition period.
- 4. Display of exhibition material at the Customer Service counter of the Woollahra Council Chambers at Double Bay, available during normal business hours.
- 5. Notification letter or email to stakeholders including:
 - Current tenants
 - Adjoining and nearby property owners
 - NSW Heritage at the Department of Premier and Cabinet
 - Woollahra History and Heritage Society
 - Rose Bay Residents Association

4. Submissions

Nine submission were received in response to the public exhibition. A redacted copy of all submissions is attached at **Annexure 5**.

The planning proposal was supported by:

¹ The land owner and tenants were notified of the relevant EPC and Woollahra LPP meetings.

- Rose Bay Residents Association
- Heritage NSW, Department of Premier and Cabinet

The following objected to the planning proposal:

- Sydney Croquet Club
- Five individual community members.

A summary of the objections raised in the submissions, which site they are commenting on, and a staff response is provided in the following table:

Comment Summary	Staff Response
 Wendy Fothergill – Sydney Croquet Club member Lawns undermined due to tree roots and loss of sun from trees. The trees are inappropriate for this type of activity and native trees should have been used. A heritage listed club is of no use if the lawns are not adequate. 	The management of the trees is currently being investigated by the Director of Technical Services and relevant Council staff.
 Garry Walsh – Sydney Croquet Club Building has no heritage value and the land should be used for something else for the general public good. 	 The independent Heritage Significance Assessment prepared by Weir Phillips Heritage and Planning measured the Sydney Croquet Club against the Heritage NSW heritage significance criteria. The Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility was found to have significance at both the local and State level. The heritage listing does not preclude the adaptive reuse of the land, providing it is consistent with the Woollahra LEP 2014. The merits of a development application (DA) to change the use of the land would be assessed on merit.
 Stephen Wales – Both sites Proposal would limit the future use of site and a use should be for the broader community 	The heritage listing would not preclude the alternative reuse of the land, providing it is consistent with the Woollahra LEP 2014. The merits of a DA to change the use of the land would be assessed on merit.
 Thomas – Both sites Land should be better used for a wider purpose to benefit a larger population e.g. public pools. A study should be undertaken of alternate uses for the space. 	The heritage listing would not preclude the alternative reuse of the land, providing it is consistent with the Woollahra LEP 2014. The merits of a DA to change the use of the land would be assessed on merit.

Staff Response			
The management of the trees is currently being investigated by the Director of Technical Services and relevant Council staff.			
 The independent Heritage Significance Assessment prepared by Weir Phillips Heritage and Planning measured the Sydney Croquet Club against the Heritage NSW heritage significance criteria. The Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility was found to have significance at both the local and State level. Heritage listing will provide the ongoing protection and recognition of the heritage significance of the items. A Conservation Management Document is prepared at the DA stage to analyse the current condition of the place and establish guidelines for a strategy to inform future changes to that place. The management of the trees is currently being investigated by the Director of Technical Services and relevant Council staff. The site is identified as having local and State significance, and the ongoing investigations into the management of the trees should not delay the listing process. 			
 George S. Grimley Pavilion The independent Heritage Significance Assessment prepared by Weir Phillips Heritage and Planning measured the George S. Grimley Pavilion against the Heritage NSW heritage significance criteria. The George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park was found to have significance at the local level. DA 224/2020 was submitted by Easts Rugby on 30 June 2020 for the demolition of the existing change room and construction of a two storey extension (including change rooms, bathroom, gym and function room). However, this DA was withdrawn on 6 November 2020. The comments regarding the accessibility of the toilets is noted. The merits of a DA to make the toilet facilities more accessible would be assessed on merit. 			

Comment Summary	Staff Response	
	Sydney Croquet Club	
	The independent Heritage Significance Assessment	
	prepared by Weir Phillips Heritage and Planning	
	measured the Sydney Croquet Club against the Heritage	
	NSW heritage significance criteria. The <i>Sydney Croquet</i>	
	Clubhouse (including the interiors), moveable heritage	
	items (including rustic benches, timber lockers, opening	
	plaque, honour boards, pennants, historical photographs	
	and trophies), lawns, timber shelters and 3 Hill's Weeping	
	Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3	
	Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located	
	within and adjoining the boundaries of the Clubhouse	
	facility was found to have significance at both the local	
	and State level.	
	The fact that the land is in public ownership does not	
	affect the Heritage Significance Assessment against the	
	Heritage NSW heritage significance criteria.	

Having considered the matters raised in the submissions, Council staff do not support amending the planning proposal. The proposal is considered acceptable to proceed.

5. Making the draft LEP under delegated authority.

To streamline the plan-making process, the Minister can delegate some plan-making powers to Council for routine matters. In this case, Council has been provided with written authorisation to exercise the functions of the Minister to make a LEP under section 3.36 of the Act.

Should Council resolve to proceed with and finalise the planning proposal, staff will request that the Parliamentary Counsel (PC) prepare a draft LEP. Once the draft LEP has been prepared, PC will issue an opinion that it can be made.

Alternatively, if Council decides not to finalise the planning proposal, it should resolve to write to the Minister requesting him or his delegate not to proceed under section 3.35(4).

6. Consideration of State heritage listing

The Heritage Significance Assessment Report for the Sydney Croquet Club concluded that the *Sydney Croquet Clubhouse (exterior and interior)* should be listed as a State heritage item.

As the planning proposal has now progressed beyond the exhibition stage and if Council decides to proceed with the heritage listing, it is now appropriate to submit the nomination for State listing to Heritage NSW for inclusion on the State Heritage Register (SHR). Part C of the recommendation for this report deals with the nomination.

7. Conclusion

The heritage significance of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay has been established through a detailed assessment of heritage significance. The planning proposal will facilitate the listing as individual local heritage items thereby providing statutory recognition of its heritage significance.

Preparation and exhibition of the planning proposal has been undertaken in the manner required by the relevant provisions of the Act and the Regulation, and we recommend that Council proceeds with the planning proposal.

The State Heritage Register nomination for *Sydney Croquet Clubhouse (exterior and interior)* under the *Heritage Act*, 1977 will be forwarded to Heritage NSW should Council proceed with the local heritage listing.

Annexures

- 1. Planning Proposal for the George S. Grimley Pavilion and the Sydney Croquet Club, Rose Bay (excluding annexures) [1]
- 2. Hertiage Significance Assessment for George S. Grimley Pavilion J.
- 3. Heritage Significance Assessment for Sydney Croquet Club <u>U</u>
- 4. Gateway Determination 19 October 2020 <u>J.</u>
- 5. Redacted copy of submissions <u>U</u>



Local Heritage Listing

George S. Grimley Pavilion and the Sydney Croquet Club

Woollahra Park, off O'Sullivan Road, Rose Bay





October 2020
Planning and Development/Strategic Planning
Shona Lindsay
20/173250

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Part 1 - Introduction

1.1. Background

On 23 April 2018 Woollahra Council resolved in part:

THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for each of:

- 1. The Sydney Croquet Club building and greens (having its address in Woollahra Park, O'Sullivan Road, Rose Bay); and
- 2. The Woollahra Golf Club Clubhouse and George Grimley Pavilion (having its address in Woollahra Park at 50 O'Sullivan Road, Rose Bay)

to the relevant Council Committee to facilitate the Sydney Croquet Club building and greens and the Woollahra Golf Club Clubhouse and George Grimley Pavilion (and their elements) being:

- 1. Included in the Woollahra Local Environmental Plan as a heritage item; and
- 2. Listed as a heritage item of State significance on the NSW State Heritage Register.

In response to Council's decision the heritage consultant firm Weir Phillips Heritage and Planning was engaged to prepare an assessment of heritage significance for the George S. Grimley Pavilion, Woollahra Golf Clubhouse and Sydney Croquet Club. Woollahra Golf Clubhouse does not have significance at a local or State level and will not be discussed further in this report.

On 17 February 2020 a report on the assessment of heritage significance for the *Sydney Croquet Club* was presented to a meeting of the Environmental Planning Committee (EPC).

At the EPC meeting representatives from the Club tabled late correspondence. That correspondence highlighted the Club's future plans for the grounds and also asked questions about the heritage listing. Representatives from the Club also addressed the Committee.

The Committee recommended that the matter be deferred and subsequently the Council resolved on 24 February 2020, in part:

D. THAT consideration of the Sydney Croquet Club (clubhouse, moveable heritage items and lawns) as a heritage item in Woollahra Local Environmental Plan 2014, be deferred for a period of two weeks.

The purpose of the deferral was to enable discussion between the Club and Council staff about the potential heritage listing and matters relating to the operation of the Club.

Planning Proposal - Local heritage listing George S. Grimley Pavilion and Sydney Croquet Club, Rose Bay - Version October 2020

Following discussions between the Club and Council staff, the report was presented to the EPC meeting on 16 March 2020. On 6 April 2020 Council resolved, in part:

- A. THAT a planning proposal be prepared to list the Sydney Croquet Club (clubhouse, moveable heritage items and lawns) as a heritage item in 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.
- D. THAT following the progress of the local heritage listing through the public exhibition process, a report be brought to the relevant Council committee addressing submissions received and also the nomination for State heritage listing.

On 20 April 2020 a report on the assessment of heritage significance for the *George S. Grimley Pavilion* was presented to a meeting of the Environmental Planning Committee (EPC). On 4 May 2020 Council resolved:

- A. THAT a planning proposal be prepared to list the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) as a heritage item in 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.

Following the resolution of Council, a planning proposal was prepared for the *George S. Grimley Pavilion* and the *Sydney Croquet Club*. On 7 May 2020 the *Woollahra Local Planning Panel* (LPP) considered a report on the planning proposal for the *Sydney Croquet Club*.

The LPP provided the following advice:

THAT the Woollahra Local Planning Panel advises Council to:

- A. Proceed with the planning proposal to list Sydney Croquet Club (clubhouse including interiors, moveable heritage items and lawns)at Woollahra Park, off O'Sullivan Road, Rose Bay as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014 subject to:
 - (i) Consideration being given to the heritage significance of the two 1964 timber shelters in order to determine whether they should be included in the description of the local heritage listing.
 - (ii) Identifying the individual trees and groups of trees surrounding the clubhouse and lawns which have been included in the assessment of heritage significance report and the heritage data form to enable their inclusion in the description of the local heritage listing.
 - (iii) Providing a diagram in the assessment of heritage significance and the heritage data form to identify the area of land in Woollahra Park which encompasses the elements comprising the local heritage listing.
- B. Forward the planning proposal to the Department of Planning, Industry and Environment to list Sydney Croquet Club (clubhouse including interiors, moveable heritage items and lawns)at Woollahra Park, off O'Sullivan Road, Rose Bay as a local

Planning Proposal - Local heritage listing George S. Grimley Pavilion and Sydney Croquet Club, Rose Bay - Version October 2020

HPE: 20/173250

2

- heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014, requesting a gateway determination to allow public exhibition.
- C. Request delegation from the Department of Planning, Industry and Environment in relation to the planning proposal, to carry out the plan-making functions of the Minister for Planning and Public Spaces under section 3.36 of the Environmental Planning and Assessment Act 1979.
- D. Suggest that Council undertake a strategic assessment of parks in Woollahra Local Government area as part of its gap analysis of heritage items.

On 21 May 2020 the LPP considered a report on the planning proposal for the *George S. Grimley Pavilion*.

The LPP provided the following advice:

THAT the Woollahra Local Planning Panel advises Council to:

- A. Proceed with the planning proposal to list the George S. Grimley Pavilion at Woollahra Park, off O'Sullivan Road, Rose Bay-as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014 subject to -
 - (i) The description of the proposed item being revised to ensure that it sufficiently recognises the heritage significance of the building and its setting. In regard to this, consideration should be given to the remaining elements and spaces of the original 1926 building that may be located in the north-eastern part of the building, the golf pro-shop and other altered areas.
 - (ii) Providing a diagram in the assessment of heritage significance and the heritage data form to identify the area of land in Woollahra Park which encompasses the elements comprising the local heritage listing.
- B. Subject to Part A, forward the planning proposal to the Department of Planning, Industry and Environment, requesting a gateway determination to allow public exhibition.
- C. Request delegation from the Department of Planning, Industry and Environment in relation to the planning proposal, to carry out the plan-making functions of the Minister for Planning and Public Spaces under section 3.36 of the Environmental Planning and Assessment Act 1979.
- D. THAT the planning proposals for the Sydney Croquet Club and the George S. Grimley Pavilion be combined into a single planning proposal.

On the 1 June 2020 a progress report for the *George S. Grimley Pavilion* was presented to the EPC following the advice of the Woollahra LPP. On 22 June 2020 Council resolved:

- A. THAT the report on the advice of the Woollahra Local Planning Panel in regard to the planning proposal for the local heritage listing of the George S. Grimley Pavilion be received and noted.
- B. THAT a further report be prepared and presented to the Environmental Planning Committee on 6 July 2020, addressing the advice of the Panel and amendments to the planning proposal.

On the 3 August 2020 the EPC considered a report for the *George S. Grimley Pavilion* and the *Sydney Croquet Club* on the amendments to the planning proposal following the advice of the Woollahra LPP. On 24 August 2020 Council resolved:

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A. THAT Council proceed with the planning proposal to list George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items, lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items in Schedule 5 of the Woollahra Local Environmental Plan 2014 subject to the following amendment to the assessment of heritage significance and heritage data form for the George S. Grimley Pavilion being amended in the following way:

Figure 90 on page 63 of heritage significance report and the figure on page 14 of the heritage data form should have the following note in the caption: Note: The first floor of the 1926 building is deemed to have high significance. The heritage item description of the Sydney Croquet Club is to be incorporated within the planning proposal, the assessment of heritage significance and the heritage data form.

- B. THAT Council forward the planning proposal to the Department of Planning, Industry and Environment to list George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items, lawns, timber shelters and 3 Hill's Weeping Figs, 3 .Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items in Schedule 5 of the Woollahra Local Environmental Plan 2014, requesting a gateway determination to allow public exhibition.
- C. THAT Council request delegation from the Department of Planning, Industry and Environment in relation to the planning proposal, to carry out the plan-making functions of the Minister for Planning and Public Spaces under section 3.36 of the Environmental Planning and Assessment Act 1979.

1.2. Description of this planning proposal

This planning proposal is made in relation to the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay.

This planning proposal explains the intended effect of an amendment to *Woollahra LEP* 2014. The amendment to *Woollahra LEP* 2014 involves listing *George S. Grimley Pavilion* (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the *Sydney Croquet Clubhouse* (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a

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Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay as individual heritage items in Woollahra LEP 2014. Heritage listing will provide ongoing protection and recognition of the heritage significance of the items.

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the two documents prepared by the formerly named NSW Department of Planning and Environment (now known as the NSW Department of Planning, Industry and Environment) titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018).

This planning proposal includes:

- 1. Existing site and surrounding context
- 2. Existing planning controls applying to the site
- 3. The objective of the amendment to Woollahra LEP 2014
- An explanation of provisions that are to be included in the amendment to Woollahra LEP 2014
- 5. Justification for the objective and provisions to be included in the amendment to *Woollahra LEP 2014*
- 6. Mapping for the heritage listing
- 7. Community consultation to be undertaken
- 8. Project timeline

1.3. Assessment of heritage significance

In response to Council's decision, an assessment of heritage significance of the *George S. Grimley Pavilion* and the *Sydney Croquet Club* was prepared by Weir Phillips Heritage and Planning. The assessment was completed in July 2020 (and updated in September 2020) and is attached separately.

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

There are seven criteria used in the process of assessing heritage significance.

Table 1 below provides a summary of the assessment of the heritage significance of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side against the seven criteria, at the local and State levels.

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Table 1: NSW Heritage assessment criteria summary – George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side

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	x	×
(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)	×	×
(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)	×	×
(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.		

Table 2 below provides a summary of the assessment of the heritage significance of the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility against the seven criteria, at the local and State levels.

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Table 2: NSW Heritage assessment criteria summary – Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility

	Criteria Meets criteria for h listing and gradi significance		grading of
		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)	√	~
(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)	√	~
(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. To be assessed for State significance an item will meet more than one of the seven heritage criteria at a State level, or if an item satisfies only one of the criteria, the item is of such particular significance to NSW that it should be listed.

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Annexure 1 Planning Proposal for the George S. Grimley Pavilion and the Sydney

Croquet Club, Rose Bay (excluding annexures)

The heritage assessment concludes that George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side satisfies criteria (a), (b), (c), and (g) at a local level. George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side does not satisfy any criteria at a State level.

The heritage assessment concludes that Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility satisfies criteria (a), (b), (c), (d), (e), (f) and (g) at a local level. Sydney Croquet Clubhouse (exterior and interior) satisfies criteria (c), (e) and (f) at a State level.

1.4. Statement of heritage significance

The following statement of heritage significance for *George S. Grimley Pavilion* is extracted from the Heritage Assessment report by Weir Phillips Heritage and Planning:

The George S. Grimley Pavilion, Woollahra Park, Rose Bay, has historic, associative, aesthetic and representative significance at a local level. Designed by the architectural firm of E.A. Scott and Green and erected in 1926, it provides evidence of Council's interest in providing public recreational facilities in the 1920s, an interest that continues today. The building was designed to serve a dual function: as a grandstand for the adjoining oval and as a place where community and private activities and functions could be held. The pavilion commemorates George S. Grimley, a long serving alderman of Woollahra Council and Mayor in 1930-31, 1938-29 and 1945-46.

The south-western half of the original building is readily recognisable as the building designed by E.A. Scott and Green and has high significance. This part of the building contains the original function rooms. While the upper part of the original grandstand above the function rooms has been enclosed and the tiered seating removed or concealed, the original tiled roof form above and the pillars supporting the roof remain. Any remnants of the tiered form of the grandstand that survives beneath the existing gym and the Colorbond roof immediately below are significant. The remainder of the north-eastern part of the building, comprising the 1978 addition, is not significant. The early addition on the north-eastern side has moderate significance.

(September 2020: Weir Phillips Heritage and Planning: Heritage Assessment, Woollahra Golf Clubhouse and the George S. Grimley Pavilion p. 62)

The following statement of heritage significance for the *Sydney Croquet Club* is extracted from the Heritage Assessment report by Weir Phillips Heritage and Planning:

The Sydney Croquet Club, off O'Sullivan Road, Woollahra, New South Wales, has State and local significance. Designed by Council's architect M.V.E. Woodforde and built in 1934, the building is substantially intact and lies within a setting of high visual and sensory appeal.

The Clubhouse has State significance as a rare example of a large Inter-War period split-log building.

The Sydney Croquet Club, including the Clubhouse (exterior, interior), lawns, timber shelters, and mature trees on the southern, northern and western sides, has local

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significance as a long-standing recreational club with an unbroken association with its premises since 1934. The Clubhouse and lawns were one of a number of facilities established by Woollahra Council during the Inter-War period in line with their growing interest in the provision of public recreational facilities, an interest that continues today. The Sydney Croquet Club is part of a wider pattern of croquet clubs throughout New South Wales. The Clubhouse houses a collection of Club memorabilia and moveable heritage that is significant at a local level.

The Clubhouse and lawns have local aesthetic significance for the qualities of its setting. The once open setting has become clearly defined by mature trees along the northern, western and southern boundaries that create an enclosed setting that sets the site apart from the surrounding golf course.

(September 2020: Weir Phillips Heritage and Planning: Heritage Assessment, Sydney Croquet Club p.47)

The assessment recommends the listing of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility as individual local heritage items in Schedule 5 of Woollahra LEP 2014.

The report concluded that the *Sydney Croquet Clubhouse* (exterior and interior) also meets the threshold for State heritage listing. The report concluded that the *George S. Grimley Pavilion* (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side does not meet the threshold for State heritage listing.

This planning proposal deals only with the local heritage listings under Woollahra LEP 2014. There is a separate process for nominating and listing at State level on the State Heritage Register under the *Heritage Act 1977*.

1.5. Heritage significance assessment report

The heritage significance assessment report contains the following recommendations for the *George S. Grimley Pavilion*:

It is recommended that:

- The George S. Grimley Pavilion should not be listed as a heritage item on the State Heritage Register under the auspices of the NSW Heritage Act 1977.
- The George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side, be listed as a heritage item on Schedule 5 Part 1 of the Woollahra LEP 2014. This part of the building has significance under criterion (a), (b), (c) and (g).
- A conservation management document should be prepared for the George S. Grimley Pavilion in order to guide the management of the building and future conservation works. The document should include, but be not limited to, a maintenance schedule.

The following curtilage is recommended for the George S. Grimley Pavilion:

 Part Lot 1319 D.P. 1222163, as defined by the yellow in Figure 91.

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Figure 91: Reduced lot curtilage. SIX Maps; WP Heritage and Planning.

The following management policies are recommended:

- The overall form of the south-western half of the building, including the roof forms and columns supporting the tiled roof at first floor level, should be retained and remain clearly legible.
- The south-western elevation should be retained. The reinstatement of the original window openings at first floor level and the removal of the security awnings is to be encouraged.
- Alterations within the ground floor of the south-western half of the building (outlined in red and yellow in Figure 90) can occur but must take into consideration the surviving original fabric, including ceilings and joinery. There is greater scope for alteration in the area outlined in yellow, an early addition to the original building.
- The bathrooms within the ground floor of the south-western half of the building can be updated as required.
- The north-western half of the building (outlined in green in Figure 90) can undergo further alteration and addition, particularly with regard to the 1978 flat roofed addition. This later addition can be removed if required. Any remnants of the grandstand tiers that survive beneath the existing gym and the sloping Colorbond roof immediately below it are to be considered significant fabric. It is desirable to retain existing concealed tiering of the original grandstand which may provide an outlook towards the playing field if reinstated.
- It is desirable that an outlook beyond the curtilage defined by Figure 90 above towards the playing field be maintained for as long as the playing field is retained, particularly if concealed tiered seating has survived in the upper part of the grandstand and is reinstated.

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The heritage significance assessment report contains the following recommendations for the *Sydney Croquet Club*:

It is recommended that:

- The Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photograph and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility, be listed as a heritage item by Schedule 5 Part 1 of the Woollahra LEP 2014. The site meets the threshold for listing on the LEP 2014 under Heritage NSW under criteria (a), (b), (c), (d), (e), (f) and (g).
- The Sydney Croquet Clubhouse (exterior and interior) be nominated for listing on the State Heritage Register. The building meets the threshold for listing under criteria (c), (e) and (f).

The following curtilages are recommended:

- The recommended curtilage for the local listing is part Lot 1319 D.P.1222163. See Figure 68 below.
- The recommended curtilage for the State listing is the Clubhouse building alone. The setting, as assessed above, only meets the threshold for listing at a local level.

It is further recommended:

 That a Conservation Management Plan, including a schedule of conservation works and moveable heritage inventory, be prepared for the site to further identify the elements of significance, provide guidelines for its conservation, ongoing maintenance and any future works.



Figure 68: Recommended curtilage for listing on the Woollahra LEP 2014. SIX Maps; annotation by WP Heritage and Planning.

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Part 2 – Existing site and context

2.1. The site - George S. Grimley Pavilion and Sydney Croquet Club

The George S. Grimley Pavilion and Sydney Croquet Club are both located within Woollahra Park, off O'Sullivan Road, Rose Bay. Figure 1 below is an overall site map showing the location of the two items in context.



Figure 1: Location of the sites within Woollahra Park. Key: (1) George S. Grimley Pavilion, (2) Sydney Croquet Club (Woollahra Council GIS)

2.2. The site - George S. Grimley Pavilion

The George S. Grimley Pavilion (**Figure 2**) is located within Woollahra Park, off O'Sullivan Road, Rose Bay. **Figure 3** shows the location of the pavilion within the park and **Figure 4** shows an aerial photograph of the site.

The subject site is not listed on the NSW State Heritage Register (SHR), nor is it identified as a local heritage item or located in a heritage conservation area in Schedule 5 of *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014).

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Figure 2: George S. Grimley Pavilion, south-western elevation (WP Heritage and Planning)

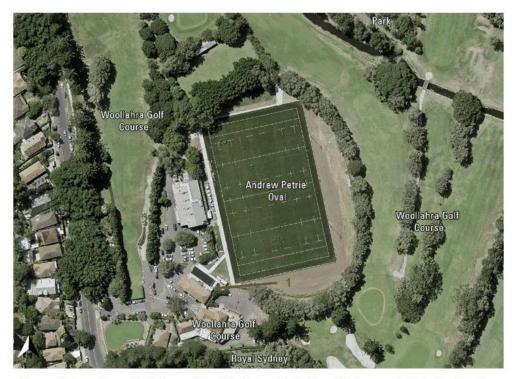


Figure 3: Location of building within Woollahra Park. Key: (1) George S. Grimley Pavilion (Woollahra Council GIS)

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Figure 4: Aerial photograph over the site. Key: (1) George S. Grimley Pavilion (Woollahra Council GIS).

2.3. The site - Sydney Croquet Club

The Sydney Croquet Club (Figure 5) is located within Woollahra Park, off O'Sullivan Road, Rose Bay. Figure 6 and Figure 7 shows the location of the Croquet Club within the grounds of Woollahra Park. The Croquet Club stands on part of Lot 1319 D.P. 1222163.

The subject site is not listed on the NSW State Heritage Register (SHR), nor is it identified as a local heritage item or located in a heritage conservation area in Schedule 5 of *Woollahra LEP 2014*.

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Figure 5: Sydney Croquet Club, southern elevation (WP Heritage and Planning)



Figure 6: Location of the Croquet Club within Woollahra Park with Croquet Club indicated with arrow (Woollahra Council GIS)

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Figure 7: Aerial photograph over the clubhouse and lawns with club house indicated with arrow (SIX Maps)

Part 3 - Existing planning controls

The site is subject to existing planning controls within the *Woollahra LEP 2014*, relating to land zoning, height of building, minimum lot size and acid sulfate soils. These are as follows:

	Land Use Zone	Height of	Minimum Lot	Acid Sulfate
		Building	Size	Soils
George S.	RE1 Public	Not applicable	Not applicable	Class 4
Grimley	Recreation			
Pavilion				
Sydney	RE1 Public	Not applicable	Not applicable	Class 4
Croquet Club	Recreation			

The Objectives for RE1 Public Recreation in Woollahra LEP 2014 are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility are not currently listed as a State or local heritage item and Clause 5.10 (Heritage Conservation) of the Woollahra LEP 2014 does not currently apply.

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Part 4 - Objectives of planning proposal

The objective of the amendment to Woollahra LEP 2014 is to recognise the heritage significance of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay and provide them with statutory heritage protection.

Part 5 - Explanation of provisions

The planning proposal seeks the following amendments to Woollahra LEP 2014:

- Insert a listing for both the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage). The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP.
- Amend the Heritage Maps (Sheet HER_006, HER_002, HER_003D, and HER_005) to identify the heritage items on the site of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay.

Part 6 - Justification

The planning proposal has strategic merit. The heritage significance of George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility has been established. Heritage listing will provide ongoing protection and recognition of the heritage significance of the items.

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These matters are further discussed below in part 6.1 to 6.3.

6.1. Need for planning proposal

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

Yes. The planning proposal is the result of the recommendations of the heritage assessment/ inventory sheet, prepared by Weir Phillips Heritage and Planning. The report concluded that the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility meet the criteria for listing as local heritage items. The report recommended that the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility be listed as heritage items in Woollahra LEP 2014.

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

Yes. The objective is to recognise the heritage significance of *George S. Grimley Pavilion* (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the *Sydney Croquet Clubhouse* (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay and provide them with statutory protection. The best, and only, means of achieving this objective is through the planning proposal process.

Other options, such as adding site-specific objectives and controls to *Woollahra Development Control Plan 2015*, or including heritage conservation conditions to a development consent for the *George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side* and the *Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility* will not provide the same level of heritage protection and recognition.

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6.2. Relationship to strategic planning framework

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

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

Greater Sydney Regional Plan: A Metropolis of Three Cities

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

Heritage listing of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility will provide ongoing protection and recognition of the heritage significance of the items.

Eastern City District Plan

Yes. The planning proposal is generally consistent with the directions, priorities and objectives of the *Eastern City District Plan*, more specifically with:

- Direction 'A city of great places'
- Planning Priority E6 'Creating and renewing great places and local centres, and respecting the District's heritage'
- Objective 13 'Environmental heritage is identified, conserved and enhanced'
- Action 20 'Identifying, conserving and enhancing the environmental heritage of the local area' through:
 - a. engaging with the community early to understand heritage values and how they contribute to the significance of place'

And:

- Direction 'Jobs and skills for the city'
- Planning Priority E13 'Supporting growth of targeted industry sectors'
- Objective 24 'Economic sectors targeted for success'
- Action 54 'Consider the following issues when preparing plans for tourism and visitation:
 - o e. protecting heritage and biodiversity to enhance cultural and eco-tourism'

And:

- Direction 'A city in its landscape'
- Planning Priority E16 'Protecting and enhancing scenic and cultural landscapes'
- Objective 28 'Scenic and cultural landscapes are protected'
- Action 63 'Identify and protect scenic and cultural landscapes'.
- 4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

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Yes. The planning proposal is consistent with the Woollahra Local Strategic Planning Statement and Council's Community Strategic Plan, *Woollahra 2030 – our community, our place, our plan*.

The planning proposal is consistent with Planning Priority 5 of the Woollahra Local Strategic Planning Statement:

Planning Priority 5 Conserving our rich and diverse heritage

In particular Actions 28 and 30 of this planning priority seek to ensure that heritage is conserved and that the LEP and DCP reflect the evolving nature of heritage:

- 28. Continue to proactively conserve and monitor heritage in the Municipality including:
 - reviewing and updating provisions in Woollahra Local Environmental Plan 2014 and Woollahra Development Control Plan 2015
 - sustainably managing visitation to our heritage conservation areas and destinations
 - promoting a high standard of urban design in both the public and private domain that respects and communicates with heritage and our heritage conservation areas
 - supporting implementation of legislation for Aboriginal Heritage.

30. Undertake further theme-based Municipality-wide studies, with consideration for the fact that heritage is constantly evolving.

The planning proposal is also consistent with Council's community strategic plan, *Woollahra* 2030 – our community, our place, our plan. Notably, the planning proposal meets the following strategy within Goal 4 (Well-planned neighbourhood) under the theme Quality places and spaces:

4.3 Protect our heritage, including significant architecture and the natural environment

Heritage listing of George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility will provide ongoing protection and recognition of the heritage significance of these items consistent with these local strategies.

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

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1** below).

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

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2** below).

6.3. Environmental, social and economic impact

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

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

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

No. There are no likely environmental effects that would arise as a result of the planning proposal. Protection of the items, will be required when development is proposed for the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility or in the vicinity of the sites. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

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

Yes. The heritage assessment / inventory sheet measured the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility against the criteria for 'cultural significance' as defined in the Australia ICOMOS Burra Charter, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The assessment found that the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located

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within and adjoining the boundaries of the Clubhouse facility are of heritage significance at the local level. Social significance for the Sydney Croquet Club is satisfied at a local level.

6.4. State and Commonwealth interests

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

Yes. The planning proposal involves the local heritage listing of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility. It does not involve amendments to the planning controls that will facilitate intensified development.

The George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility have access to adequate public infrastructure such as water, sewer, electricity and telephone services. The sites are in proximity to regular and frequent public transport services.

There is no significant infrastructure demand that will result from the planning proposal.

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

During the public exhibition, Heritage NSW, Department of Premier and Cabinet will be notified.

Further consultation will take place with any other authorities identified by the gateway determination.

Part 7 – Mapping

The planning proposal amends the *Woollahra LEP 2014* Heritage Map (Sheet HER_006, HER_002, HER_003D, and HER_005) by applying an "Item – General" classification to the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility.

Extracts of the existing and proposed heritage maps for both items are shown in Figure 8 to Figure 9.

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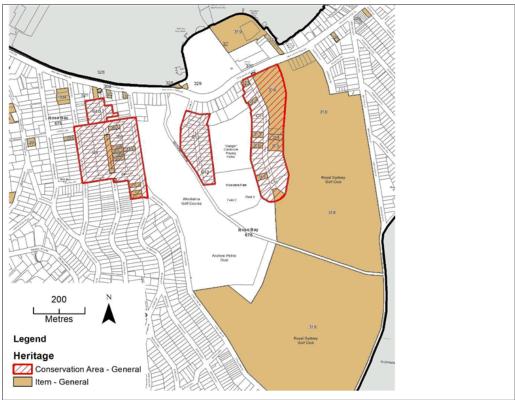


Figure 8: Extract from existing Woollahra LEP 2014 Heritage Map (Sheet HER_006, HER_002, HER_003D, and HER_005)

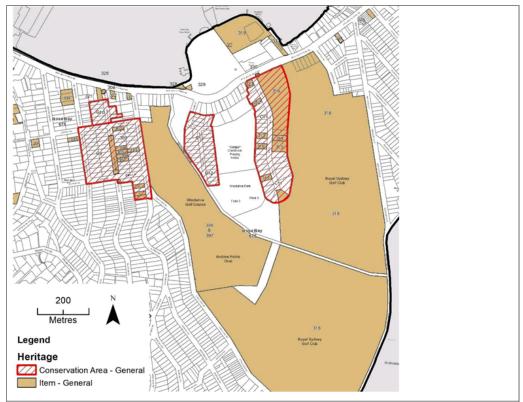


Figure 9: Extract from proposed Woollahra LEP 2014 Heritage Map – George S. Grimley Pavilion (397) and Sydney Croquet Club (396) (Sheet HER_006, HER_002, HER_003D, and HER_005).

Note: Heritage numbers are indicative only and will be confirmed upon finalisation of the proposal.

Part 8 – Community consultation

8.1. Consultation with landowner

George S. Grimley Pavilion

Woollahra Council is the landowner of the site. The leaseholders, Eastern Suburbs Rugby Club and Woollahra Golf Club, were consulted throughout the project. They were provided a copy of the draft heritage significant assessment and draft heritage inventory sheet on 1 November 2019 for the relevant properties. The land owner and lease holders were given until the 2 December 2019 to make a submission.

Guy Gibson (General Manager, Woollahra Golf Club) attended the site visit with Alice Fuller (Weir Philips Heritage and Planning) and Shona Lindsay (Heritage Officer, Woollahra Council) in June 2019. Mr Gibson has reviewed the draft heritage significance assessment report and draft heritage inventory sheet for *George S. Grimley Pavilion*. He is supportive of the listing.

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An updated draft heritage significance assessment report and draft heritage inventory sheet were provided to the land owner and lease holders on 24 February 2020. The land owner and lease holders were given until 16 March 2020 to make a submission. No other comments were provided from the relevant land owner and lease holders.

Sydney Croquet Club

Woollahra Council is the landowner of the site. The leaseholder, Sydney Croquet Club, was consulted during the project. The following table outlines the contact with the Club. Overall, the Sydney Croquet Club is in support of the potential heritage listing.

31 May 2019	Notice of the heritage assessment project and request for access to the building.
1 November 2019	Notice regarding completion of draft assessment of heritage significance. Provision of the electronic link to the draft document. Invitation to provide comments.
13 February 2020	Notice of the Environmental Planning Committee meeting on 17 February 2020. Provision of the Woollahra website link to the report and the draft assessment of heritage significance.
27 February 2020	Notice requesting a meeting in response to Council's decision to defer consideration of matter. Provision of the electronic link to draft assessment of heritage significance.
12 March 2020	Notice of the Environmental Planning Committee meeting on 16 March 2020. Provision of the Woollahra website link to the report and the draft assessment of heritage significance.

Further consultation with land owner and tenants will occur during public exhibition of the planning proposal.

8.2. Public exhibition

Public exhibition will be undertaken in accordance with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* and the conditions in the gateway determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- a notice on Council's website.
- a notice to the land owner of the site.
- a letter to the current lessee.
- a letter to land owners in the vicinity of the site.
- a letter to local community groups such as the Rose Bay Residents' Association and the Woollahra History and Heritage Society.

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

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- the planning proposal, in the form approved by the gateway determination.
- the gateway determination.
- information relied upon by the planning proposal (such as relevant Council reports).

Part 9 - Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Council Notice of Motion	23 April 2018
Environmental Planning Committee recommends proceeding	16 March 2020 20 April 2020
Council resolution to proceed	6 April 2020 4 May 2020
Woollahra Local Planning Panel provides advice	7 and 21 May 2020
Advice of WLPP to Environmental Planning Committee. Committee recommends proceeding	August 2020
Council resolution to proceed	August 2020
Gateway determination	October 2020
Completion of technical assessment	Usually none required
Government agency consultation	November 2020
Public exhibition period	November 2020
Submissions assessment	December 2020
Environmental Planning Committee considers assessment of planning proposal post exhibition	January 2021
Council decision to make the LEP amendment	January 2021
Council to liaise with Parliamentary Counsel to prepare LEP amendment	February 2021
Forwarding of LEP amendment to Department of Planning, Industry and Environment for notification	March 2021
Notification of the approved LEP	April 2021

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Schedules

Schedule 1 – Consistency with state environmental planning policies

State environmental planning policy	Comment on consistency
SEPP No 19 – Bushland in Urban Areas	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 21 – Caravan Parks	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 33 – Hazardous and Offensive	Applicable
Development	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 36 – Manufactured Home Estates	Not applicable
SEPP No 47 - Moore Park Showground	Not applicable
SEPP No 50 – Canal Estate Development	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 55 – Remediation of Land	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 64 – Advertising and Signage	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 65 – Design Quality of	Applicable
Residential Apartment Development	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

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State environmental planning policy	Comment on consistency
SEPP No 70 Affordable Housing (Revised	Applicable
Schemes)	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Aboriginal Land) 2019	Not applicable.
SEPP (Activation Precincts) 2020	Not applicable. There are no activation precincts identified in the Woollahra LGA.
SEPP (Affordable Rental Housing) 2009	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index:	Applicable
BASIX) 2004	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Coastal Management) 2018	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Concurrences and Consents) 2018	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Educational Establishments and Child Care Facilities) 2017	Applicable
, ==	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying	Applicable
Development Codes) 2008	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Gosford City Centre) 2018	Not applicable.

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State environmental planning policy	Comment on consistency
SEPP (Housing for Seniors or People with	Applicable
a Disability) 2004	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Infrastructure) 2007	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Koala Habitat Protection) 2019	Not applicable
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Major Infrastructure Corridors) 2020	Not applicable. The planning proposal does not apply to land within a future infrastructure corridor or the adjacent land.
SEPP (Mining, Petroleum Production and	Applicable
Extractive Industries) 2007	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Primary Production and Rural Development) 2019	Applicable
Development, 2010	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (State and Regional Development) 2011	Applicable
2011	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (State Significant Precincts) 2005	Applicable
	There are currently no identified state significant sites located in the Woollahra Municipality.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable

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State environmental planning policy	Comment on consistency
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Three Ports) 2013	Not applicable
SEPP (Urban Renewal) 2010	There are currently no potential urban renewal precincts in the Woollahra Municipality which are identified in the SEPP.
SEPP (Vegetation in Non-Rural Areas) 2017	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Western Sydney Aerotropolis) 2020	Not applicable
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable

Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies	Comment on consistency
SREP No 8 (Central Coast Plateau Areas)	Not applicable
SREP No 9 - Extractive Industry (No 2 - 1995)	Not applicable
SREP No 16 – Walsh Bay	Not applicable
SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)	Not applicable
SREP No 24 - Homebush Bay Area	Not applicable
SREP No 26 – City West	Not applicable
SREP No 30 - St Marys	Not applicable
SREP No 33 - Cooks Cove	Not applicable
SREP (Sydney Harbour Catchment) 2005	Applicable and consistent.

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Schedule 2 - Compliance with section 9.1 directions

Note any inconsistencies that are considered to be minor here for DPE and in the introduction to the PP and 6.2 question 6.

Planning proposal – Compliance with section 9.1 directions			
Direction Applicable/comment		Applicable/comment	
1	Employment and resources		
1.1	Business and industrial zones	Not applicable. The land is not zoned for business or industry.	
1.2- 1.5	Directions 1.2-1.5	Not applicable. These directions are not relevant to the Sydney metropolitan area.	
2	Environment and heritage		
2.1	Environment protection zones	Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.	
2.2	Coastal management	Not applicable. The planning proposal does not apply to land within the coastal zone.	
2.3	Heritage conservation	Applicable. Consistent. Heritage listing of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility will provide ongoing protection and recognition of the heritage significance of the items.	
2.4	Recreation vehicle areas	Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area.	
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable. The planning proposal does not apply to land in the Far North Coast.	

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Planning proposal – Compliance with section 9.1 directions			
Direct	tion	Applicable/comment	
2.6	Remediation of contaminated land	Not applicable.	
3	Housing, infrastructure	e and urban development	
3.1	Residential zones	Not applicable. The land is not zoned for residential purposes.	
3.2	Caravan parks and manufactured home estates	Not applicable. The planning proposal does not affect caravan parks and manufactured home estates.	
3.3	Home occupations	Not applicable. The planning proposal does not affect home occupations in dwelling houses.	
3.4	Integrating land use and transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.	
3.5	Development near regulated airports and defence airfields	Not applicable. The planning proposal does not apply to land near a regulated airport or defence airfield.	
3.6	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.	
3.7	Reduction in non- hosted short term rental accommodation period	Not applicable.	
4	Hazard and risk		
4.1	Acid sulfate soils	Applicable and consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal.	
4.2	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.	
4.3	Flood prone land	Applicable. Consistent. Existing flood planning provisions will not be altered by the planning proposal.	
4.4	Planning for bushfire protection	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.	
5	Regional planning		

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Planning proposal – Compliance with section 9.1 directions			
Direction		Applicable/comment	
5.1 - 5.9	Strategies 5.1-5.9	Not applicable. These strategies do not apply to the Woollahra LGA.	
5.10	Implementation of Regional Plans	Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced. Heritage listing of the <i>George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility will provide ongoing protection and recognition of the heritage significance of the items. Refer to Section 6 of this report and direction 7.1 of this</i>	
5.11	Development of	table. Not applicable. The planning proposal does not apply to	
	Aboriginal Land Council land	land shown on the Land Application Map of SEPP (Aboriginal Land) 2019.	
6	Local plan making		
6.1	Approval and referral requirements	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.	
6.2	Reserving land for public purposes	Not applicable. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.	
6.3	Site specific provisions	Not applicable. The planning proposal does not allow a particular development to be carried out.	
7	Metropolitan Planning		

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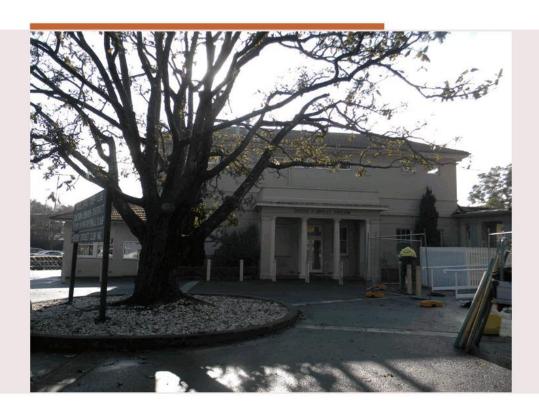
Planning proposal – Compliance with section 9.1 directions		
Direction	on	Applicable/comment
7.1	Implementation of A Metropolis of Three Cities (March 2018)	Applicable. The planning proposal is consistent with the objectives of <i>A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced.
		Heritage listing of the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility will provide ongoing protection and recognition of the heritage significance of the items. Refer to section 6.2 of this report and direction 5.10 of this table.
7.2 – 7.10	Directions 7.2 to 7.10	Not applicable. These directions do not apply to the Woollahra LGA.

Supplementary material (separately attached)

- Environmental Planning Committee Report 17 February 2020 (Annexures removed)
- Environmental Planning Committee Report 16 March 2020 (Annexures removed)
- Environmental Planning Committee Report 20 April 2020 (Annexures removed)
- Woollahra Local Planning Panel Report 7 May 2020 (annexures removed)
- Woollahra Local Planning Panel Report 21 May 2020 (annexures removed)
- Environmental Planning Committee Report 1 June 2020 (annexures removed)
- Environmental Planning Committee Report 3 August 2020 (annexures removed)
- Heritage Significance Assessment for the Woollahra Golf Clubhouse and the George S. Grimley Pavilion – Weir Phillips Heritage and Planning – September 2020
- Heritage Significance Assessment for the Sydney Croquet Club Weir Phillips Heritage and Planning – September 2020

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HERITAGE ASSESSMENT



Woollahra Golf Clubhouse and the George S. Grimley Pavilion

Woollahra Park, off O'Sullivan Road, Rose Bay

Updated September 2020 | J3657



Level 19, 100 William Street, Woolloomooloo, NSW 2011 Phone: (02) 8076 5317

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1.0 INTRODUCTION

1.1 Preamble

This Heritage Assessment for the Woollahra Golf Clubhouse and the George S. Grimley Pavilion, Woollahra Park, O'Sullivan Road, Rose Bay, New South Wales has been prepared at the request of Woollahra Council. On 23 April 2018 Woollahra Council made the following decision:

THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for each of:

- 1. The Sydney Croquet Club building and greens (having its address in Woollahra Park, O'Sullivan Road, Rose Bay); and
- 2. The Woollahra Golf Club Clubhouse and George Grimley Pavilion (having its address in Woollahra Park at 50 O'Sullivan Road, Rose Bay)

to the relevant Council Committee to facilitate the Sydney Croquet Club building and greens and the Woollahra Golf Club Clubhouse and George Grimley Pavilion (and their elements) being:

- 1. Included in the Woollahra Local Environmental Plan as a heritage item; and
- 2. Listed as a heritage item of state significance on the NSW State Heritage Register.

On 6 June 2018 Woollahra Council made the following decision:

THAT Council:

- A. Request staff to undertake an assessment of heritage significance for the Rose Bay Scout Hall (former RAAF Officers' Canteen) located in Vickery Avenue, Rose Bay, and report to the Environmental Planning Committee on whether the property has sufficient heritage significance to be listed as:
- i) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP), and
 ii) an item on the State Heritage under the Heritage Act 1977.

1.2 The Brief

The brief is divided into two parts:

Stage One - Assessment of heritage significance

- Using the process and heritage assessment criteria contained in the New South Wales Heritage Manual (2001) carry out an assessment of heritage significance of the three sites.
- Make a recommendation as to whether the three sites should be individually listed as a local heritage item in Schedule 5 of Woollahra LEP 2014.
- 3. Make a recommendation as to whether the three sites should be individually listed as an item on the State Heritage Register under the Heritage Act 1977.

Note: The assessment of significance at local and State levels must be done separately and independently.

Stage Two

- 1. If the recommendation is for listing in Woollahra LEP 2014, prepare an inventory sheet for the relevant site. The inventory sheet will include a statement of significance.
- If the recommendation is also for listing on the State Heritage Register, prepare an inventory sheet for the relevant site. The inventory sheet will include a statement of significance.

3. If the recommendation is for listing on the State Heritage Register, prepare a nomination form for the relevant site using the OEH Heritage Division standard template.

Note: All inventory sheets must use the Office of Environment and Heritage (Heritage Division) standard template. A Microsoft Word version of this template will be provided by Council.

1.3 Authorship

This assessment was prepared by Alice Fuller, B.Appl.Sc.(CCM), M.Herit.Cons.(Hons), and James Phillips, B.Sc.(Arch), B.Arch, M.Herit.Cons.(Hons), of Weir Phillips Heritage and Planning.

1.4 Limitations

An Aboriginal and historical archaeological assessment was not provided for.

A survey of existing users of the site to ascertain how they value the site was not provided for.

1.5 Methodology

This statement has been prepared with reference to the NSW Heritage Office's (now Heritage NSW) publication *Assessing Heritage Significance* (2015).

An initial site visit was carried out in June 2019. A second site visit, to inform this amended report, was carried out in June 2020. Unless otherwise stated, the photographs in this assessment were taken on these occasions.

1.6 Documentary Evidence

1.6.1 General References

- Broomham, Rosemary, The Coopers of Woollahra: Land Dealings on the Point Piper Estate 1820-1920. Unpublished report prepared for Woollahra Municipal Council in June 2001.
- Hughes, Trueman and Ludlow, Heritage Study for the Municipality of Woollahra, Volume One, NSW, Woollahra Municipal Council, 1984.
- Russell, Eric, Woollahra: A History in Pictures, Sydney, John Ferguson in association with Woollahra Municipal Council, 1980.
- Willis, Julie Higham, Anne, 'Scott, Ernest A., in P. Goad and J. Willis (ed.), The Encyclopedia of Australian Architecture, New York, Cambridge University Press, 2012.
- Woollahra Park Plan of Management, January 2013.

1.6.2 Newspaper, Journal Articles

- 'Australia's Elder Architects,' Building and Engineering, 25 march, 1946, p.19.
- 'Golf Clubhouses: Recent Activities', Building, 12 May, 1933, pp. 41-44.
- 'M.V.E. Woodforde, A.R.A.I.A,' Decoration and Glass, Volume 5 No. 9, 1 February, 1940, pp.53-54.
- 'Park Makers. Woollahra Alderman. New Pavilion Opened,' The Sun, 26 October, 1927, p.19.
- 'Provision of Parks,' Daily Mercury, 4 November, 1927, p.10.
- 'Tenders,' The Sydney Morning Herald, 19 May, 1956.
- 'Tenders Called,' Construction and Real Estate Journal, 14 March, 1934, p.5.
- 'Unique Golf Club,' The Daily Telegraph, 19 March, 1931, p.3.
- Willoughby Golf Clubhouse,' Building, 12 December, 1935, p.15.
- 'Woollahra Golf Links,' The Daily Telegraph, 12 April, 1932, p.3.

- 'Woollahra Golf Links,' The Sydney Morning Herald, 14 June, 1929, p.15.
- 'Woollahra Municipal Golf Links,' The Sydney Morning Herald, 18 March, 1931, p.18.
- 'Woollahra Park,' The Sydney Morning Herald, 26 October, 1927, p.16;.
- Woollahra. New Golf House,' The Sydney Morning Herald, 26 June, 1934, p.3.

1.6.3 Historic Plans, Images and Photographs

- (Aerial View over the future Woollahra Golf Course), 1920s. National Library of Australia.
- Aerial View of Rose Bay Golf Course, ca. 1920s. Fairfax Archives, National Library of Australia.
- Davey, Brindley & Vickery, Proposed Alterations to 'Grimley Hall', Woollahra Oval for the Eastern Suburbs District Rugby Union Football Club, 1959.
 Woollahra Council Archives.
- G.S. Grimley. Woollahra Library.
- (Grimley Pavilion before 1934), Woollahra Local History Digital Archive.
- The Grimley Pavilion in 1978. Series of photographs. Woollahra Local Studies Collection.
- Kent, Milton, Aerial Views of Rose Bay, Rosebery, Sydney, Waterloo, 1941-. National Library of Australia.
- NSW Lands Department, (Aerial Photograph over the site), 1943. SIX Maps.
- Panorama of Rose Bay, c.1928. Woollahra Local History Digital Archive.
- Rotary Club Dinner at the Woollahra Golf Club, 1945. State Library of NSW.
- (Undated photograph of the Grimley Pavilion and the Woollahra Golf Clubhouse).
 Framed photograph in the Golf Clubhouse.
- Woollahra Golf Club, Rose Bay, c.1950. Woollahra Library.

1.6.4 Other

- Woollahra Council Building Cards. Woollahra Local Studies Collection.
- Woollahra Council Minutes, various years. Woollahra Local Studies Collection, Woollahra Library.

1.7 Site Location

The Woollahra Golf Clubhouse and George S. Grimley Pavilion are located within Woollahra Park, O'Sullivan Road, Rose Bay. Figure 1 shows the location of Woollahra Park within the surrounding area. Figure 2 shows the location of the clubhouse and pavilion within the park.



Figure 1: Location of Woollahra Park within Woollahra Woollahra Park Plan of Management.



Figure 2: Location of buildings within Woollahra Park (SIX Maps; annotation in red by WP Heritage and Planning) Key: (1) George S. Grimley Pavilion; (2) Woollahra Golf Clubhouse.

SIX Maps; annotations by WP Heritage and Planning.

2.0 HISTORICAL DEVELOPMENT OF THE SITE

2.1 The Site Prior to 1923

While an Aboriginal history has not been provided for, it is acknowledged that the present-day Woollahra Municipality is located within the traditional lands of the Cadigal people, part of the Dharug language group.

The Colony of New South Wales was established at Sydney Cove in January 1788. All land was declared to be Crown Land. Present-day Woollahra is located well outside the first official boundaries of Sydney Township. The colonists exploited the natural resources of the area but did little to permanently settle it, beyond establishing a lookout on South Head and a pilot station at Watsons Bay. The word *Woo-la-ra* first appears in a 'List of Local Names, or of Places' prepared by David Southwell, the lieutenant later placed in charge of the lookout on South Head.¹

The first grants in present day Woollahra, made between 1793 and 1812, predominantly passed out of the hands of original grantees. During the early years of Macquarie's governorship (1810-1821), a number of grants were made to military men around Double and Rose Bays. The most notable of these was a grant made to the flamboyant Captain John Piper in 1815.

During the 1820s, the land north of Darling Point through Double Bay, Point Piper and Rose Bay and eastward to Old South Head Road, was consolidated into a single estate by the prominent business partnership of Daniel Cooper (1785-1853) and Solomon Levey (1794-1833). The partners had acquired several early land holdings, including John Piper's estate, which were re-issued as a single grant of 1,130 acres on 22 March, 1830. The subject property stands upon this grant. Old South Head Road (1811) and New South Head Road (1832) provided the principal means of access into the area at this time.

The Cooper-Levey estate was beset by legal complications from the 1830s. During the 1840s, Daniel Cooper became the sole owner of the estate, which generally became known as the Cooper Estate. In 1844, T.L. Mitchell prepared a subdivision plan for the Cooper Estate. Old and New South Head Roads, Point Piper (now Jersey Road), Ocean Street North, William and Cross Streets were already in existence, while Edgecliff, Bellevue, Victoria and Wolseley Road were passable bush tracks. While the Cooper Estate was not always developed along the lines envisaged by Mitchell in 1844, his subdivision did much to determine the basic street pattern seen today.²

The Cooper Estate was willed not to Daniel Cooper's next of kin, his nephew Sir Daniel Cooper (1821-1902), but to Sir Daniel's son, Daniel (later also Sir Daniel). As the new owner was a minor when he inherited the estate in 1853, Trustees managed the estate until November 1869. Even after Daniel Cooper (junior) obtained his majority, the Trustees continued to be an influencing force in managing the Estate and were thus a major force in the development of the area.³ When the Municipality of Woollahra was created in 1860, it was named for Sir Daniel Cooper's (senior) planned residence, *Woollahra*.

Between 1853 and the mid 1880s, the Trustees offered 99 year leaseholds on parts of the Cooper Estate; there were few freehold sales. Substantial villa estates were developed on some of these leaseholds. Smaller lots in West Woollahra and along Old South Head Road attracted more modest housing and commercial development.⁴ Lack

¹ Letter dated 12 July, 1788, cited Eric Russell, *Woollahra: A History in Pictures*, Sydney, John Ferguson in association with Woollahra Municipal Council, 1980, p. 9-10.

² See Figure 7, a tracing of Mitchell's plan, in Rosemary Broomham, *The Coopers of Woollahra:* Land Dealings on the Point Piper Estate 1820-1920. Unpublished report prepared for Woollahra Municipal Council in June 2001.

³ For further information see ibid.

⁴ Hughes, Trueman and Ludlow, Heritage Study for the Municipality of Woollahra, Volume One, NSW, Woollahra Municipal Council, 1984, p. 15.

of transport, however, limited widespread development in Woollahra before 1880. As transport was almost exclusively by private means, development away from the bays and wharves was particularly reliant on satisfactory road patterns.⁵

Sydney's population expanded sevenfold between 1850 and 1890. By the early 1880s, the areas closer to the City had been built out and the demand for land was pushing further outwards. The steady improvements made to the tramway system from the 1880s, together with the introduction of subsidised transport, did much to open up the Woollahra Municipality to small lot development.

Freehold subdivisions of land on the Cooper Estate began in the early 1880s and continued until the 1920s. Land was purchased by individuals and companies, many of whom carried out further subdivisions. One of those companies who purchased land was the Rose Bay Freehold Company. The subject site stands on land that they purchased from the Cooper Estate in 1904.6

The dense suburban development that characterises much of Woollahra today is largely a product of the first decades of the twentieth century. As subdivision continued, the population rose from 1,023 people in 1881 to 13,503 people in 1900; and 25,300 people in 1920 to 37,770 people in 1927.⁷ Woollahra thus became an intensively developed area within a comparatively short time span.

While development proceeded apace in some areas, much of the land that now forms part of Woollahra Park appears to been under-utilised. Some of the area was leased to Chinese market gardeners. In 1901, it was recorded that the area now occupied by Woollahra Park was 'swampy and undrained.'⁸ By the early 1900s, nearby Scots College had developed a strong sporting association with the local area, foreshadowing future land uses.

2.2 The Establishment of Woollahra Park

Council minutes of the 1920s and 1930s reveal a keen awareness of the importance of public recreational spaces. In 1923, Woollahra Council received permission from the Governor to borrow £20,000 for the 'acquisition of park and recreation areas and the improvement thereof.'9 On 15 September 1923 the Rose Bay Freehold Company (in liquidation) transferred 24 acres and 25 perches of land to the Council of the Municipality of Woollahra for 11,954 pounds, 13 shillings and 9 pence.¹0 The subject site was among these lands. During late 1923 and 1924, Council gave the Chinese market gardeners occupying their new land purchase six months notice to quit.¹1

In early 1924, Council launched a competition for the layout of the new park, later Woollahra Park. The Institute of Architects was invited to provide advice on the competition. The prominent architect Mr. Ernest A. Scott was appointed by the Institute to act in an honorary capacity. 12

The results of the competition for the layout of the park were announced by Council on 12 May 1924. First prize, a premium of £100, was awarded to Mr. H.M. Robinson. 13 The improvements to the park officially commenced when the first sod

⁵ Refer to J. Atkins, *History Waverley, Volume 8: Fletcher's Foundry, Woollahra*, n.p. The street was originally known as Australia Street.

 $^{^{\}rm 6}$ Sale referred to in Conveyance, Book 1319 No. 958. NSW LPI.

⁷ Census figures cited in Hughes, Trueman and Ludlow, op cit., 1984, p. 7.

⁸ Government Gazette 1901 cited in Woollahra Park Plan of Management, January 2013, p.8.

 $^{^{9}}$ Woollahra Council Minutes, Ordinary Meeting, 2 July, 1923, p.526.

¹⁰ Conveyance, Book 1319 No. 958. NSW LPI.

¹¹ For example, see: Woollahra Council Minutes, 8 October, 1923, p.638; 25 August, 1924, p.265.

¹² Ibid, 28 April, 1924, p.134.

¹³ Ibid, pp.142 and 149.

of earth was turned by Alderman Grimley on 25 October, 1924. $^{14}\,$ On 8 December, 1924 the 'O'Sullivan Road Park Lands' were officially named Woollahra Park. $^{15}\,$

Four additional parcels of land have been added to the park since this time by purchase or resumption.

Figure 3 provides a photograph over the park prior to the construction of the golf course, showing the character of the landscape at this time.



Figure 3: (Aerial View over the future Woollahra Golf Course), 1920s. National Library of Australia.

2.3 The George S. Grimley Pavilion: 1924-50

The George S. Grimley Pavilion preceded the layout of the golf course and the construction of the golf clubhouse.

2.3.1 Planning and Naming of the Pavilion

The first reference in Council Minutes found to date for the construction of a pavilion in Woollahra Park is a reference made in relation to the design competition for the layout of the new Park in 25 February, 1924. The Minutes of that date record Council's proposal to spend £5,000 on improvements, 'exclusive of £1,500 for (a) pavilion.' 16

Proposals to honour the long serving Alderman Grimley (Figure 4) within the new Woollahra Park were raised as early as October 1924, when it is recorded in Council Minutes that:

'It will be noted that I (the Mayor) have invited Alderman Grimley to turn the first sod of the new park area. In view of the great service rendered by Alderman Grimley, particular as the prime mover in the action which ended with the acquisition of this area,

¹⁴ Woollahra Council Minutes, 28 April, 1924, p.331.

¹⁵ Ibid, p.375.

 $^{^{\}rm 16}$ Woollahra Council Minutes, 24 January, 1924, p.59.

I desire to suggest that some portion of the park should be named after him, such as the oval, entrance drive or pavilion.

I believe that the natural name for this large area is Rose Bay Park and for that reason I have suggested that one of the most important features rather than the whole are should be called after the alderman largely responsible for its acquisition.' ¹⁷

Alderman Grimley's contribution to Council was later surmised (1945) as follows:

'....extends his hearty congratulation to Alderman G. Grimley on the occasion of the completion of 45 years as an Alderman of Woollahra, during which time he occupied the Mayor chair for six terms, and places on record its high appreciation of his long and meritorious service and the outstanding ability and integrity which has characterized his association with Local Government in Woollahra.'18

On the same day that Woollahra Park was officially named, 8 December, 1924, the decision was taken to call the proposed pavilion 'The George Grimley Pavilion', with a 'tablet be provided suitably inscribed recording this decision.' ¹⁹ It would, however, take some time for the pavilion to be constructed.

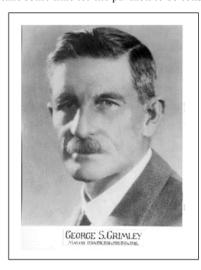


Figure 4: G.S. Grimley. Woollahra Library.

The first plans for a pavilion in the Park appear to have been prepared by Mr. G. Harmer in $1924.^{20}$ Nothing came of this scheme. When another architect, H.V. Graham offered his services in 1925, he was informed that a conference would be held 'later on' with the NSW Cricket Association regarding the construction of a pavilion. 21

Concrete steps towards the erection of a pavilion were made in March 1926 when the Parks Committee recommended that Messrs. E.A. Scott and Green, Architects be instructed to prepare sketch plans for a pavilion. The architects were instructed to prepare designs for a building capable of extension 'should same be necessary in the future.' The instructions to the architect were further elaborated in subsequent Council Minutes:

¹⁷ Woollahra Council Minutes, October 1924, p.312.

¹⁸ Woollahra Council Minutes, 13 December, 1945, p.515.

¹⁹ *Ibid*, 8 December, 1924, p.375.

²⁰ Ibid, 24 November, p.358.

²¹ Ibid, 12 October, 1925, p.309.

²² Ibid, 8 March 1926, p.84.

- '(1) That Messrs. E.A. Scott and Green, Architects, be instructed to prepare sketch plans of a pavilion generally along the following lines:-
- a. The building to be double decker type with the top floor unroofed, the width of the structure to be about 66 feet.
- b. Provision to be made at the back of the main floor for dining room in the centre (for use of players) with dressing room on either side.
- c. The basement to provide for (1) public refreshment room, (2) a further set of two dressing rooms for players, (3) other necessary minor accommodation (lavatories, store room, cooking arrangements, etc.).
- $\mbox{d.}$ A special feature to be made to designing of the rear elevation which will face O'Sullivan Road.
- (2) That the pavilion be kept back approximately 60 feet from the fence of the Oval.'23

2.3.2 The Architects

Ernest Alfred Scott (1863-1947) was born in South Australia, the son of a grazier. During the early 1880s, he was articled to Adelaide architects Bayer and Withall (c.1880-4), before commencing practice in 1886. Scott is said to have worked on the Jubilee Exhibition Building in Adelaide (c.1886). By 1887, he had moved to Sydney and opened a practice. Around 1911, he entered in a partnership with Edward Rodwell Green (1885-1974). The partnership practiced as Ernest A. Scott & Green. Scott's son, Thomas Maxwell, joined the partnership in 1923, which then became Scott, Green & Scott. Scott was president of the Institute of Architects in 1932. Refer to Figure 5.

After World War II, the partnership became known as E.A. and T.M Scott. The partnership's work was varied and included residential and commercial commissions.²⁴ Examples include:

- Rockdale Town Hall (c.1888), since demolished.
- Meroo, No. 30 Martin Road, Centennial Park (c.1913). An Arts and Crafts Style residence.
- Former ANZ Bank/Union Bank, No. 21 Oxford Street, Surry Hills (c.1911) and ANZ Bank, No. 102 Hunter Street, Newcastle (c.1914). The former is a four storey Federation Free Classical Style Building.
- Manar, No. 40A-42 Macleay Street, Potts Point (c.1920s). Residential flat buildings in the Inter-War Georgian Revival Style. The project involved the conversion of an earlier building into flats and the construction of two further residential flat buildings (c.1920 and 1926).
- Blessed Sacrament Roman Catholic Church, No. 62 Bradleys Head Road, Clifton Gardens (c.1927). A Romanesque Style church.
- St. Joseph's Convent, No. 3-11 Walz Street, Rockdale (c.1929-1930). A Romanesque Style convent.
- Barbiston, No. 14 Darling Point Road, Darling Point (c.1930). A three storey Inter-War Mediterranean Style residential flat building.
- Dorchester, No. 49-51 Robertson Road, Centennial Park (c.1933). An Inter-War Californian Bungalow.
- The Knoll, No. 19 Kent Road, Rose Bay (c.1935). An Inter-War Georgina Style dwelling.

²³ Woollahra Council Minutes 22 March, 1926, p.106.

²⁴ Julie Willis and Anne Higham, 'Scott, Ernest A., in P. Goad and J. Willis (ed.), *The Encyclopedia of Australian Architecture*, New York, Cambridge University Press, 2012, p.620.

- Belganny, Bourke Street, Darlinghurst, No. 389-393 Bourke Street, Surry Hills (1938). A ten storey Art Deco Style residential flat building.
- Kingsgate, No. 397-405 Bourke Street, Surry Hills. A four storey Art Deco Style residential flat building.
- Former Woollahra Council Chambers, No. 90 and 90A Ocean Street, Woollahra. The practice carried out major alterations and additions to this building in c.1919 and c.1929 for Council, the latter in the Inter-War Mediterranean Style.
- St. Martha's School, No. 72 Homebush Road, Strathfield (c.1941).

Woollahra Council do not hold the original plans for the George S. Grimley Pavilion. $^{25}\,$ The archives of the practice have not survived. $^{26}\,$

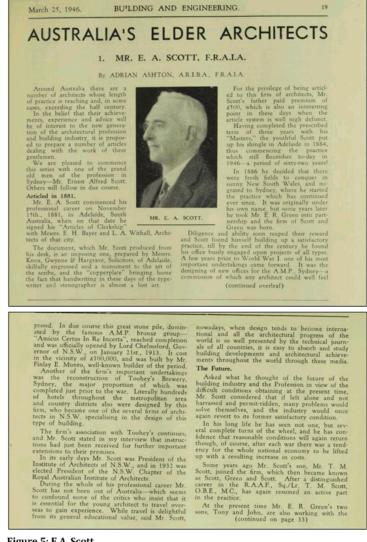


Figure 5: E.A. Scott. *Building and Engineering*, 25 March, 1946.

 $^{^{\}rm 25}$ Search carried out by Council staff.

²⁶ Personal communication with the firm on another project.

2.3.3 Construction

Following advice from the NSW Cricket Association Executive, and after the inspection of various sites within Woollahra Park, a site south of the main park entrance was chosen in April, 1926.²⁷ Sketches for the pavilion were presented to Council on a number of occasions between April and October 1926, when Council approved Scott & Greens design and subsequent specification. In October 1926, the architects where instructed to call tenders 'at once.' The successful tender was A.R. Hinwood (£3,920).²⁹

On 22 January, 1927 Alderman George S. Grimley, laid the foundation stone of pavilion, the inscription reading:

'This stone was laid by Alderman George S. Grimley, J.P., on the Twenty second day of January, 1927. J.C. Lough L.W. Robinson Town Clerk Mayor.'30

Not everyone was impressed with the design of the pavilion. H.C.J. Lloyd, presumably a local resident, was of the opinion that:

'...the type of building being erected for the purposes of a pavilion at the Woollahra Park Oval is not in the nature of an improvement and that a low bungalow type of building would have been more in keeping with the locality, and adding that he is not writing in the character of a critic as he has the greatest appreciation of the excellent work that Council has done.'31

Work was evidently well underway by mid-March 1927, when the first progress payment (of £1,000) to the builder was approved. ³² By July of that year, Council were obtaining quotations for the 'supply of forms, chairs and a piano.' ³³

Amendments were made to the scheme after construction. In September 1927, for example, Council voted in favour of converting the storerooms underneath the pavilion into dressing rooms for men and women.³⁴ The construction of the pavilion was eagerly anticipated. Even prior to completion, the community were applying for the use of rooms within the pavilion. In April 1928, a Miss O'Connor applied to rent the ladies' dressing room in the mornings for elocution and kindergarten classes.³⁵

The builders submitted a final statement for payment in July 1927.36

2.3.4 Openning and Use

The George S. Grimley Pavilion was officially opened on 25 October, 1927 by the Mayor, Alderman Robinson, an event that was briefly reported in *The Sydney Morning Herald*, far more extensively by *The Sun* and even as far afield as Queensland. The *Daily Mercury*, published in Mackay, Queensland, described the George S. Grimley Pavilion as having

 $^{^{\}rm 27}$ Woollahra Council Minutes, 12 April, 1926, p.124.

²⁸ *Ibid*, 13 September, 1926, p.288; 25 October, 1926, p. 339.

²⁹ *Ibid*, 22 November, 1926, p.382.

³⁰ Ibid, 24 January, 1927, p.20.

³¹ Ibid, 14 March, 1927, p.89.

³² Ibid, 14 March, 1927, p.90.

³³ Ibid, 11 July, 1927, p. 223.

³⁴ Ibid, 12 September, 1927, p.284.

³⁵ *Ibid*, 10 April, 1928, p.145.

³⁶ Ibid, 23 July, 1928, p.272.

seating accommodation for 1,000 people, a social hall, four dressing rooms and a kitchen. 37 Grimley was not present at the opening, due to illness in his family.

Figures 6 to 8 provides early photographs of the George S. Grimley Pavilion and its setting before 1934, when construction began on the adjoining Woollahra Golf Clubhouse. Note the tiered seating on the oval side of the George S. Grimley Pavilion, since replaced with the existing flat roofed changing rooms.



Figure 6: George S. Grimley Pavilion before 1934. Woollahra Local History Digital Archive.



Figure 7: Detail of a panorama of Rose Bay, c.1928 showing the setting of the George S. Grimley Pavilion, which is just visible on the far right hand side.

Woollahra Local History Digital Archive.

³⁷ Woollahra Council Minutes 10 October, 1927, p.327; 'Woollahra Park,' *The Sydney Morning Herald*, 26 October, 1927, p.16; 'Park Makers. Woollahra Alderman. New Pavilion Opened,' *The Sun*, 26 October, 1927, p.19; 'Provision of Parks,' *Daily Mercury*, 4 November, 1927, p.10.



Figure 8: Aerial View of Rose Bay Golf Course, c.1920s. Detail only. Fairfax Archives, National Library of Australia.

Figure 9 provides a later photograph which more clearly shows how the steps/seating originally extended down to ground level.

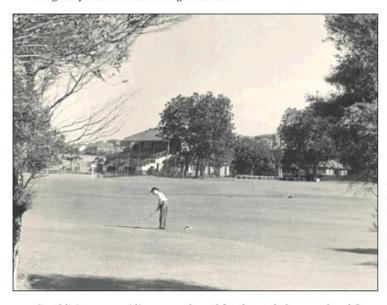


Figure 9: Woollahra Golf Club, Rose Bay, c.1950 (detail). Note the steps leading down to ground level. Woollahra Library.

In addition to providing a grandstand for the oval, the completed George S. Grimley Pavilion played an important role in the social life of Woollahra, as revealed in the following excerpts from Council Minutes (Figures 10 and 11). Advertisements for social events at the pavilion can be found in newspapers from the time that it opened.

1. LETTER (4/2/1946) MESDAMES SPENCER & STANDER:
Stating that they feel that their recent request for improvements to the Geo. S. Grinley Pavillon has been construct by the Council as a desire to turn the Pavillon has no a Caberet and that they wish to correct this wrong impression and therefore asking the Council to reconsider the matter and submitting the following statements:

1. They cater only for weadings and private parties and also other local requirements and under no circumstances will they depart from that type of business. In the event of the Council approving of up-to-date alterations in the premises they will give any undertaking required to so limit the business in accordance with a policy agreed upon.

2. That the Pavilion is playing an increasingly important part in the social life of the residents of Woollahra and the adjacent districts, and the pressing need for improvements to the premises if the Pavilion is to be allowed to develop along its natural lines in catering for the existing and future needs and demands of the residents.

3. They have reached the maximum capacity under the present lay-out of the premises and during the past 12 months have had to refuse day weddings, and applications for every type of function are now such that they could accept two a day if the facilities were available.

4. Their experience has convinced them that residents of Woollahra and adjoining areas are clamouring for an up-to-date establishment, and given modern facilities, they will effectively meet all and every request.

5. Over the past three years they have truly laid the foundation for a community centers and, given the support they seek, earnestly believe that the Pavilion will become the scalal rendezious of the Eastern Suburbs, which is so lacking in such facilities.

THAT, in view of the impracticability of implementing any building operations in the immediate future, the Council has decided to adhere to its previous decision viz:— "that consideration be deferred ponding determination of policy i

Figure 10: Social use of the George S. Grimley Pavilion Woollahra Council Minutes, 11 March, 1946.

20. LETTER (6/5/1946) - MESDAMES SPENOER & STANGER:
Acknowledging receipt of communication of 24/4/1946 stating
that they would be further advised when the question of
isproving the Gec. S. Sriminey Pavilion has been fully
considered by the Council, and also stating that in case any
members of the Cemunical are unaware of the important part
played by the Pavilion in the community life of the Municipality,
it is only right that an outline enould be given of its
activities. The Pavilion caters, at reasonable charges, only
for weddings and private parties and enquiries for bookings
are now so numerous that many are forced to be turned away.
This type of business it is suggested, in accordance with
the Council's policy in its efforts to establish community
centres and with improved facilities, it is hoped to further
extent the service to cater for day weddings and also for that
large number of passers by in morning and afternoon teas who
are at prosent unaware of the existence of the Favilion. The
premissi are sadly lacking in facilities and there are no
cloak rooms and the lavatories used do not appear to have been
intended for the convenience of the parons of the establishment,
being those provided for the general public frequenting the
ovals. The kitchen badly needs re-designing and, with the lack
of a public refreehment room and dining room, they are unable to
cater for weddings other than after the usual business houre.
They would accordingly appreciate an early decision by the
Council, and if the application be determined in their favour
would ask that until the alterations are undertaken the
Council provide, as a matter of urgency, the provision of
ladies and gentiven's cloak rooms and lavatories and a builtin reception lounge in place of the now exposed porch. In
either: event they propose apending a considerable sum of noney
in re-equipping the Favilion with new furniture, outlery,
kitchen-ware and a third large refrigerator but before doing
so asking the few outlet to seriously consider cancelling the
p

Figure 11: Social use of the George S. Grimley Pavilion Council Minutes 27 May, 1946.

Figure 12 shows one of these functions in progress in what may be the down stairs function hall of the George S. Grimley Pavilion. Alternatively, this room may have been located within the Woollahra Golf Course Clubhouse.



Figure 12: Rotary Club Dinner at the Woollahra Golf Club, 1945. This appears to be in the George S. Grimley Pavilion.

State Library of NSW.

2.3.5 Use by the Rugby Club

In 1949, the Eastern Suburbs District Rugby Union Football Club (formed in 1900) was granted a new home oval in Woollahra Park, which was officially opened on 18 April, 1949. The Club initially occupied a small hut next to the George S. Grimley Pavilion. In 1965, they received permission to build their present-day clubhouse, which was opened in the same year. They now use the dressing rooms beneath the grandstand and the gym, which is also available for use by the public.³⁸ Their association with the George S. Grimley Pavilion dates from at least 1972 when they applied for alterations to the building (see below).

2.3.6 Alterations and Additions

The building has a long history of alteration and addition including:

- In 1937-8, Council's architect M.E.V. Woodforde was instructed to prepare plans for alterations and additions to the George S. Grimley Pavilion to provide for secretarial accommodation for the adjoining Woollahra Golf Clubhouse and the extension of the refreshment rooms. These plans have not been located.³⁹ This may relate to what is now the pro-shop on the northwestern side of the principal building form. Equally, a reference to the extension of the George S. Grimley Pavilion to the north-west in 1933 (only by 12 ft) may relate, in part to this work.⁴⁰
- In 1972, the Rugby Club made an application for works to the George S. Grimley Pavilion. The plans associated with this work, however, are dated 1959 and were prepared by David Brindley and Vickery. These plans are not coloured, making it difficult to distinguish new and existing work. This work would appear to have included the removal of some seating in the grandstand and an extension on the north-eastern side (328/72). The work also included

³⁸ Woollahra Park Management Plan.

³⁹ Council Minutes, 22 November, 1937, p.627.

⁴⁰ Woollahra Council Ordinary Meeting, 11 December, 1933, pp.570-1.

new internal openings between the George S. Grimley Pavilion and what is now the pro-shop and the installation of a sauna room for the Eastern Suburbs Ruby Union Club within the dressing rooms beneath the seating. Refer to Figure 13.

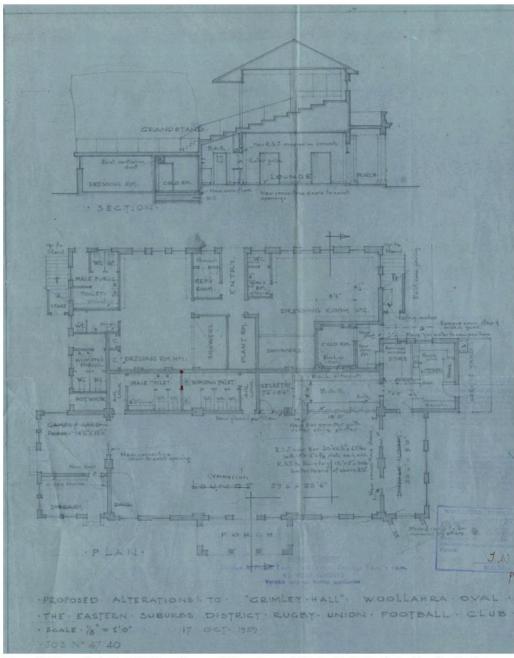


Figure 13: Davey, Brindley & Vickery, Proposed Alterations to 'Grimley Hall', Woollahra Oval for the Eastern Suburbs District Rugby Union Football Club, 1959 (Detail only).

Woollahra Local Studies Collection.

Figures 14 to 18 illustrate the George S. Grimley Pavilion in 1978, after these works were carried out.



Figure 14: The George S. Grimley Pavilion in 1978

Woollahra Local Studies Collection.

Note: the first floor windows appear to have been partially infilled by this time. Compare to Figure 6 above. This is the most significant alteration that has been made to this elevation.

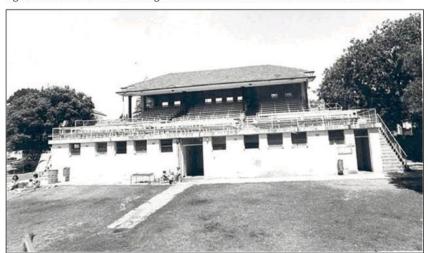


Figure 15: The north-eastern elevation of the George S. Grimley Pavilion in 1978. Note seating, since replaced with a flat deck and, at the top of the grandstand, beneath the tiled roof, an enclosed gymnasium.

Woollahra Local Studies Collection.

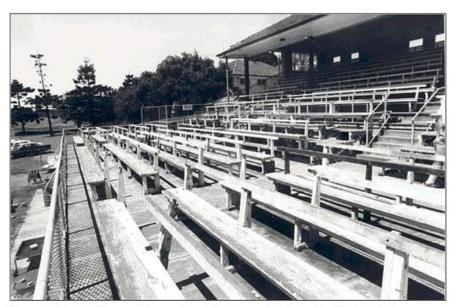


Figure 16: Detail of the spectator seating at the George S. Grimley Pavilion in 1978. Woollahra Local Studies Collection.



Figure 17: The south-eastern end of the George S. Grimley Pavilion in 1978. Woollahra Local Studies Collection.



Figure 18:
The northwestern end of
the George S.
Grimley Pavilion
in 1978, showing
the 1930s
extension. The
opening at the
top of the
Pavilion has been
infilled.
Woollahra Local
Studies Collection.

- Alterations to the pro-shop located in the single storey addition on the north western side were approved in 1983 (22/83). The work involved the removal of two internal walls and the installation of a beam.
- Internal refurbishment works to the ground floor of the George S. Grimley
 Pavilion were approved in 1996. These works also involved the removal of a
 door in the south-western elevation of the pro-shop and the refurbishment or
 replacement of some doors and windows. The plans were prepared by
 Arclinea Consultant Designers (96/642).
- Alterations to the gym for the football club (08/111). These works may relate
 to the enclosure of the top of the grandstand and the removal/ covering over
 of the last of the grandstand seats.

2.4 The Woollahra Golf Links

2.4.1 Planning the Golf Links

In late 1928, Council began to consider the construction of a nine hole golf course in Woollahra Park. In February 1929 they resolved to consult a golf professional to assist with the course layout. Two restrictions were placed on the course: that it not cross the established playing fields and that it not occupy more than two thirds of the Woollahra Park area. 41 In July of that year, it was resolved:

'THAT the Engineer be instructed to proceed with the construction of a golf course in Woollahra Park in accordance with the plans prepared by the Council's Engineer...with the authority to confer with Mr. J.H. Scott, Golf Professional.'42

The course would appear to have had widespread support. In June 1929, *The Sydney Morning Herald* reported that the Town Clark had been 'inundated' with letters from residence anxious to be enrolled as members. ⁴³

By December 1929, the Special Golf Course Committee were able to report that the tees and greens were sufficiently advanced to require a water supply. 44 By September of the following year, progress was at the point that the Council was recommending that the rules and regulations of the golf links be drawn up and that advertisements be placed for the services of a professional. 45 Advertisements for a professional were placed in local papers in January 1931. The first professional appointed by C.E. Barnes, who was given sole right to tuition on the course. 46 Under the management rules, only rate payers and residents in the municipality were eligible to play, although they could introduce up to four visitors a year.

2.4.2 Opening

The course- known as the Woollahra Golf Links- was officially opened in April 1931. The Council Minutes of 13 April 1931 record:

'Official Opening-

Woollahra Municipal Golf Links.

I desire to report that the Official Openings of the Woollahra Municipal Golf Links took place on Saturday last the $11^{\rm th}$ instant, in the presence of one of the largest gathering of residents and ratepayers that have ever attended a municipal function in this Municipality.

I (the Mayor) had the hour of driving the first ball....

⁴¹ Woollahra Council Minutes, 11 February, 1929, p.20.

⁴² Ibid, 22 July, 1929, p.286.

^{43 &#}x27;Woollahra Golf Links,' The Sydney Morning Herald, 14 June, 1929, p.15.

⁴⁴ Ibid, 28 January, 1930, p.47.

⁴⁵ Ibid, 8 September, 1930, p.317.

^{46 &#}x27;Woollahra Municipal Golf Links,' The Sydney Morning Herald, 18 March, 1931, p.18.

Thereafter the links were open for play and 73 green fee tickets were issued at 1/- in the two hours available, and 50 tickets for the putting green at 3d, revenue £4.5.6.

Yesterday 273 tickets were issued at 1/-. £13.13.0, and 9 at 3d, 2/3d- revenue £13.14.3....

I also wish to place on record that face that the Town Clerk (Mr. J.C. Lough) is primarily responsible for the establishment of the Golf Links. His idea was conceived over four years ago, and in January 1929 the Town Clerk reported and submitted the scheme to council. In March, Mr. J.H. Scott, Golf Professional, was appointed by Council to report and lay out the course subject to the restrictions recommended by the Parks Committee. In July 1929 authority was given to commence the construction work, which has been carried out under the direct supervision of the Council's Engineer, Mr. C.E. Percival....'⁴⁷

The opening was reported in a number of the daily newspapers. The *Daily Telegraph* noted several features of the course, describing the annual registration fee of 2 shillings as the lowest subscription to a course in Australia, 'and probably the world.'⁴⁸ In the absence of purpose-built facilities, the George S. Grimley Pavilion was to provide locker rooms, showers and refreshment rooms.

Early attempts to form a golf club at the links faced opposition. 49 Despite opposition that club members would get preferential treatment, a club was formed in May 1932, with a membership fee of 10 shillings a year. 50 By March 1935, membership of the Woollahra Golf Club had grown to 150 people. 51

2.4.3 Planning and Construction of the Golf Woollahra Clubhouse

Council considered requests for a clubhouse for the golf links as early as September 1930, even before the course had been opened.⁵²

In October 1933, the Council resolved to engage architect M.V.E. Woodforde to prepare designs for accommodation for golfers. Following preliminary consultations, Woodforde prepared detailed sketches for

'a new building facing the drive and connected to the south-eastern end of the (Grimley) Pavilion by a screen arcade wall, and an extension of the social hall by about 12 feet on the north-western end.'53

After considerable discussion within Council, Woodforde called for tenders for the 'erection of a building comprising supper-room and accommodation for golfers, at Woollahra Park' in March 1934^{54}

The Sydney Morning Herald described the proposed building as follows:

'The new building....will link with the present George S. Grimley Pavilion by a covered way. It will provide a super-room and other accommodation for golfers. The plan has been designed fan-shape, following the form of the drive way. This will ensure a good view of the playing area from any portion of the building. Wide verandah space will be provided at both front and rear.

⁴⁷ Woollahra Council Minutes, 13 April, 1931, p. 90.

^{48 &#}x27;Unique Golf Club,' The Daily Telegraph, 19 March, 1931, p.3.

^{49 &#}x27;Woollahra Golf Links,' The Daily Telegraph, 12 April, 1932, p.3.

⁵⁰ Ibid, p.3.

⁵¹ Woollahra Council Minutes, 25 March 1935, p.192.

⁵² Ibid, September, 1930, p.330.

 $^{^{53}}$ Woollahra Council Ordinary Meeting, 11 December, 1933, pp.570-1.

^{54 &#}x27;Tenders Called,' Construction and Real Estate Journal, 14 march, 1934, p.5.

The super-room will be available for functions in conjunction with the ballroom, or for letting for private functions. Accessory accommodation is of the most modern style. The building will be of Colonial style, with cream-coloured cement walls, red tiled roof and other outstanding features of this style. The contractors are E.A. Allman and Son, who are working to plans and under the supervision of M.V.E. Woodforde, architect, Sydney.'55

Council do not hold the original plans for the building. Figure 19, however, provides an artist's impression from 1934.

Thirteen tenders were received and tabled at Council ranging in price from £1,700 to £3,350, after which Council resolved to seek amendments to the plans to reduce costs. So None of the tenders were accepted and fresh tenders were called for in May 1934. Thirteen new tenders were received and that of E.A. Allman & Son for £1,900 was accepted in June 1934. So Costs increased during construction due to site conditions etc.

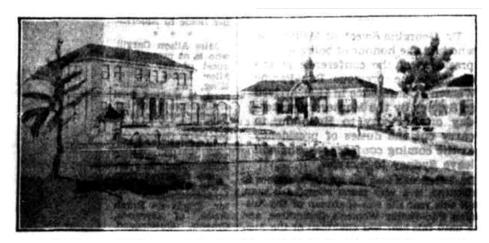


Figure 19: Golf House at Woollahra Park, Rose Bay, as it will appear when completed. 'Woollahra. New Golf House,' *The Sydney Morning Herald*, 26 June, 1934.

2.4.4 The Architect

According to 'Who's Who' in *Decoration and Glass in February*, 1940, Marcus Victor Ernest Woodforde (Figure 20) served his articles with Herbert E. Ross of H.E. Ross and Rowe prior to enlisting with the Australian Imperial Services during World War I, where he served in France. He later returned to H.E. Ross and Rowe before working with Henry E. Budden and Greenwell, during which time he attended the Atelier at the University of Sydney studying design under Professor Leslie Wilkinson. After a third period with H.E. Ross and Rowe, during which time he worked on the Commonwealth Bank in Martin Place, he commenced private practice (1928), executing various commissions. In 1933, he was appointed as architect to the Municipality of Woollahra. ⁵⁹ The examples of his work below indicate that he worked in a variety of styles.

^{55 &#}x27;Woollahra. New Golf House,' The Sydney Morning Herald, 26 June, 1934, p.3.

⁵⁶ Woollahra Council Minutes, 26 March, 1934, pp.152-153; 9 April, 1934, p.170; 23 April, 1934, pp.197 onwards.

⁵⁷ Woollahra Council Minutes, 14 May, 1934, p.226.

⁵⁸ Ibid, 11 June, 1934, pp.274-5; 25 June, 1934, p.303.

⁵⁹ 'M.V.E. Woodforde, A.R.A.I.A,' Decoration and Glass, Volume 5 No. 9, 1 February, 1940, pp.53-54.



Figure 20: M.E.V. Woodforde, Decoration and Glass, Volume 5 No. 9, 1 February, 1940.

Woodforde worked in a variety of styles. Examples of this work include:

- Hotel Grande, Coolangatta, 1933.
- Willoughby Golf Clubhouse (winner of competition, 1935).
- Northbridge Golf Clubhouse, 1937.
- Cyclone Fence and Gate Co., Mentmore Avenue, Roseberry, 1937.
- House, No. 69 David Street, Launceston, 1938.
- Globe Worsted Mills, Sydenham.
- Lidcombe Textile Mills, Lidcombe.
- Administrative Offices for Lysaght Bros. and Co. Pty Ltd., 1939.
- Factory, Papyrus Pty Ltd, Burrows Road, Alexandria, 1940. 60

Figures 21 to 24 illustrate a number of these buildings.



Figure 21: Hotel Grande, Coolangatta, 1933. Building, Volume 52, No. 307, 13 March, 1933.

⁶⁰ 'M.V.E. Woodforde, A.R.A.I.A, 'Decoration and Glass, Volume 5 No. 9, 1 February, 1940, pp.53-54; 'Willoughby Golf Clubhouse,' Building, 12 December, 1935, p.15. (Advertisement for Hardie's Fibrolite'), Decoration and Glass, Volume 7 No. 12, 1 April, 1942, p.31.



Figure 22: Northbridge Golf Clubhouse, Sydney. Building, 24 November, 1937.



Figure 23: Papyrus Pty Ltd, Burrows Road, Alexandria (c.1940). Building, 24 February, 1942.



Figure 24: New residence, No. 151 Dover Road, Dover Heights, 1942. Woodforde's own residence. Building, 24 March, 1942.

Other buildings he designed for Woollahra Council include:

- Woollahra Croquet Club (1934).
- New Baby Health Centre and Day Nursery, Double Bay (1951).

The Sydney Croquet Clubhouse is a split log building that is substantially intact. It is not directly comparable with the Woollahra Golf Clubhouse. Figure 25 below illustrates the New Baby Health Care Centre, which still stands on the corner of New South Head Road and Sherbrook Avenue. This is the largest of his known commissions for Council.



Figure 25: New Baby Health Centre and Day Nursery, Double Bay. Building and Engineering, 24 October, 1951.

2.4.5 Opening of the Woollahra Golf Clubhouse

In December 1934, Council was informed that the work to the clubhouse was almost complete. The Mayor decided against a formal opening:

'In view of the near approach of the holidays and the fact that the golf season is over, I do not proposed to hold a function of the character which would have been appropriate at the beginning of, or during the golf season. I propose, however, to invite alderman and those particularly interested to attend the official handing over of the building.' 61

As set out in a later section of this report, a number of fine Golf clubhouses were erected in New South Wales during the 1930s. *Building* magazine remarked in May 1933 that:

'Throughout the length and breadth of Australia, cities, and even small country towns, can boast of their grandstands and sporting pavilions in no mean numbers, and among them, particularly in our golf and bowls clubhouses, is to be seen much that is good in architecture....

Golf is now the game of the business man and his professional brother, and it is rapidly taking hold of the artisan and tradesman. The significance of this order of things is that the conception and standard of playing facilities during recent years have undergone a change as compared with that which exited when golf was solely the sport of the affluent....

The average member wants the best course that his club can afford, and a house with convenience and comfort that will contribute to his enjoyment..' 62

The recent clubhouses reviewed by the article include the Australian Golf Club at Kensington, the Killara Golf Club and the Bayview Golf Club.

Without original plans, it is not possible to ascertain what the Woollahra Golf Clubhouse offered. *Building* suggests that a 1930s golf clubhouse was required to have four general units: (1) locker rooms, bathrooms etc; (2) public space, including the entrance hall; (3) the club proper, including lounges and dining rooms; and (4) the service portion.⁶³

⁶¹ Council Minutes, 10 December, 1934, p.607.

^{62 &#}x27;Golf Clubhouses: Recent Activities', Building, 12 May, 1933, pp. 41-44.

⁶³ Ibid, p. 42.

Figure 26 provides a photograph of the Woollahra Golf Clubhouse prior to any alterations and additions being carried out.



Figure 26: Undated photograph of the George S. Grimley Pavilion and the Golf Clubhouse. Framed photograph in the Woollahra Golf Clubhouse.

Figures 27 and 28 provide two additional photographs showing the Woollahra Golf Clubhouse in its setting.





Figure 27(a): Milton Kent, Aerial Views of Rose Bay, Rosebery, Sydney, Waterloo, 1941-National Library of Australia.

Figure 27 (b): Detail of the above photograph.



Figure 28: NSW Lands Department, (Aerial Photograph over the site), 1943. SIX Maps.

2.4.6 Alterations and Additions

The Woollahra Golf Clubhouse has a long history of alterations and additions. The first alterations to the clubhouse were not long in coming. In January 1935 the end of the verandah was enclosed with fixed circular fanlights and box frame sashes to protect users from the weather.⁶⁴ The golf course had rapidly grown in popularity; the number of rounds played steadily increased from 53,337 in 1931-2 to 70,872 in 1935-6.⁶⁵

In late 1945, the Woollahra Golf Club requested that Council consider the addition of a first floor to the existing clubhouse as part of their post-war plans to cater for an increase in membership.⁶⁶ It would be some time before these requests were successful. In the interim, the course was extended following the resumption of over 7 acres of land from the Royal Sydney Golf Club.

In 1955, architects D. Forsyth Evans & Associates prepared plans for alterations and additions to the existing clubhouse for the Woollahra Golf Club members (BA16/55). The plans held by Council are for a two storey building with concealed roof form. This must have been modified at a later date. Tenders for the work were called in May 1956. The notices stated that the plans and specifications were available from W.V.E. Woodforde. 67 It is not clear what the extent of Woodforde's involvement was. The foundation stone for the new works was laid on 6 October, 1956. 68 A plaque at the clubhouse commemorates that the building was opened in December of that year. 69

When architects Davey Brindley & Vickery made an application for the construction of a new coolroom, storeroom, kitchen, public locker rooms and toilets in 1958, the plans show that the addition ultimately built for the members in 1956 had a pitched roof; this corresponds to the existing building (283/58). Internal works within the existing building were also carried out at this time. Further alterations and additions were

 $^{^{64}}$ Woollahra Council Minutes, 29 January, 1935, p.43.

⁶⁵ Ibid, 25 May, 1936, pp.253-4.

⁶⁶ Ibid, 10 December, 1945, p.481.

^{67 &#}x27;Tenders,' The Sydney Morning Herald, 19 May, 1956.

⁶⁸ Foundation stone on the building.

⁶⁹ Plaque in the clubhouse.

carried out in 1963 (323/6), 1965 (0241/65), 1978 (16/78 and 560/78 indoor BBQ), 1993 (65/1993), 1996 (96/642) and 2006 (06/185).

3.0 SITE ASSESSMENT

3.1 The George S. Grimley Pavilion

3.1.1 Exterior

The George S. Grimley Pavilion is one and two storeys in height. The walls are rendered and painted masonry. The principal roof, over the two storey section of the building, is hipped and clad in terracotta tile. The eaves are wide and timber lined. The roof of the single storey wing on the north-western side is similarly hipped and clad in terracotta tile. The single storey change rooms on the north-eastern side have a flat concrete deck roof.

The principal building form is two storeys in height. A projecting band delineates the ground and first floors. The principal elevation is the south-western elevation. A single storey portico projects outwards from this elevation. The portico is wide and flat roofed. The roof is supported by square profiled and Doric columns and bears the words 'George S. Grimley Pavilion.' Within the portico there is a pair of framed and glazed doors with toplight, to either side of which is a timber framed double hung window with a single pane to the lower sash and multiple panes to the upper sash. There are two similarly detailed windows at ground floor level to either side of the portico. At first floor level, there are a series of highlight metal framed awning sash windows.

Figures 29 to 32 illustrate this elevation.



Figure 29: South-western elevation.



Figure 30: Detail of the metal framed highlight windows at first floor level.



Figure 31: Entrance porch with red concrete floor.



Figure 32: Foundation stone within the porch.

The north-western elevation of the principal building form is concealed at ground floor level by a small single storey hipped roof wing. At first floor level, there is a large opening fitted with a metal framed window.

The wing at this end has wide, lined eaves. Openings in the south-western elevation and north-eastern elevation are timber framed double hung sash windows. In the

north-western elevation, stairs lead up to a pair of timber framed and glazed doors with toplight. To either side is a large opening with fixed pane window.

As discussed above, the original pavilion has been extended to the north-east to provide dressing rooms with a flat roofed deck, accessed via concrete stairs to either side. A metal balustrade runs around the deck. The north-eastern elevation of the dressing rooms has high level openings and two recessed openings fitted with metal gates. The once open area beneath the principal building form at first floor level has now been enclosed with metal framed doors and windows. A narrow roof extends outwards from beneath the gutter line of the principal roof form. This roof is tiled and supported by rounded cast iron posts to the rear and more slender metal post to the front. The underside of the roof is timber lined.

Figures 33 to 38 illustrate the wing on the south-western side and the north-eastern side of the Pavilion.



Figure 33: North-western side of the pavilion.



Figure 34: North-western side of the pavilion.



Figure 35: Continuing along the above elevation.



Figure 36: North-eastern elevation.



Figure 37: Enclosed space under the originally open pavilion on the north-eastern side.



Figure 38: Posts supporting the roof.

At ground floor level on the south-eastern side, the arcade that connects the building to the golf clubhouse continues across the face of the pavilion. The large arched openings are infilled with timber framed and multiple paned double hung windows with toplights. Refer to Figure 39.



Figure 39: South-eastern elevation.

3.1.2 Interior

Ground Floor

Council minutes indicate that there have numerous alterations to the ground floor layout over time. No current floor plan has been provided.

The south-western part of the ground floor of the principal building form houses the original function spaces. There is one large room, with smaller ancillary rooms, including bathrooms with modern fitouts, on the north eastern side. The main room has predominately plastered and painted walls and an f/c sheet (or equivalent) ceiling

divided by exposed bearers. The ceiling panels between are timber battened, forming a squared pattern. On some sections, where the battens cross over, there is a small decorative detail. The floor is concealed by carpet. The profile of skirting boards varies. Doors and windows have profiled timber architraves.

The enclosed arcade on the south-eastern side similarly has rendered and painted walls and a square set ceiling. There are no skirting boards.

Figures 40 to 47 illustrate the general character of the principal room and the enclosed arcade on the south-eastern side.



Figure 40: Enclosed arcade at the southeastern end, looking towards the arcade linking into the Golf Clubhouse.

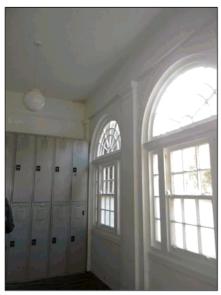


Figure 41: The same space looking to the north-west.



Figure 42: The principal assembly room on the southwestern side, now a locker room.



Figure 43: Skirting of the skirting baord profiles in the locker room.



Figure 44: Detail of typical window joinery for original windows. This window is in the south-western wall of the locker room.



Figure 45: Detail of the ceiling with bearers and battening. One section has a small plaster detail at the point where the battens cross (LHS). This detail is absent on the other section (RHS).



Figure 46: Storeroom to the north-east of the locker room. The batten ceiling remains.



Figure 47: Refurbished bathrooms on the north-eastern side of the locker room

There is a single room at first floor level within the principal building form. Squared masonry pillars support a central metal girder. The ceiling is plaster board; the floor is concealed. Windows and doors are metal framed. Refer to Figures 48 and 49.

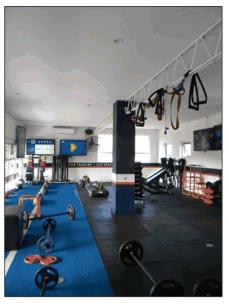


Figure 48: First floor level.



Figure 49: First floor level.

Single Storey Wing

The single storey wing on the south-western side of the pavilion retains what appear to be original architraves and some skirting. There is a small section of original ceiling, with battening. Refer to Figures 50 to 52.



Figure 50: Side wing showing a later opening and ceilings with what appears to be original profiled timber joinery.



Figure 51: Side wing with later opening and ceiling.



Figure 52: Side wing with original sections of ceiling.

Dressing Rooms

The dressing rooms on the north-eastern side have concrete floors, walls and ceilings and basic amenity fit-outs. Refer to Figures 53 to 56.





Figure 53: Entrance from the north-eastern side.

Figure 54: Typical shower facilities.



Figure 55: Main dressing room.



Figure 56: Toilet facilities.

3.2 The Woollahra Golf Clubhouse

3.2.1 Exterior

The clubhouse is a one and two storey building constructed in several stages. The principal building form and wings are one and two storey in height and are constructed of rendered masonry with hipped tiled roofs. There are single storey flat and skillion roofed sections, constructed of various materials, on the eastern and southern sides.

The western side of the building is single storey in height and forms part of Woodforde's 1934 clubhouse, with later alterations and additions. The walls are rendered and painted and the roof hipped and clad in tiles. The front elevation centres on a gabled roofed portico supported by a Doric column to either side. The gable has timber bargeboards and a semi-circular vent. Beneath the gable, automatic doors lead into the clubhouse. A ramp is under construction in front of the portico. There are two wings to either side of the portico, set at a slight angle to it. The shorter northern wing, has two large openings fitted with metal framed doors or timber framed windows. The southern wing has a series of openings fitted with timber framed windows of various types. Figures 57 to 59 illustrate this elevation.



Figure 57: Front elevation of the 1934 Woollahra Golf Clubhouse.



Figure 58: Entrance portico.



Figure 59: Southern wing (extended) of the original 1934 building.

At the northern end of this section of the clubhouse, a single storey open arcade links the clubhouse with the George S. Grimley Pavilion. The roof of the arcade, which is concealed, is supported by squared pillars. There is a balustrade of masonry balusters set between the pillars. An arched opening, with a later set of timber framed and glazed doors, leads into the clubhouse. Refer to Figures 60 and 61.





Figure 60: The arcade linking the golf clubhouse and George S. Grimley Pavilion.

 $Figure\ 61: Doors\ leading\ to\ the\ golf\ clubhouse.$

In 1956, a substantial one and two storey addition was constructed on the eastern side of the original building. This addition has rendered walls and a hipped roof clad in tiles. The eaves are wide and lined. The principal entrance appears to have been on the north-eastern side through an entrance porch with squared columns. The original doors have been replaced with metal framed and glazed doors. Windows in this elevation are generally timber framed double hung windows with a single pane to the lower sash and multiple panes to the upper sash. Refer to Figures 62 and 63.



Figure 62: North-eastern elevation of the 1956 addition, with part of the earlier building on the RHS and part of a later addition on the LHS.



Figure 63: Foundation stone.

The 1956 addition has been extended outwards at ground floor level on the eastern side. This part of the building is flat roofed and has large openings fitted with metal framed doors and windows. Refer to Figures 64 to 66.



Figure 64: Ground floor extension on the eastern side.



Figure 65: Ground floor extension on the eastern side.

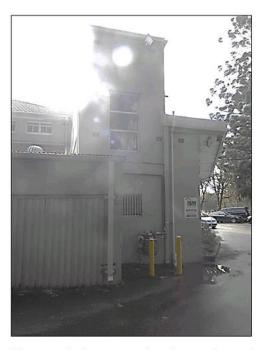


Figure 66: Stairwell on the southern side.

There are single storey service wings on the southern side of the building of various heights and dates. These wings have rendered masonry walls and flat or skillion roofs clad in metal sheet. Refer to Figures 67 to 70.



Figure 67: Service wings on the southern side.



Figure 68: Service wings on the southern side.



Figure 69: Service wings and detached car port on the southern side.

3.2.2 Interior

Ground Floor

The ground floor of the clubhouse has undergone extensive alterations and additions over time. Little original fabric is visible in the 1934 section of the building with the exception of some sections of profiled timber skirting and architraves and what are possibly remnant ceilings at the entrance.

The remainder of the ground floor area has a post c.1990s fit out. Walls have been removed and openings created; finishes have been updated. Figures 70 to 75 illustrate typical interiors in this part of the building.



Figure 70: Looking towards the main entrance into the 1934 building, showing possible remnant ceiling.



Figure 71: Room within the southern wing of the 1934 building.



Figure 72: Looking towards the entrance to the 1956 addition from the original section of the building.



Figure 73: Within the refurbished 1934 section of the building.



Figure 74: The extension on the eastern side of the 1956 building.



Figure 75: Kitchen on southern side.

First Floor

The first floor was constructed as part of the 1950s addition. The staircase leading up to this level has a simple timber balustrade to the lower section; the upper section has an enclosed balustrade.

Walls at first floor level are rendered and painted. Ceilings are plasterboard (or equivalent) with quad cornices. Doors are single panel doors. Architraves and skirting boards, where present, are simple in profile. The bathrooms at this level are c.1950s in date. Refer to Figures 76 to 81



Figure 76: Staircase to first floor level.



Figure 77: Showing simple finishes, typical at this level. Unprofiled skirting boards, simply detailed door and window architraves and single panel doors.



Figure 78: Board room at first floor level with modern cabinetry to one end.



Figure 79: Moveable heritage.



Figure 80: Door with porthole window leading into the first floor bathroom.



Figure 81: Typical finishes in the first floor bathroom.

3.3 The Setting

For the following, refer to Figure 82, an aerial photograph over the site and the surrounding area. $\,$

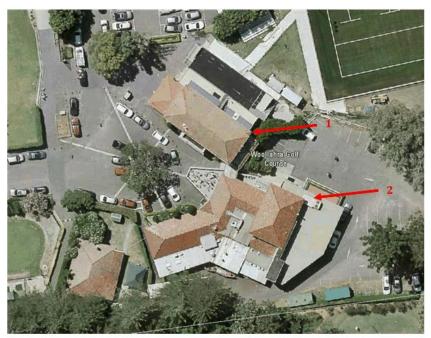


Figure 82: Aerial photograph over the site. Key: (1) George S. Grimley Pavilion; (2) Woollahra Golf Clubhouse

Woollahra Council GIS.

The George S. Grimley Pavilion and Woollahra Golf Clubhouse are located off O'Sullivan Road within the Woollahra Golf Course. They are located on the western side of the golf course; the fairways extend to the north, south and east. To the north-east of the George S. Grimley Pavilion there is a playing field surfaced in artificial turf.

The two buildings are approached off O'Sullivan Road via a driveway which ends in a carpark. The main driveway towards the George S. Grimley Pavilion is visible in the 1943 photograph, Figure 28 above.

There is a second driveway into the site from O'Sullivan Road which leads to the rear of the Woollahra Golf Clubhouse. This driveway is lined with regularly spaced mature pine trees and is similarly visible in Figure 28 above.

Refer to Figures 83 to 84 and to the photographs above.



Figure 83: Main driveway off O'Sullivan Road into the site.



Figure 84: Former main driveway into the Woollahra Golf Clubhouse.



Figure 85: Playing field to the north-east of the Pavilion.

4.0 ASSESSMENT OF SIGNIFICANCE

4.1 Summary of Existing Statutory Heritage Listings for the Site

4.1.1 Commonwealth Listings

The site is <u>not</u> listed on the Commonwealth or National Heritage Lists under the auspices of the *Environment Protection and Biodiversity Conservation Act* 1999.

4.1.2 State Listings

The site is \underline{not} listed on the State Heritage Register under the auspices of the NSW Heritage Act 1977.

4.1.3 Local Listings

The site is:

- Not listed as a heritage item by Schedule 5 Part 1 of the Woollahra LEP 2014.
- Not located within a Heritage Conservation Area listed by Schedule 5 Part 2 of the Woollahra LEP 2014.

4.2 View Corridors

4.2.1 The George S. Grimley Pavilion

The George S. Grimley Pavilion was once a highly visible element in the landscape. The most significant view corridors are those towards the south-western elevation. This is the most intact elevation. View corridors towards the north-eastern elevation were also once significant, but have been compromised by the later alterations carried out to this side of the building.

The George S. Grimley Pavilion is obscured on approach along O'Sullivan Road from the north-west by vegetation. There are glimpses towards the roof on approach along O'Sullivan Road from the south-east when close to the site.

The principal views out of the George S. Grimley Pavilion are to the north-east, over the playing field. These views survive, despite the alterations to this side of the building and the change in shape and surface of the playing field.

4.2.2 The Woollahra Golf Clubhouse

The principal view corridors towards the clubhouse are all obtained from within the grounds of the golf course. The most significant surviving view corridors are of the south-western elevation. It is noted, however, that this is a view corridor of an altered elevation.

The clubhouse is obscured on approach along O'Sullivan Road from the north-west by vegetation. There are glimpses towards the roof of the two storey element on approach along O'Sullivan Road from the south-east when close to the site.

The principal view corridors out of the clubhouse are over the golf course to the east and north-east.

4.3 Integrity

4.3.1 The George S. Grimley Pavilion

Figure 86 below identifies the likely phases of construction of the building. This plan relates to the footprint of the ground floor only. The lack of documentary evidence (notably architectural plans) make the construction phases difficult to identify with any degree of certainty. It is equally difficult to interpret these phases from physical fabric. In the south-western half of the building, for example, later phases of construction have generally matched the earlier finishes, with the exception of bathroom fit-outs.

The north-eastern half of the building appears to have remained largely intact until 1978 when the change rooms were constructed, resulting in what appears to be the complete removal of the lower part of the original grandstand. Some form tiered seating remained in the upper part of the grandstand until at least 1996, after which time the upper part of the grandstand, beneath the roof, was enclosed. It is not clear what, if anything, of the tiered seating remains beneath the gym and the Colorbond roofed section immediately below it visible in Figure 37 above.

In addition to the above, the following is noted:

- The south-western elevation of the building is substantially intact. It is noted
 that one opening has been infilled at ground floor level and that the original
 first floor window openings have been infilled to become highlight windows
 and the windows replaced. The modern roller shutters at ground floor level
- The layout and interior of the ground floor of the south-western half of the building has been altered overtime. It, however, remains clearly identifiable as an Inter-War period building.
- The single storey addition on the eastern side, now the pro-shop, is visible in the 1943 aerial photograph and may be part of the works carried out by Woodforde in the 1930s. The interior of this part of the building has been altered over time.
- The columns supporting the roof above the upper part of the original grandstand on the north-eastern half of the building remain, as does the timber lining of the underside of this roof. All evidence of the tiered seating has been removed from forward of the roof line. It is not known if any evidence survives beneath the gym floor and the Colorbond roofed section visible in Figure 37 above.

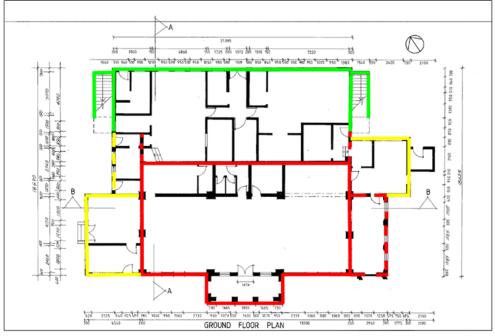


Figure 86: Identifying the likely phases of construction.

Base plan provided by Woollahra Council; annotations in colour by WP Heritage and Planning.

Key: Solid red line: Part of the original footprint, c.1926.

Dotted red line: Likely to be part of the original building footprint, c.1926.

Solid yellow line: c.1937-1950.

Dotted yellow line: Likely to be c.1937-1950.

Green line: Part of the addition of 1978.

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4.3.2 The Woollahra Golf Clubhouse

This building demonstrates low integrity. The external and internal alterations and additions over time have been extensive.

4.3.3 The Setting

The setting of the Grimley Pavilion and the Golf Clubhouse has undergone some change over time largely as a result of the growth of vegetation and the expansion of the carpark. What is notable in the 1943 aerial photograph and early photographs of the Grimley Pavilion is a forecourt with central tree to the south west in front of the Pavilion. An understanding of this forecourt survives today.

The outlook of the Grimley Pavilion to the north east has been altered by the changes made to the oval. The once circular oval has been replaced by a rectangular synthetic turf field. More significantly, the removal of the tiered grandstand seating has lessened the once strong visual relationships that the north eastern side of the Pavilion once had to the oval. Trees have grown up around the far side of the oval, screening it to some extent from the surrounding golf course. These same trees have also changed the outlook from the golf clubhouse.

4.4 Comparative Analysis

4.4.1 George S. Grimley Pavilion

4.4.1.1 Grandstands

There are numerous pavilions/grandstands listed as heritage items on the State Heritage Register and State Heritage Inventory. The most outstanding examples, state wide are, arguably, John Kirkpatrick's c.1900 ladies and members' stands at the Sydney Cricket Ground.

The majority of locally listed examples are located within country areas. Five suburban examples have been identified, three of which are included in Table 1 below. The fourth example, at Rushcutters Bay, was erected in the late nineteenth century and is in a different style to the George S. Grimley Pavilion. The fifth example is provided by the main grandstand at North Sydney Oval, erected in 1928. This is a much larger example than the George S. Grimley Pavilion.

Item/Date	Address	Reasons For Listing	Photograph
Eastwood Grandstand c.1933	45 West Parade, Eastwood	Aesthetic; historical significance; highly intact; architect designed. Local significance.	Google Maps. Includes facilities below the grandstand. Retains its original relationship to its oval.

Item/Date	Address	Reasons For Listing	Photograph
The Grandstand c.1927	Cross Street, Rawson Park, Mosman	Demonstrates high community values; important place of recreation in the social history of the suburb	SHI Inventory. Upper part converted into a Clubhouse but some grandstand seating retained below. Retains its original relationship to its oval.
Pratten Park Grandstand, Ashfield c.1920	Pratten Park, Ashfield	None given by listing sheet.	Google Images Recently restored. Retains its original relationship to its oval.
Nowra Showground Federation Brick Pavilion	West Street, Nowra	Historic, aesthetic, social.	SHI. Appears intact. Retains its original relationship to its oval.

Item/Date	Address	Reasons For Listing	Photograph
Harwood Mill Grandstand c.1927-8	Millstreet , Harwood	Association with local sports; rare and excellent example of a simple vernacular grandstand; historic significance.	SHI. Appears intact. Appears to retain its original relationship to its oval.
John Slade Memorial Pavilion Date unknown.	124 Mitchell Street, Stockton	Located in prominent park.	SHI. Appears intact. Retains its original relationship to its oval.

Table 1: Examples of heritage listed grandstands in NSW.

There are a number of other grandstands in the Woollahra area, none of which are heritage listed, including:

- Southern grand stand at White City, c.1921. Figure 87.
- The Leslie Wilkinson designed grandstand at White City, erected in 1931. This
 grandstand has had numerous alterations over time. Figure 88.
- Frank Dixon Grandstand, Trumper Oval, Paddington. In its present configuration the grandstand is a single, ground-level grandstand. Originally constructed in 1936, the grandstand was reduced in size in the mid-1980s.
- Christison Park, Vaucluse. Modern grandstand.



Figure 87: Southern grandstand, White City.

Woollahra Urban Planning Committee, Item: R2- White City-Proposed Heritage Item, Annexures-Item R2, November 2013.

Built in 1923, this grandstand is covered by a large sloping partially cantilevered roof supported by a complex timber and steel truss roof on timber and steel posts and beams. It originally sat 3,500 people; 500 additional seats were added in the late 1920s. The area under the stand contains a basement, a glazed press box and wrought iron balustrading to the members section. The stand is in a dilapidated condition.

This grandstand is far larger than the George S. Grimley Pavilion and of a different type of construction. Unlike the George S. Grimley Pavilion it retains seating.



Figure 88: Northern Grandstand, construced in the 1930s (Stage 1).

Woollahra Urban Planning Committee, Item: R2- White City-Proposed Heritage Item, Annexures- Item R2, November 2013.

The grandstand contains an arched masonry wing below the seating. The outward face contains arches infilled with windows, doors, ticket booths and an acessway to the arena. The remainder of this stand was constructed in the 1970s. Leslie Wilkinson was associated with the design of the 1930s section of the grandstand. The grandstand is in a dilapidated condition.

4.4.1.2 E. A. Scott and Green

There are no other heritage listed grandstands designed by E. A. Scott & Green in NSW. Their heritage listed work during the Inter-War period is in a range of styles, including the Inter-War Georgian Style, Art Deco Style, Mediterranean Style and Romanesque Style. These examples include domestic and commercial commissions. Many of the listed examples demonstrate a higher level of integrity than the George S. Grimley Pavilion. A good example of their Inter-War period work within the Woollahra Council area is provided by The Knoll, Kent Road, Rose Bay, a two storey mansion in the Inter-War Georgian Revival Style. Refer to Figure 89.



Figure 89: The Knoll, mid 1930s. SHI listing sheet.

4.4.2 Woollahra Golf Clubhouse

4.4.2.1 As a Golf Clubhouse

The 1930s witnessed the creation of a number of golf courses and the construction of associated Golf Clubhouses. There is one item listed on the State Heritage Register and sixteen on local environmental plans associated with golf courses and golf clubs. The State listed item, 'Duntryleague with Lodge, Park, Gates, Stables' in Orange is listed primarily for its association with the Victorian villa on the site and the family who occupied it. Table 2 below identifies a number of locally listed Inter-War period examples. All these examples are in the Inter-War Georgian Revival Style, as was Woodforde's original clubhouse at Woollahra. These examples, however, are generally larger and demonstrate a greater degree of integrity than the Woollahra Golf Clubhouse. There is one golf club listed in Woollahra, being the Royal Sydney Golf Club. The course and clubhouse are listed. This course is older than Woollahra and is associated with numerous prominent people; the Clubhouse is substantial.

Item/Date	Address	Reasons For Listing	Photograph
Avondale Golf Club and Surrounds Clubhouse, c.1927.	40 Avon Road, Pymble	Cultural, social, architectural, natural, municipal	Google Images. Inter-War Georgian Revival; architect: E. Apperley
Bonnie Doon Golf Clubhouse c.1937	Banks Avenue, Pagewood	Local historic, aesthetic and social	SHI Inter-War Georgian Revival; architect: E. Apperley and Alfred Wright.
Killara Golf Club c.1930s		Cultural, social, architectural, landmark value.	Google Images. Architect: C. Brewster.
Manly Golf Clubhouse Inter-War		Representative example of its style; historically significant.	SHI Inter-War Georgian Revival; architect: E. Apperley and Alfred Wright (attr.)

Item/Date	Address	Reasons For Listing	Photograph
Northbridge Golf Course Clubhouse: 1938		Inter-War Georgian Revival Building with Spanish Mission Influences. Course has other values.	Google Images. Architect: A.M. Woodforde
Royal Sydney Golf Clubhouse c.1922	Kent Road, Rose Bay	Historic, aesthetic, social	Google Images Federation Bungalow Style. Architect: M.B. Halligan.

Table 2: Heritage listed Golf Clubhouses.

4.4.2.2 As an Example of the Work of M.V.E. Woodforde

Two examples of Woodforde's work are listed on Council Local Environmental Plans in NSW:

- Former Cyclone Fence and Gate factory, No. 61 Mentmore Avenue, Rosebery.
- Northbridge Golf Club, Northbridge.

Woodforde may also have designed the State heritage listed Roxy Theatre and Peters Greek Café Complex in Bingara and the Gainsborough, in Woollahra, which are identified by its listing sheet, as being designed by 'Mark' Woodforde. No architect of this name has been identified.

As set out in Section 2.3.4, the architect M.V.W. Woodforde worked in a variety of styles. It is difficult to identify distinct characteristics. His most noteworthy buildings are arguably the two listed examples. Two other examples of his work in Woollahra have been identified, being the Sydney Croquet Club and the Baby Health Care Centre on the corner of New South Head Road and Sherbrook Avenue. Neither are listed; both appear to be substantially intact. The Golf Clubhouse is not a good example of his work because of the extent of alterations and additions.

No information has been located on the other architects known to have worked on the building.

4.5 Significance

The George S. Grimley Pavilion and Woollahra Golf Clubhouse are assessed for heritage significance under the following criterion of the New South Wales Heritage Office, now Heritage NSW. The Guidelines for Inclusion/Exclusion are as provided by Assessing Heritage Significance, NSW Heritage Manual Update.

In order to be listed at a local level, a site must fulfil at least one of the following criteria. To be assessed for listing on the State Heritage Register an item will, in the opinion of the Heritage Council of NSW, meet more than one of the following criteria or if an item satisfies only one of the criteria, the item is of such particular significance that it should be listed.

It is noted that the assessment is for the George S. Grimley Pavilion and Woollahra Golf Clubhouse only, not for the entire Woollahra Golf Course.

4.5.1 Criterion (a)

An item is important in the course, or pattern, of New South Wales' cultural or natural history (or the cultural of natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion		
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 continuity of a historical process or activity	has been altered so that is can no longer provide evidence of a particular association		

The George S. Grimley Pavilion has local significance under this criterion for the following reasons:

 The pavilion was built in the mid-1920s at time when Council were beginning to demonstrate a strong interest in the provision of public recreational facilities. This interest continues today.

The building was constructed to perform two functions: as a grandstand for the adjoining oval and as function rooms for community uses. The grandstand comprising the north-eastern section of the original building has been altered. All evidence of the lower sections of the tiered seating has been removed. How much of the fabric of the grandstand survives beneath the existing gym at the top of the structure is not known. Whilst the loss of the integrity within the north-eastern side of the building has impacted upon significance under this criterion, the south-western part of the building, which was designed for community functions, is substantially intact and readily identifiable as the building erected by Council in the early 1920s.

 The pavilion has been continually used for community purposes since this time.

The Woollahra Golf Clubhouse similarly forms part of the long term pattern of Council provided facilities. It has, however, undergone a far greater degree of alteration and addition over time such that the building is not readily identifiable as belonging to any particular period. There are better preserved examples of buildings erected by Council within the local area. It does not meet the threshold for listing under this criterion.

4.5.2 Criterion (b)

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

Guidelines for Inclusion	Guidelines for Exclusion			
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			
maintains or shows continuity of a historical process or activity	has been altered so that is can no longer provide evidence of a particular association			

The George S. Grimley Pavilion has local significance under this criterion for the following reasons:

- It is named for George S. Grimley, long time alderman and Mayor in 1930-31, 1938-29 and 1945-46. Grimley's name is displayed above the entrance.
- The south-western half of the building is identifiable as the building designed by architects E.A. Scott and Green. It is a modest example of their work and one that, unlike private residences, is publicly accessible.

The Woollahra Golf Clubhouse does not meet the threshold for listing under this criterion on the basis of its association with M.V.E. Woodforde because the building has been extensively altered. Later architects who have worked on the building are not significant architects in a local or wider context.

The clubhouse has a long association with the Woollahra Golf Club, who have been associated with the building since their inception in the 1930s. This does not meet the threshold for listing on its own. The Club are one of many local sporting associations.

4.5.3 Criterion (c)

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

Guidelines for Inclusion	Guidelines for Exclusion		
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 creative or technical innovation or achievement	has lost its design or technical integrity		
is aesthetically distinctive or has landmark qualities	its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded		
exemplifies a particular taste, style or technology	has only a loose association with a creative or technical achievement		

The George S. Grimley Pavilion has local significance under this criterion for the following reasons:

 It is an example of an Inter-War period pavilion. This applies primarily to the south-western part of the building. The grandstand on the north-eastern side of

the building has been altered. There is no readily visible section of the original tiered seating. There may, however, be evidence of the tiered seating beneath the gym floor.

The Woollahra Golf Clubhouse does not meet the threshold for listing under this criterion because of the extent of alteration and addition. The existing building has no architectural merit.

4.5.4 Criterion (d)

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

Guidelines for Inclusion	Guidelines for Exclusion		
is important for its association with	is only important to the		
an identifiable group	community for amenity reasons		
is important to a community's sense	is retained only in preference to a		
of place	proposed alternative		

A survey of the local community has not been carried out to ascertain if the buildings have local significance or are valued only because of the amenity they provide.

4.5.5 **Criterion (e)**

An item has potential to yield information that will contribute to an understanding of New South Wales' cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion		
 has the potential to yield new or further substantial scientific and/or archaeological information 	has little archaeological or research potential		
is an important benchmark or reference site or type	only contains information that is readily available from other resources of archaeological sites		
provides evidence of past human cultures that is unavailable elsewhere	the knowledge gained would be irrelevant to research on science, human history of culture		

An archaeological investigation has not been carried out. The two buildings are not rare buildings with regard to construction technique.

4.5.6 Criterion (f)

An item possesses uncommon, rare or endangered aspects of New South Wales' cultural or natural history (of the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion		
provides evidence of a defunct custom, way of life or process	• is not rare		
demonstrate a process, custom or other human activity that is in danger of being lost	is numerous but under threat		
shown unusually accurate evidence of a significant human activity			
is the only example of its type			

Guidelines for Inclusion	Guidelines for Exclusion
demonstrate designs or techniques of exceptional interest	
shown rare evidence of a significant human activity important to a community	

Neither the George S. Grimley Pavilion nor Woollahra Golf Clubhouse are significant under this criterion. There are other buildings in the local area with long associations with sporting associations.

4.5.7 Criterion (g)

An item is important in demonstrating the principal characteristics of a class of New South Wales (or a class of the local areas):

- Cultural or natural places; or
- Cultural or natural environments

Guidelines for Inclusion	Guidelines for Exclusion			
is a fine example of its type	is a poor example of its type			
has the potential 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, technique of activity	 does not represent well the characteristics that make up a significant variation of 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				

The George S. Grimley Pavilion has local significance under this criterion for similar reasons to that given under criterion (c):

• It is a good example of an Inter-War period pavilion. This applies primarily to the south-western part of the building. The north-eastern side of the building, which originally provided seating, has been substantially altered. Whilst the loss of the integrity of the north-eastern side of the building has impacted upon significance under this criterion, this building was designed with a dual purpose and was equally used by the community for social functions. These functions occurred within the south-western part of the building, which is substantially intact.

The Woollahra Golf Clubhouse is not significant under this criterion. While serving a long standing club and community, it is not a good example of an Inter-War period Golf Clubhouse.

4.6 Statement of Significance for the George S. Grimley Pavilion

The George S. Grimley Pavilion, Woollahra Park, Rose Bay, has historic, associative, aesthetic and representative significance at a local level. Designed by the architectural firm of E.A. Scott and Green and erected in 1926, it provides evidence of Council's interest in providing public recreational facilities in the 1920s, an interest that continues today. The building was designed to serve a dual function: as a grandstand for the adjoining oval and as a place where community and private activities and functions could be held. The pavilion commemorates George S. Grimley, a long serving alderman of Woollahra Council and Mayor in 1930-31, 1938-29 and 1945-46.

The south-western half of the original building is readily recognisable as the building designed by E.A. Scott and Green and has high significance. This part of the building contains the original function rooms. While the upper part of the original grandstand above the function rooms has been enclosed and the tiered seating removed or concealed, the original tiled roof form above and the pillars supporting the roof remain. Any remnants of the tiered form of the grandstand that survives beneath the existing gym and the Colorbond roof immediately below are significant. The remainder of the northeastern part of the building, comprising the 1978 addition, is not significant. The early addition on the north-eastern side has moderate significance.

4.6 Significant elements of the George S. Grimley Pavilion

To assist in the future management of the George S. Grimley Pavilion the following diagram, Figure 90, based on the 1996 plans for the building, define the relative significance of elements of different parts of the Grimley Pavilion. This is intended as a guide only. Further information about the history of the building may come to light. Equally, more exhaustive investigations into fabric (particularly if fabric should be removed) may provide further insight into the date of construction of particular elements.



Figure 90: Significant elements of the George S. Grimley Pavilion.

Base plan provided by Woollahra Council; annotations in colour by WP Heritage and Planning.

Key: Red: high significance; yellow: moderate significance; green: low significance. Note: The first floor of the 1926 building is deemed to have high significance.

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5.0 CONCLUSIONS

The George S. Grimley Pavilion was designed by E.A. Scott and Green in 1926 and has local historic, associative, aesthetic and representative significance. The southwestern half of the building provides a good example of an Inter-War period Georgian Revival Style community building; the north-eastern side of the building has been significantly altered. There may be evidence of the original tiered seating concealed beneath the existing gym.

The Woollahra Golf Clubhouse opened in 1934. It provides another example of a recreational facility erected by Council during the Inter-War period. It has, however, undergone significant alteration and addition over time, such that it is no longer a good example of its type.

6.0 RECOMMENDATIONS

6.2 The George S. Grimley Pavilion

It is recommended that:

- The George S. Grimley Pavilion should not be listed as a heritage item on the State Heritage Register under the auspices of the NSW Heritage Act 1977.
- The George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side, be listed as a heritage item on Schedule 5 Part 1 of the Woollahra LEP 2014. This part of the building has significance under criterion (a), (b), (c) and (g).
- A conservation management document should be prepared for the George S.
 Grimley Pavilion in order to guide the management of the building and future conservation works. The document should include, but be not limited to, a maintenance schedule.

The following curtilage is recommended for the George S. Grimley Pavilion:

 Part Lot 1319 D.P. 1222163, as defined by the yellow in Figure 91.



Figure 91: Reduced lot curtilage. SIX Maps; WP Heritage and Planning.

The following management policies are recommended:

- The overall form of the south-western half of the building, including the roof forms and columns supporting the tiled roof at first floor level, should be retained and remain clearly legible.
- The south-western elevation should be retained. The reinstatement of the original window openings at first floor level and the removal of the security awnings is to be encouraged.
- Alterations within the ground floor of the south-western half of the building (outlined in red and yellow in Figure 90) can occur but must take into consideration the surviving original fabric, including ceilings and joinery.
 There is greater scope for alteration in the area outlined in yellow, an early addition to the original building.
- The bathrooms within the ground floor of the south-western half of the building can be updated as required.
- The north-western half of the building (outlined in green in Figure 90) can undergo further alteration and addition, particularly with regard to the 1978 flat roofed addition. This later addition can be removed if required. Any remnants of the grandstand tiers that survive beneath the existing gym and the sloping Colorbond roof immediately below it are to be considered significant fabric. It is desirable to retain existing concealed tiering of the original grandstand which may provide an outlook towards the playing field if reinstated.
- It is desirable that an outlook beyond the curtilage defined by Figure 90 above towards the playing field be maintained for as long as the playing field is retained, particularly if concealed tiered seating has survived in the upper part of the grandstand and is reinstated.

6.1 The Woollahra Golf Clubhouse

It is recommended that:

- The Woollahra Golf Clubhouse should not be listed as a heritage item on the State Heritage Register under the auspices of the NSW Heritage Act 1977.
- The Woollahra Golf Clubhouse should not be listed as a heritage item on Schedule 5 Part 1 of the *Woollahra LEP 2014*. It does not meet the threshold for listing under any of the Heritage NSW criteria.

			ITEM DE	TAILS				
Name of Item	George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side.							
Other Name/s Former Name/s								
Item type (if known)								
Item group (if known)								
Item category (if known)								
Area, Group, or Collection Name								
Street number	-							
Street name	Woollahra P	ark, off O'Su	ıllivan Road					
Suburb/town	Rose Bay					Postcod	de	2029
Local Government Area/s	Woollahra							
Property description	Part of Lot 1	319 D.P.122	22163					
Location - Lat/long	Latitude				Longitude			
Location - AMG (if no street address)	Zone		Easting			Northing		
Owner	Woollahra N	Iunicipal Cou	uncil					
Current use	Pro shop for the golf course; locker room facilities; gym							
Former Use	Grandstand; community function centre etc.							
Statement of significance	The George S. Grimley Pavilion, Woollahra Park, Rose Bay, has historic, associative, aesthetic and representative significance at a local level. Designed by the architectural firm of E.A. Scott and Green and erected in 1926, it provides evidence of Council's interest in providing public recreational facilities in the 1920s, an interest that continues today. The building was designed to serve a dual function: as a grandstand for the adjoining oval and as a place where community and private activities and functions could be held. The pavilion commemorates George S. Grimley, a long serving alderman of Woollahra Council and Mayor in 1930-31, 1938-29 and 1945-46. The south-western half of the original building is readily recognisable as the building designed by E.A. Scott and Green and has high significance. This part of the building contains the original function rooms. While the upper part of the original grandstand above the function rooms has been enclosed and the tiered seating removed or concealed, the original tiled roof form above and the pillars supporting the roof remain. Any remnants of the tiered form of the grandstand that survives beneath the existing gym and the Colorbond roof immediately below are significant. The remainder of the north-eastern part of the building, comprising the 1978 addition, is not significant. The early addition on the north-eastern side has moderate significance.							
Level of Significance	State Local Z							

		DESC	RIPTION			
Designer	E.A. Scott and Green (original building)					
Builder/ maker	A.R. Hinwood (origi	nal building)				
Physical Description	The George S. Grimley Pavilion is one and two storeys in height. The walls are rendered and painted masonry. The principal roof is hipped and clad in terracotta tile. The roof of the single storey wing on the north-western side is similarly hipped and clad in terracotta tile. The eaves are wide and timber lined. The change rooms on the north-eastern side have a flat concrete deck roof.					on
	The principal building form is two storeys in height. A projecting band delineates the ground and first floors. The principal elevation is the south-western elevation. A single storey portico projects outward from this elevation. The portico is wide and flat roofed. The roof is supported by square profiled and Doric columns and bears the words 'George S. Grimley Pavilion.' Within the portico there is a pair of framed and glazed doors with toplight, to either side of which is a timber framed double hung window with a single pane to the lower sash and multiple panes to the upper sash. There are two similarly detailed windows at ground floor level to either side of the portico. At first floor level, there are a serie of highlight metal framed awning sash windows.					ards d of ow
	There is a single storoof and multiple pa		orth-western side of the p ndows.	rincipal building forr	m. It has a hippe	:d
	The original pavilion has been extended on the north-eastern side to provide dressing rooms with a flat roofed deck accessed via concrete stairs on either side. The original seating has been removed and the top section, beneath the principal roof, infilled to house a gym. The pavilion is connected to the golf club via a single storey arcade on the south-eastern side.					
Physical condition	Appears to be well-maintained.					
and Archaeological potential	Archaeological potential: unknown. Note: no structures are known to have stood on this site prior to the construction of the clubhouse.					
Construction years	Start year	1927	Finish year	1927	Circa	
Modifications and dates	1937-8: Alterations and additions (M.E.V Woodforde, architect). 1972: Removal of seating in the grandstand and extension on the north-eastern side of the dressing rooms (David Brindley and Vickery, architect). 1983: Alterations to the pro-shop. 1996: Internal refurbishment. 2008: Alterations to the gym.					
Further comments						

	HISTORY
Historical notes	The Building:
	Woollahra Council Minutes of the 1920s and 1930s reveal a keen awareness of the importance of open space and publicly accessible recreational facilities. In 1923, Woollahra Council received permission from the Governor of NSW to borrow £20,000 for the 'acquisition of park and recreation areas and the improvement thereof.' Accordingly, Woollahra Park was created and the first sod of earth turned by Alderman Grimley on 25 October 1924.
	In 1926, architects E.A. Scott and Green were commissioned to prepare sketch plans of a pavilion it was proposed to call the George S. Grimley Pavilion in honour of the long serving alderman of Woollahra Council and Mayor in 1930-31,1938-29 and 1945-46. In late 1926, the tender of A.R. Hinwood for the construction of the pavilion was accepted and, on 22 January 1927, Alderman Grimley laid the foundation stone.
	The pavilion was officially opened on 25 October 1927 by the Mayor. At the time, it was described as providing seating accommodation for 1,000 people, a social hall, four dressing rooms and a kitchen. The original plans have not been located. In addition to providing a grandstand for the oval, the completed pavilion played an important role in the social life of Woollahra. Local organisations used the pavilion for meetings and events; private functions were also regularly held.
	The building has a long history of alterations and additions, dating from the early-to mid 1930s. The most significant alterations were carried out in 1972 when the Eastern Suburbs District Rugby Union Club, who were now using the pavilion, removed seating on the north-eastern side and extended the building outwards to accommodate dressing rooms. Sometime after 1996, the remaining seating was removed and a gym constructed at the first floor level beneath the original roof form.
	The Architects:
	Ernest Alfred Scott (1863-1947) was born in South Australia, the son of a grazier. During the early 1880s, he was articled to Adelaide architects Bayer and Withall (c.1880-4), before commencing practice in 1886. Scott is said to have worked on the Jubilee Exhibition Building in Adelaide (c.1886). By 1887, he had moved to Sydney and opened a practice. Around 1911, he entered in a partnership with Edward Rodwell Green (1885-1974). The partnership practiced as Ernest A. Scott & Green. Scott's son, Thomas Maxwell, joined the partnership in 1923, which then became Scott, Green & Scott. Scott was president of the Institute of Architects in 1932. After World War II, the partnership became known as E.A. and T.M Scott. The partnership's work was varied and included residential and commercial commissions.

THEMES						
National 8 Developing Australia's cultural life						
historical theme						
State	Creative Endeavour.					
historical theme	Leisure					
	Social institutions.					
	Sport					

	APPLICATION OF CRITERIA			
	The George S. Grimley Pavilion has local significance under this criterion for the following reasons:			
Historical significance SHR criteria (a)	 The pavilion was built in the mid-1920s at time when Council were beginning to demonstrate a strong interest in the provision of public recreational facilities. This interest continues today. 			
	The building was constructed to perform two functions: as a grandstand for the adjoining oval and as function rooms for community uses. The grandstand comprising the north-eastern section of the original building has been altered. All evidence of the lower sections of the tiered seating has been removed. How much of the fabric of the grandstand survives beneath the existing gym at the top of the structure is not known. Whilst the loss of the integrity within the north-eastern side of the building has impacted upon significance under this criterion, the south-western part of the building, which was designed for community functions, is substantially intact and readily identifiable as the building erected by Council in the early 1920s.			
	The pavilion has been continually used for community purposes since this time.			
Historical association significance SHR criteria (b)	The George S. Grimley Pavilion has local significance under this criterion for the following reasons: It is named for George S. Grimley, long time alderman and Mayor in 1930-31, 1938-29 and 1945-46. Grimley's name is displayed above the entrance. The south-western half of the building is identifiable as the building designed by architects E.A. Scott and Green. It is a modest example of their work and one that, unlike private residences, is publicly accessible.			
	The George S. Grimley Pavilion has local significance under this criterion for the following reasons:			
Aesthetic significance SHR criteria (c)	 It is an example of an Inter-War period pavilion. This applies primarily to the south-western part of the building. The grandstand on the north eastern side of the building has been altered. There is no readily visible section of the original tiered seating. There may, however, be evidence of the tiered seating beneath the gym floor. 			
Social significance SHR criteria (d)	A survey of the local community has not been carried out to ascertain if the buildings have local significance or are valued only because of the amenity they provide.			
Technical/Research significance	An archaeological investigation has not been carried out. It is not known if the site has archaeological potential.			
SHR criteria (e)	The building does not provide information about rare construction techniques.			
Rarity SHR criteria (f)	The George S. Grimley Pavilion is not significant under this criterion. There are other more intact examples of Inter-War period grandstands within the Woollahra Municipality and within New South Wales.			
Representativeness	The George S. Grimley Pavilion has local significance under this criterion for similar reasons to that given under criterion (c):			
SHR criteria (g)	It is a good example of an Inter-War period pavilion. This applies primarily to the southwestern part of the building. The north-eastern side of the building, which originally provided seating, has been substantially altered. Whilst the loss of the integrity of the north-eastern side of the building has impacted upon significance under this criterion, this building was designed with a dual purpose and was equally used by the community for social functions. These functions occurred within the south-western part of the building,			

	which is substantially intact.
Integrity	The integrity of the building is mixed. The south-western side, while known to have been altered over time, remains readily identifiable as the building designed by E.A. Scott and Green and as an Inter-War period building. The north-eastern side of the building has undergone a greater degree of alteration and addition. There may be evidence of the tiered grandstand beneath the existing fabric of the upper part of the existing building. The lower part of the grandstand has been removed.

HERITAGE LISTINGS					
Heritage listing/s					

	INFORMATION SOURCES Include conservation and/or management plans and other heritage studies.							
Туре								
Written	Weir Phillips Heritage and Planning	Woollahra Golf Clubhouse and the George S. Grimley Pavilion, Woollahra Park, off O'Sullivan Road, Rose Bay: Heritage Assessment	2020	Woollahra Council.				
Written	-	'Park Markers. Woollahra Alderman. New Pavilion Opened,' The Sun, 26 October, 1927.	1927	TROVE				
Photographic		(Grimley Pavilion)	c.1920s/ 1930s	Woollahra Library				
Plans	Davey, Brindley & Vickery	Proposed Alterations to 'Grimley Hall', Woollahra Oval for the Eastern Suburbs District Rugby Union Football Club	1959	Woollahra Council Archives				
Photographic	-	The Grimley Pavilion- series of photographs	1978	Woollahra Library.				

RECOMMENDATIONS					
Recommendations	It is recommended that:				
	The George S. Grimley Pavilion should not be listed as a heritage item on the State Heritage Register under the auspices of the NSW Heritage Act 1977. The George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side be listed as a heritage item on Schedule 5 Part 1 of the Woollahra LEP 2014. This part of the site has significance under criterion (a), (b), (c) and (g).				
	A conservation management document should be prepared for the George S. Grimley Pavilion in order to guide the management of the building and future conservation works. The document should include, but be not limited to, a maintenance schedule.				
	The following curtilage is recommended for the George S. Grimley Pavilion:				
	Part Lot 1319 D.P. 1222163, see below.				

The following management policies are recommended:

- The overall form of the south western half of the building, including the roof forms and columns supporting the tiled roof at first floor level, should be retained and remain clearly legible.
- The south-western elevation should be retained. The reinstatement of the original window openings at first floor level and the removal of the security awnings is encouraged.
- Alterations within the ground floor of the south-western half of the building (outlined in red and yellow in the significance diagram below) can occur but must take into consideration the surviving original fabric, including ceilings and joinery. There is greater scope for alteration in the area outlined in yellow in the significance diagram below, an early addition to the original building.
- The bathrooms within the ground floor of the south-western half of the building can be updated as required.
- The north-western half of the building (outlined in green in the significance diagram below) can be undergo further alteration and addition, particularly with regard to the 1978 flat roofed addition. This later addition can be removed if required. Any remnants of the grandstand tiers that survive beneath the existing gym and the sloping Colorbond roof immediately below it are to be considered significant fabric. It is desirable to retain existing concealed tiering of the original grandstand which may provide an outlook towards the playing field if reinstated.
- It is desirable that an outlook beyond the curtilage defined by the curtilage plan below towards
 the playing field be maintained for as long as the playing field is retained, particularly if
 concealed tiered seating has survived in the upper part of the grandstand and is reinstated.

SOURCE OF THIS INFORMATION						
Name of study or	Woollahra Golf Clubhouse and the George S. Pavilion, Woollahra Park, off Year of study 2					
report	O'Sullivan Road, Rose Bay: Heritage Assessment or report					
Item number in study						
or report						
Author of study or	Weir Phillips Heritage and Planning					
report						
Inspected by	Alice Fuller					
NSW Heritage Manual	guidelines used?	Yes 🗵]	No 🗌		
This form completed	Alice Fuller	Date	Sept	ember		
by			2020)		

Image caption South-western elevation Image year 2019 Image by Weir Phillips Heritage and Planning WP Heritage and Planning



Image caption	North-western elevation.					
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning	



Image caption	North- wester	n elevation.			
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning



Image caption	North-eastern elevation.					
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning	



Image caption	North-eastern elevation.				
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning

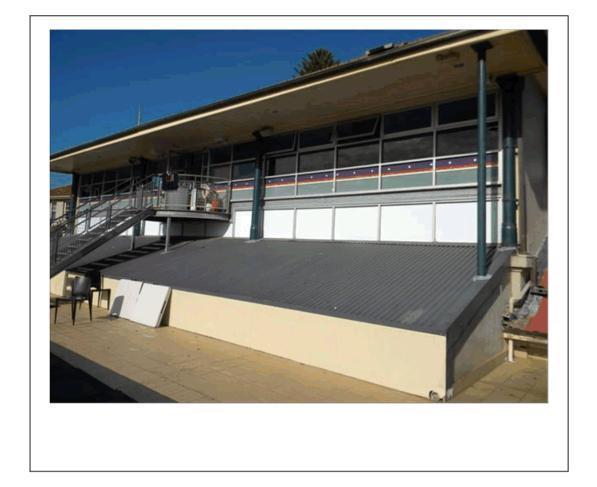


Image caption	South-eastern	n elevation.			
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning

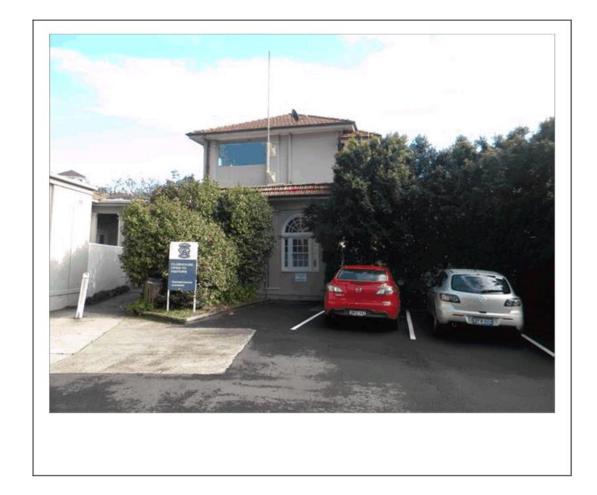


Image caption	Main assembly room (ground floor)				
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning

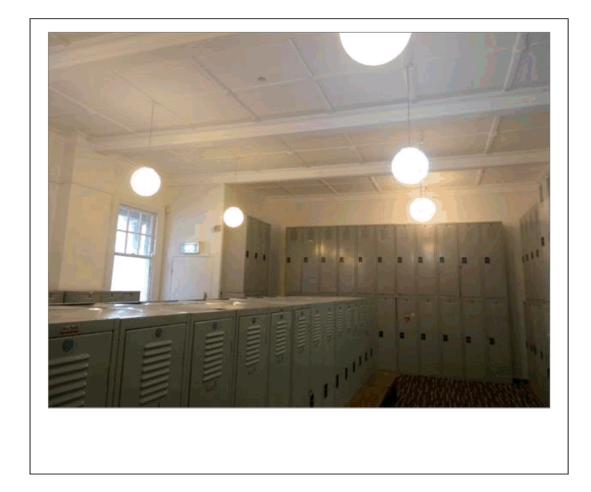
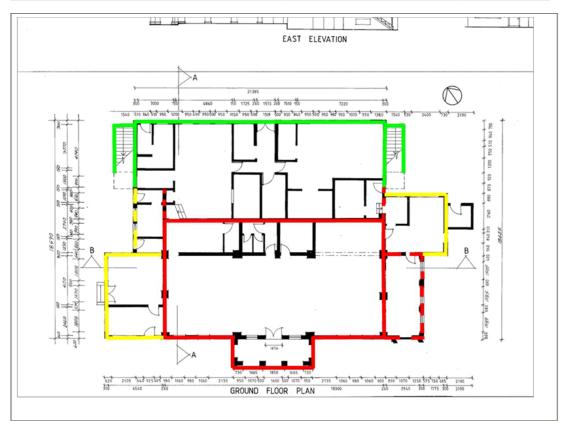


Image caption	Significant elements of the George S. Grimley Pavilion				
Image year	2020	Image by	Alice Fuller	Image copyright holder	Weir Phillips Heritage and Planning



Significant elements of the George S. Grimley Pavilion.

Base plan provided by Woollahra Council; annotations in colour by WP Heritage and Planning.

Key: Red: high significance; yellow: moderate significance; green: low significance.

Note: The first floor of the 1926 building is deemed to have high significance.

Image caption	Recommended curtilage				
Image year	2020	Image by	Alice Fuller	Image copyright holder	Weir Phillips Heritage and Planning



HERITAGE ASSESSMENT



Sydney Croquet Club

Woollahra Park, off O'Sullivan Road, Rose Bay

Updated September 2020 | J3657



Level 19, 100 William Street, Woolloomooloo, NSW 2011 Phone: (02) 8076 5317

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1.0 INTRODUCTION

1.1 Preamble

This Heritage Assessment for the Sydney Croquet Club, Woollahra Park, off O'Sullivan Road, Rose Bay, New South Wales has been prepared at the request of Woollahra Council. On 23 April 2018 Woollahra Council made the following decision:

THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for each of:

- The Sydney Croquet Club building and greens (having its address in Woollahra Park, O'Sullivan Road, Rose Bay); and
- 2. The Woollahra Golf Club Clubhouse and George Grimley Pavilion (having its address in Woollahra Park at 50 O'Sullivan Road, Rose Bay)

to the relevant Council Committee to facilitate the Sydney Croquet Club building and greens and the Woollahra Golf Club Clubhouse and George Grimley Pavilion (and their elements) being:

- 1. Included in the Woollahra Local Environmental Plan as a heritage item; and
- 2. Listed as a heritage item of State significance on the NSW State Heritage Register.

On 6 June 2018 Woollahra Council made the following decision:

THAT Council:

A. Request staff to undertake an assessment of heritage significance for the Rose Bay Scout Hall (former RAAF Officers' Canteen) located in Vickery Avenue, Rose Bay, and report to the Environmental Planning Committee on whether the property has sufficient heritage significance to be listed as:

i) a local heritage item in the Woollahra Local Environmental Plan 2014(WLEP), and

ii) an item on the State Heritage under the Heritage Act 1977.

1.2 The Brief

The brief is divided into two parts:

Stage One - Assessment of heritage significance

- Using the process and heritage assessment criteria contained in the New South Wales Heritage Manual (2001) carry out an assessment of heritage significance of the three sites.
- 2. Make a recommendation as to whether the three sites should be individually listed as a local heritage item in Schedule 5 of Woollahra LEP 2014.
- 3. Make a recommendation as to whether the three sites should be individually listed as an item on the State Heritage Register under the Heritage Act 1977.

Note: The assessment of significance at local and State levels must be done separately and independently.

Stage Two

- 1. If the recommendation is for listing in Woollahra LEP 2014, prepare an inventory sheet for the relevant site. The inventory sheet will include a statement of significance.
- 2. If the recommendation is also for listing on the State Heritage Register, prepare an inventory sheet for the relevant site. The inventory sheet will include a statement of significance.

3. If the recommendation is for listing on the State Heritage Register, prepare a nomination form for the relevant site using the OEH Heritage Division standard template.

Note: All inventory sheets must use the Office of Environment and Heritage (Heritage Division) standard template. A Microsoft Word version of this template will be provided by Council.

1.3 Authorship

This assessment was prepared by Alice Fuller, B.Appl.Sc.(CCM), M.Herit.Cons.(Hons.), and James Phillips, B.Sc.(Arch), B.Arch., M.Herit.Cons.(Hons.), of Weir Phillips Heritage and Planning.

1.4 Limitations

An Aboriginal and historical archaeological assessment was not provided for. A survey of the site's users was not provided for to ascertain how/if they value the site.

1.5 Methodology

This statement has been prepared with reference to the NSW Heritage Office's (Heritage NSW) publication *Assessing Heritage Significance* (2015).

A site visit was carried out in June 2019. Unless otherwise stated, the photographs in this assessment were taken on this occasion.

1.6 Documentary Evidence

The following references were referred to in the preparation of this assessment.

1.6.1 General References

- Boulton, E.H.B. (ed.), Timber Buildings for the Country, London, Country Life Ltd, 1938.
- Broomham, Rosemary, The Coopers of Woollahra: Land Dealings on the Point Piper Estate 1820-1920. Unpublished report prepared for Woollahra Municipal Council in June 2001.
- Hughes, Trueman and Ludlow, Heritage Study for the Municipality of Woollahra, Volume One, NSW, Woollahra Municipal Council, 1984.
- Morris, Miranda, An Architecture of the Depression: Vertical timber buildings in Launceston. Unpublished University Thesis, 1989.
- Russell, Eric, Woollahra: A History in Pictures, Sydney, John Ferguson in association with Woollahra Municipal Council, 1980.
- Sydney Croquet Club, Clubhouse Log Cabin- Woollahra Park, 50th Anniversary, Saturday, 27 April, 1985, NSW, The Club, 1985, n.p.

1.6.2 Newspapers, Journal Articles etc.

- ('Advertisement for Hardie's Fibrolite'), Decoration and Glass, Volume 7 No. 12, 1 April, 1942, p.31.
- 'Croquet Lawns for Woollahra,' The Labor Daily, 14 November, 1933, p.6.
- 'Croquet Pavilion at Williamstown, Victoria,' Building, 12 March, 1930, p.57.
- 'Croquet Tournament,' The Daily Telegraph, 28 April 1936, p.18.
- "The Log Cabin," The Australasian, 25 October, 1924, p.13.
- 'Log Cabin at Grace Bros.,' The Sydney Morning Herald, 7 December, 1927, p.11.
- 'M.V.E. Woodforde, A.R.A.I.A, 'Decoration and Glass, Volume 5 No. 9, 1 February, 1940, pp.53-54.
- 'New Croquet Lawns: Opened at Woollahra Park,' The Sydney Morning Herald, 2 May, 1935, p.21.

- 'A New Name. Rushcutter's Bay Expands,' Sunday Times, 29 September, 1929, p.11.
- "The Official Opening of the Rushcutters Bay Croquet Cub,' *The Daily Telegraph*, 31 January, 1927, p.12.
- 'Sydney's New Lawns,' The Daily Telegraph, 30 October, 1934, p.16.
- "Tenders Accepted or Received," Construction and Real Estate Journal, 6 February, 1935, p.10.
- 'Tenders Called,' Construction of Real Estate Journal,' 17 October, 1934, p.6.
- Willoughby Golf Club House,' Building, 12 December, 1935, p.15.
- '(Woollahra Council has decided....),' The Sun, 7 January, 1934, p.9.
- 'Woollahra Croquet Lawns,' The Sun, 20 December, 1934, p.25.
- Woollahra Works Scheme,' The Sun, 13 December, 1934, p.11.

1.6.3 Historic Plans, Images and Photographs

- (Croquet Lawn and Shelter, Sydney Croquet Club), undated. Framed photograph in the Clubhouse.
- 'Hotel Grande, Coolangatta,' Building, 13 March, 1933.
- Kent, Milton, Aerial View over Rose Bay, Rosebery, Sydney, Waterloo (Item No. 16), 194-. State Library of NSW.
- 'A Log Cabin,' Building 12 August, 1924.
- 'New Baby Health Centre and Day Nursery, Double Bay,' Building and Engineering, 24 October, 1951.
- 'New Residence, No. 151 Dover Road, Dover Heights,' Building 24 March, 1942.
- New South Wales Lands Department, (Aerial Photograph over Rose Bay), 1943.
 SIX Maps.
- 'North Bridge Golf Club House,' Building 24 November, 1937.
- 'Papyrus Pty Ltd, Burrows Road, Alexandria,' Building, 24 February, 1942.
- ('Rustic Shelter in the Garden, Caerleon'), Home, December 1922.
- (Sydney Croquet Club), undated. Framed photograph in the Clubhouse.
- (Sydney Croquet Club), 1977. Framed photograph in the Clubhouse.

1.6.4 Other

- Conveyance, Book 1319 No. 958. Old Systems Records, NSW LPI.
- Woollahra Council Minutes, 1923- 1980. Woollahra Library.

1.7 Site Location

The Sydney Croquet Club is located within Woollahra Park, off O'Sullivan Road, Rose Bay. Figure 1 shows the location of Woollahra Park within the surrounding area. Figure 2 shows the location of the Croquet Club within the grounds of Woollahra Park. The Croquet Club stands on part of Lot 1319 D.P. 1222163.

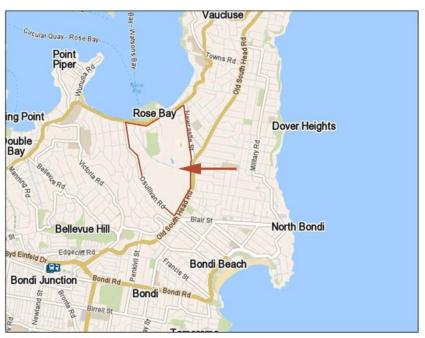


Figure 1: Location of Woollahra Park within Woollahra. Whereis; annotation in red by WP Heritage and Planning.



Figure 2: Location of the Croquet Club within Woollahra Park. Google Maps; annotation in red by WP Heritage and Planning.

2.0 HISTORICAL DEVELOPMENT OF THE SITE

2.1 The Site Prior to 1923

While an Aboriginal history has not been provided for, it is acknowledged that the present-day Woollahra Municipality is located within the traditional lands of the Cadigal people, part of the Dharug language group.

The Colony of New South Wales was established at Sydney Cove in January 1788. All land was declared to be Crown Land. Present-day Woollahra is located well outside the first official boundaries of Sydney Township. The colonists exploited the natural resources of the area but did little to permanently settle it beyond establishing a lookout on South Head and a pilot station at Watsons Bay. The word *Woo-la-ra* first appears in a 'List of Local Names, or of Places' prepared by David Southwell, the lieutenant later placed in charge of the lookout on South Head.¹

The first land grants in present-day Woollahra, made between 1793 and 1812, predominantly passed out of the hands of original grantees. During the early years of Macquarie's governorship (1810-1821), a number of grants were made to military men around Double and Rose Bays. The most notable of these was a grant made to the flamboyant Captain John Piper in 1815.

During the 1820s, the land north of Darling Point through Double Bay, Point Piper and Rose Bay and eastward to Old South Head Road, was consolidated into a single estate by the prominent business partnership of Daniel Cooper (1785-1853) and Solomon Levey (1794-1833). The partners had acquired several early land holdings, including John Piper's estate, which were re-issued as a single grant of 1,130 acres on 22 March, 1830. The subject property stands upon this grant. Old South Head Road (1811) and New South Head Road (1832) provided the principal means of access into the area at this time.

The Cooper-Levey Estate was beset by legal complications from the 1830s. During the 1840s, Daniel Cooper became the sole owner of the estate, which generally became known as the Cooper Estate. In 1844, T.L. Mitchell prepared a subdivision plan for the Cooper Estate. Old and New South Head Roads, Point Piper (now Jersey Road), Ocean Street North, William and Cross Streets were already in existence, while Edgecliff, Bellevue, Victoria and Wolseley Road were passable bush tracks. While the Cooper Estate was not always developed along the lines envisaged by Mitchell in 1844, his subdivision did much to determine the basic street pattern seen today.²

The Cooper Estate was willed not to Daniel Cooper's next of kin, his nephew Sir Daniel Cooper (1821-1902), but to Sir Daniel's son, Daniel (later also Sir Daniel). As the new owner was a minor when he inherited the estate in 1853, Trustees managed the Cooper Estate until November 1869. Even after Daniel Cooper III obtained his majority, the Trustees continued to be a dominant influence in managing the Estate and were thus a major force in the development of the area.³ When the Municipality of Woollahra was created in 1860, it was named for Sir Daniel Cooper's (senior) planned residence, *Woollahra*.

Between 1853 and the mid 1880s, the Trustees offered 99-year leaseholds on parts of the Cooper Estate; there were few freehold sales. Substantial villa estates were developed on some of these leaseholds. Smaller lots in West Woollahra and along Old South Head Road attracted more modest housing and commercial development.⁴ Lack

¹ Letter dated 12 July, 1788, cited Eric Russell, *Woollahra: A History in Pictures*, Sydney, John Ferguson in association with Woollahra Municipal Council, 1980, p. 9-10.

² See Figure 7, a tracing of Mitchell's plan, in Rosemary Broomham, *The Coopers of Woollahra:* Land Dealings on the Point Piper Estate 1820-1920. Unpublished report prepared for Woollahra Municipal Council in June 2001.

³ For further information see ibid.

⁴ Hughes, Trueman and Ludlow, *Heritage Study for the Municipality of Woollahra, Volume One*, NSW, Woollahra Municipal Council, 1984, p. 15.

of transport, however, limited widespread development in Woollahra before 1880. As transport was almost exclusively by private means, development away from the bays and wharves was particularly reliant on satisfactory road patterns.⁵

Between 1850 and 1890, the population of Sydney expanded sevenfold. By the early 1880s, the areas closer to the City had been built out and the demand for land was pushing further outwards. The steady improvements made to the tramway system from the 1880s, together with the introduction of subsidised transport, did much to open up the Woollahra Municipality to small lot subdivision.

Freehold subdivisions of land on the Cooper Estate began in the early 1880s and continued until the 1920s. Individuals and land companies purchased land, often carrying out further subdivisions. One of the companies who purchased land was the Rose Bay Freehold Company. Woollahra Park stands on land that that this Company purchased from the Cooper Estate in 1904.6

The dense suburban development that characterises much of Woollahra today is largely a product of the first decades of the twentieth century. As subdivision continued, the population rose from 1,023 people in 1881 to 13,503 people in 1900; and 25,300 people in 1920 to 37,770 people in 1927.⁷ Woollahra thus became an intensively developed area within a comparatively short time span.

While development proceeded apace in some areas, much of the land that now forms part of Woollahra Park appears to been under-utilised. Some of the area was leased to Chinese market gardeners. In 1901, it was recorded that the area now occupied by Woollahra Park was 'swampy and undrained.'⁸ Nearby Scots College developed a strong sporting association with the local area by the early 1900s, foreshadowing future land uses.

2.2 Woollahra Park

Woollahra Council Minutes of the 1920s and 1930s reveal a keen awareness of the importance of public recreational spaces and publicly accessible recreational facilities. In 1923, Woollahra Council received permission from the NSW Governor to borrow £20,000 for the 'acquisition of park and recreation areas and the improvement thereof.'9 On 15 September 1923 the Rose Bay Freehold Company (in liquidation) transferred 24 acres and 25 perches of land to the Council of the Municipality of Woollahra for 11,954 pounds, 13 shillings and 9 pence.¹¹0 During late 1923 and 1924, Council gave the Chinese market gardeners occupying their new land purchase six months notice to quit.¹¹1

In early 1924, Council launched a competition for the layout of a new park, later Woollahra Park. The Institute of Architects were involved in this process and appointed the prominent architect Mr. Ernest A. Scott to represent the Institute in an honorary capacity and to provide advice on the competition. 12

Council announced the results of the competition for the layout of the park on 12 May 1924. First prize, a premium of £100, was award to Mr. H.M. Robinson. 13 The improvements to the park officially commenced when Alderman Grimley turned the

⁵ Refer to J. Atkins, *History Waverley, Volume 8: Fletcher's Foundry, Woollahra*, n.p. The street was originally known as Australia Street.

⁶ Sale referred to in Conveyance, Book 1319 No. 958. NSW LPI.

⁷ Census figures cited in Hughes, Trueman and Ludlow, op cit., 1984, p. 7.

⁸ Government Gazette 1901 cited in Woollahra Park Plan of Management, January 2013, p.8.

⁹ Woollahra Council Minutes, Ordinary Meeting, 2 July, 1923, p.526. Woollahra Library.

¹⁰ Conveyance, Book 1319 No. 958. NSW LPI.

¹¹ For example, see: Woollahra Council Minutes, Ordinary Meetings, 8 October, 1923, p.638; 25 August, 1924, p.265.

¹² Ibid, 28 April, 1924, p.134.

¹³ Ibid, 12 May, 1924, pp.142 and 149.

first sod of earth on 25 October 1924.¹⁴ On 8 December 1924 the 'O'Sullivan Road Park Lands' were officially named Woollahra Park.¹⁵ A pavilion named in honour of Alderman George Grimley was constructed in 1927 to service the adjacent oval and a golf course was opened in 1931.

2.3 Rushcutters Bay Croquet Club and Sydney Croquet Club

2.3.1 The Origins of the Club

The origins of the Sydney Croquet Club lie in the establishment of the Rushcutters Bay Croquet Club in the 1920s. 16 The Club's first home was on land within Rushcutters Bay Park leased from the City of Sydney Council. The club name was changed to the Sydney Croquet Club in September 1929, by which time the number of members had grown considerably. 17 The Club's handicap book of 1928-1929 lists twenty-five playing members, twenty-three of whom were 'A' grade players. The Club was, at this time, one of nineteen clubs in the State, 12 of which were suburban clubs. 18 The sport was predominately a female one; the Rushcutters Bay Club was the only club in the State to have any male members.

According to a brief club history, the Rushcutters Bay Club first approached Woollahra Council about the creation of croquet lawns within the Woollahra Municipality in 1932-3.19 In November 1933, in response to a request from a 'number of ladies', Woollahra Council instructed Council's engineer to investigate a suitable location for the 'putting down' of croquet lawns. Woollahra Park and Cooper Park were put forward as possible locations.20 The site 'between the two ovals' at Woollahra Park, being the subject site, was ultimately put forward and Council resolved in December 1933:

'That two croquet lawns be constructed at an estimated cost of £445 provided the applicants agree to pay a rental of £100 per year, and that failing acceptance of this offer two tennis courts be constructed at a cost of approximately £600.'21

Figure 3 provides a photograph of Woollahra Park in the late 1920s/early 1930s. The arrow points to the approximate location of the Croquet Club, between the two ovals.

¹⁴ *Ibid*, 27 October, 1924, p.331.

¹⁵ Woollahra Council Minutes, Ordinary Meetings, 8 December, 1924, p.375.

¹⁶ A date of 1922 is given by a brief history of the Club in *Sydney Croquet Club, Clubhouse Log Cabin-Woollahra Park, 50th Anniversary, Saturday, 27 April, 1985*, NSW, The Club, 1985, n.p. Woollahra Library. A newspaper article, however, gives the date of 1927. See: "The official opening of the Rushcutters Bay Croquet club,' *The Daily Telegraph, 31* January, 1927, p.12.

 $^{^{\}rm 17}$ 'A New Name. Rushcutter's Bay Expands,' $\it Sunday\ Times$, 29 September, 1929, p.11.

¹⁸ Sydney Croquet Club, Clubhouse Log Cabin- Woollahra Park, 50th Anniversary, 1985, n.p. 19 Ibid.

²⁰ 'Croquet Lawns for Woollahra,' *The Labor Daily*, 14 November, 1933, p.6.

 $^{^{\}rm 21}$ Woollahra Council Minutes, Ordinary Meeting, 11 December, 1933, p.570.



Figure 3: Aerial View of Rose Bay Golf Course, Sydney, c.1920s.Fairfax Archive, National Library of Australia; annotation by WP Heritage and Planning.

Initially, it would appear that the lawns in Woollahra Park were to be leased to a proposed new Eastern Suburbs women's club.²² Ultimately, however, it was Mrs. F.E. Rogers, Hon. Secretary of the Sydney Croquet Club, who accepted the offer of the lawns and informed Council that the following Clubhouse accommodation would be required:

'Main room of such size that the Club members could sit in comfort for refreshments, and at one end of this room a kitchen for washing up etc. with power point for urn, and the other end of main room a toilet room with lavatory and basin; further stating that a verandah across the front of the Clubhouse would add to the pleasure and comfort of members who are watching matches, and requesting to be advised how long it will take to complete the construction of the lawns as it is desired to make arrangements for an opening day.'23

The NSW Croquet Association offered to stand guarantor for the payment of fees for the first twelve months lease of the playing lawns. In February 1934, the Association were informed that

'...plans and specifications and estimates are now being prepared in conjunction with the desired accommodation for Club members, and that the Club will be communicated with as soon as a decision is arrived at.' 24

The Sydney Croquet Club had made the decision to transfer to Woollahra for a number of reasons. The lease at Rushcutters Bay was due to expire; a large number of its members lived in Woollahra; and the Club had been battling unsuccessfully with the City of Sydney for a number of years for additional space at Rushcutters Bay. In 1928, the Club secretary wrote that they had been

'...compelled weekly to refuse applications for membership in our club, owing the lack of playing space.' $^{\rm 25}$

The secretary had also complained about the poor state of the playing lawn at Rushcutters Bay. Arguments about high rents during the years of the Great Depression

²² '(Woollahra Council has decided....),' *The Sun*, 7 January, 1934, p.9.

²³ Woollahra Council Minutes, Ordinary Meeting, 8 January, 1934, p.5.

²⁴ Woollahra Council Minutes, Ordinary Meeting, 26 February, 1934, p.94.

²⁵ Sydney Croquet Club, Clubhouse Log Cabin- Woollahra Park..., 1985, n.p.

further soured the relationship with the City of Sydney. The Club held a farewell party at their old premises in late October $1934.^{26}$

2.3.2 The Design of the Clubhouse

Council minutes of 1934 indicate that various schemes were put forward for the design of a Croquet Clubhouse, including proposals to combine the facilities with those for the users of Oval No. $2.^{27}\,$ By March 1934, a separate building had been agreed upon. Options for building of clubhouse with walls of wire cut bricks and a green tile roof or rusticated weatherboard with a green tiled roof were initially considered followed by a scheme with walls of rendered common brick (float finish) and red tiles. As demonstrated by the extant building, these options were not proceeded with.

The location of the clubhouse between the croquet lawns and No. 2 Oval, in a position at the north-eastern corner of the lawn, was fixed upon in March 1934. By July, the original designs, priced at £1,080, had been modified to a more modest £695. In December 1934, Woollahra Council approved the expenditure of approximately £870 for the 'erection of a pavilion' for the Croquet Club at No. 2 Oval at Woollahra Park. This work was part of a much larger scheme of works planned by Council and funded with a special loan of £35,000. Other works included the 'Golf house at Woollahra golf links', a pavilion for the cricket players, the acquisition of lands to extend Woollahra and Cooper Parks and various road works. 32

The Croquet Clubhouse that was eventually erected on the site was designed by M.V.E. Woodforde, who designed numerous other projects for Council from 1933. The original plans have not been located. In October 1934, Woodforde was instructed by Council to advertise for tenders. Thirteen tenders were received in response to advertisements placed in the local press in October-November 1934. 33 In December 1934, Council instructed that the lowest tenderer, Messrs. Stafford & Company of No. 4 Merchant Street, Stanmore for £870.7.6 be accepted, subject to satisfactory references being received. 34 The builder's references, however, proved 'entirely unsatisfactory'. Ultimately, the third lowest tender, made by G. Yates of No. 64 Villier Street, Rockdale for £972, was accepted. 35

Council minutes over the following months record decisions to connect the building to the sewer and providing wire guards to the lawns. In March 1935, a recommendation to spend £30 on planting 'and other improvements' adjacent to the 'Croquet Pavilion' was approved.³6 In April 1935, a rental of £100 for the first year and £140 for the second year was agreed upon.³7 The building does not appear to have been reviewed in the architectural publications *Building* or *Decoration and Glass*.

2.3.3 Opening of the Croquet Lawns and Clubhouse

The croquet lawns and Clubhouse were officially opened on Saturday 27 April, 1935. According to *The Sydney Morning Herald*:

²⁶ 'Sydney's New Lawns,' The Daily Telegraph, 30 October, 1934, p.16.

²⁷ See for example, Woollahra Council Minutes, Ordinary Meeting, 26 February, 1934, p.107.

²⁸ Woollahra Council Minutes, Ordinary Meeting, 12 March, 1934, p.122; 26 March, 1934, p.150.

²⁹ Ibid, 9 April, 1934, p.168.

³⁰ Ibid, 23 July, 1934, p.361.

^{31 &#}x27;Woollahra Croquet Lawns,' The Sun, 20 December, 1934, p.25.

^{32 &#}x27;Woollahra Works Scheme,' The Sun, 13 December, 1934, p.11.

^{33 &#}x27;Tenders Called,' Construction of Real Estate Journal,' 17 October, 1934, p.6.

³⁴ Woollahra Council Minutes, Special Meeting, 18 December, 1934, p.637.

³⁵ 'Tenders Accepted or Received,' Construction and Real Estate Journal, 6 February, 1935, p.10; Woollahra Council Minutes, Ordinary Meeting, 14 January, 1935, p.19.

³⁶ Woollahra Council Minutes, Ordinary Meeting, 25 March, 1935, p.193.

³⁷ Ibid, 8 April, 1935, p.206.

"The lawns looked perfect in the brilliant sunshine, and the splendid weather conditions gave everybody a cheerful countenance and sense of well-being.

The Mayor of Woollahra, Alderman Hugh Latimer, M.L.C., officially opened the attractive log-cabin Clubhouse, which is something new in sporting accommodation....

To Mrs. Latimer fell the honour of firing the first ball on the new lawns, which was accomplished amid much enthusiasm from some 120 guests of the club....

Mr. Latimer remarked upon the fact that his Council had given the whole of the Woollahra Park area for sport, and in doing that it had not forgotten the croquet players....' 28

The lawn was extended on the eastern side in November 1935.³⁹ Although the Croquet Club evidently prospered, a request for a third lawn was turned down by Council in November 1935 and would continue to be turned down over ensuring years.⁴⁰ A flag pole was donated to the club and erected at the eastern end of the Clubhouse in early 1936.⁴¹ Lockers appear to have been installed in a portion of the store-room in 1936-7.⁴² These may be the extant lockers. The Croquet Club celebrated their first anniversary of their move to new premises with an all-day tournament in April 1936.⁴³

In December 1937, it was reported that the rustic logs of the Clubhouse were showing signs of dryness and it was recommended that two coats of raw linseed oil and varnish should be applied.⁴⁴ There are references to the acceptance of a quote for painting the Clubhouse in April 1938.⁴⁵ The timberwork appears to have been regularly treated after this time.

Figure 4 is an undated, but early, photograph of the Clubhouse, prior to the growth of the trees that now surround the site. Note: the roof is tiled and the timberwork has a dark, oiled, finish.

 $^{^{\}rm 38}$ 'New Croquet Lawns: Opened at Woollahra Park,' The Sydney Morning Herald, 2 May, 1935, p.21.

³⁹ Woollahra Council Minutes, Ordinary Meeting, 11 November, 1935, p.657.

⁴⁰ Ibid, 9 December, 1935, p.747.

⁴¹ Ibid, 24 February, 1936, p.100.

⁴² Ibid, 28 October, 1935, p.639; 24 February, 1936, p.110.

^{43 &#}x27;Croquet Tournament,' The Daily Telegraph, 28 April 1936, p.18.

⁴⁴ Woollahra Council Minutes, Ordinary Meeting, 13 December, 1937, p.668.

⁴⁵ *Ibid,* 11 April 1938, p.214.



Figure 4: Sydney Croquet Club House, undated. It is not clear if the balustrades to the verandahs are present in this photograph.

Framed photograph in the Clubhouse.

The possibilities for constructing a third croquet lawn were still being pursued in 1939, by which time the Croquet Club had 36 members, 22 of whom lived locally.⁴⁶ By this time, the Club had erected a shelter constructed of 'fibro and trellis,' which housed a concrete garden seat provided by Council. Two additional shelters were erected.⁴⁷ What appear to be small shelters are visible on the southern side of the croquet lawns in Figure 5, an aerial photograph dated 1943. As set out below, these are not the extant shelter structures.



⁴⁶ Woollahra Council Minutes, Ordinary Meeting, 23 January, 1939, p.45; 27 February, 1939, p. 88.

⁴⁷ Ibid, 26 August, 1940, p.505.

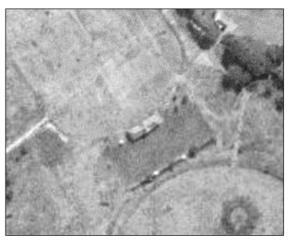


Figure 5: NSW Lands Department, (Aerial Photograph over Rose Bay), 1943. SIX Maps.

Photograph 6 provides a second aerial photograph over Woollahra Park from the 1940s. This photograph shows the building at a more oblique angle. Note the openness of the site. This photograph also shows that the Club was accessed by its own road from O'Sullivan Road, rather than through the Golf Course, as for today.

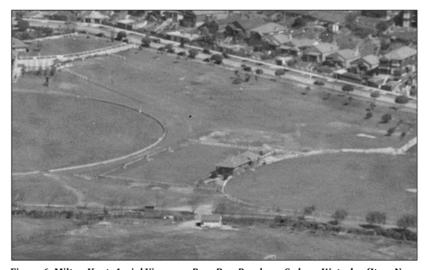


Figure 6: Milton Kent, Aerial View over Rose Bay, Rosebery, Sydney, Waterloo (Item No. 16), 194-

State Library of NSW.

Council Minutes over ensuing years reveal the day-to-day operation of the Croquet Club. For example: the Club rent was reduced during World War II.⁴⁸ By 1946, it was found necessary to regrade and re-level the lawns, due to 'shrinkage.'49

The Croquet Club would not appear to have been the only occupants of the Clubhouse. In 1953, plans were put forward to extend the Clubhouse building by the surrounding golf club, who were 'presently using 'part of the 'log cabin building' as a sports dressing room. 50

⁴⁸ Woollahra Council Minutes, Ordinary Meeting, 28 July, 1941, p.388.

⁴⁹ Ibid, Special Meeting, 8 October, 1946, p.491.

⁵⁰ Ibid, 14 September, 1953, p.583.

This scheme did not proceed. By 1956, part of the Clubhouse was also being used by The Colleagues Football Club. 51

Little mention is made of the Croquet Club in subsequent years in Council Minutes. In 1963, they requested improved signage as people were having trouble finding the Club within the centre of Woollahra Park; a sign on O'Sullivan Road was permitted. ⁵² In August 1963, Council were notified that three 'bush houses' at the Club required replacement after storm damage. ⁵³ Council were still considering the matter in July 1964. The Council Minutes of 13 July, 1964 record that:

'The two small shelters which adjoined the lawns and were used by players and onlookers during hot or inclement weather, had deteriorated to such an extent that they were blown down during a recent storm.

They are beyond repair and the Club now requests that they be replaced.

A suitable shelter would be 9' x 5' weatherboard to sill height and trellis above with a corrugated fibro gabled roof and would cost approximately £100.

It is recommended that £200 be voted and two shelters erected.'54

The recommendation was adopted. These are likely to be the extant shelters. Refer to Figure 7. Note in Figure 7 the size of tree relative to today.



Figure 7: Undated photograph of one of the new shelters. Photograph in the Clubhouse.

The Clubhouse retained its dark oiled exterior and tiled roof until at least 1977. Refer to Figure 8. When it was first painted and when the roof covering was replaced is not known.

⁵¹ Ibid, 18 July, 1956, p.401.

⁵² Ibid, 22 July, 1923, p.571.

⁵³ Ibid, 14 October, 1963, p.830.

⁵⁴ Ibid, 13 July, 1964, p. 588.



Figure 8: The Clubhouse in 1977. Photograph in the Clubhouse.

2.4 The Architect, M.V. E. Woodforde, A.R.A.I.A

According to 'Who's Who' in *Decoration and Glass in February*, 1940, Marcus Victor Ernest Woodforde (Figure 9) served his articles with Herbert E. Ross of H.E. Ross and Rowe prior to enlisting with the Australian Imperial Services during World War I, where he served in France. He later returned to H.E. Ross and Rowe before working with Henry E. Budden and Greenwell, during which time he attended the Atelier at the University of Sydney studying design under Professor Leslie Wilkinson. After a third period with H.E. Ross and Rowe, during which time he worked on the Commonwealth Bank in Martin Place, he commenced private practice (1928), executing various commissions. In 1933, he was appointed as architect to the Municipality of Woollahra.⁵⁵ The examples of his work below indicate that he worked in a variety of styles.



Figure 9: M.E.V. Woodforde, Decoration and Glass, Volume 5 No. 9, 1 February, 1940.

Woodforde worked in a variety of styles. Examples of this work include:

- Hotel Grande, Coolangatta, 1933.
- Willoughby Golf Club House (winner of competition, 1935).

^{55 &#}x27;M.V.E. Woodforde, A.R.A.I.A, 'Decoration and Glass, Volume 5 No. 9, 1 February, 1940, pp.53-54.

- Northbridge Golf Clubhouse, 1937.
- Cyclone Fence and Gate Co., Mentmore Avenue, Roseberry, 1937.
- House, No. 69 David Street, Launceston, 1938.
- · Globe Worsted Mills, Sydenham.
- Lidcombe Textile Mills, Lidcombe.
- Administrative Offices for Lysaght Bros. and Co. Pty Ltd., 1939.
- Factory, Papyrus Pty Ltd, Burrows Road, Alexandria, 1940. 56

Figures 10 to 14 illustrate a number of these buildings.



Figure 10: Hotel Grande, Coolangatta, 1933. Building, Volume 52, No. 307, 13 March, 1933.



Figure 11: Northbridge Golf Club House, Sydney. Building, 24 November, 1937.



Figure 12: No. 69 David Street, Launceston Municipality, 1939. Miranda Morris, An Architecture of the Depression: Vertical timber buildings in Launceston, 1989.

⁵⁶ 'M.V.E. Woodforde, A.R.A.I.A, 'Decoration and Glass, Volume 5 No. 9, 1 February, 1940, pp.53-54; 'Willoughby Golf Club House,' Building, 12 December, 1935, p.15. (Advertisement for Hardie's Fibrolite'), Decoration and Glass, Volume 7 No. 12, 1 April, 1942, p.31.



Figure 13: Papyrus Pty Ltd, Burrows Road, Alexandria (c.1940). Building, 24 February, 1942.



Figure 14: New residence, No. 151 Dover Road, Dover Heights, 1942. Woodforde's own residence. Building, 24 March, 1942.

Other buildings he designed for Woollahra Council include:

- Woollahra Golf Clubhouse.
- New Baby Health Centre and Day Nursery, Double Bay (1951).

Woollahra Golf Clubhouse has undergone extensive alteration over time. Figure 15 below illustrates the New Baby Health Care Centre, which still stands on the corner of New South Head Road and Sherbrook Avenue. This is the largest of his known commissions for Council.



Figure 15: New Baby Health Centre and Day Nursery, Double Bay. Building and Engineering, 24 October, 1951.

2.5 Split Log Construction

The Croquet Clubhouse is recognisably an Inter-War period building but is of no dominant architectural style. If it could be said to be of any style, it draws on the traditions of the Bungalow Style. During the Inter-War period, the popular press promoted full log or split log construction as an ideal form of recreational building. Figure 16 provides one example of an article from *Building*, which bears some similarities to the subject building. Figures 17 to 19 provide three examples of an English publication entitled *Timber Buildings for the Country* published in 1938, which promoted timber framed and clad buildings from around the world.

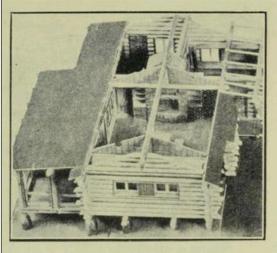
A search of newspapers reveals that Boy Scout and Girl Guide groups erected small cabins throughout the State. There are references to weekender log cabins in forests and lakes and to the sale of 'log cabin sites' in locations such as the Tuggerah Lakes and Blue Mountains.⁵⁷ In 1924, the Melbourne publication *Australasian* published detailed instructions on the construction of a modest, rough, log cabin.⁵⁸ The public interest in these buildings was such that, in 1927, Grace Brothers, under the supervision of Messrs. Morrow and Gordon, erected a 'backwoods log cabin' on the third floor of their George Street West furniture building:

'The object is to show the possibilities of artistically combining the rough exterior of a log cabin with the newest ideas in modern furniture and interior decoration. This is quite a new note in Australian architecture. The log cabin is certainly of great interest to the crowds who gather at this emporium.'59

⁵⁷ Search of TROVE.

^{58 &#}x27;The Log Cabin,' *The Australasian*, 25 October, 1924, p.13.

⁵⁹ 'Log Cabin at Grace Bros.,' *The Sydney Morning Herald*, 7 December, 1927, p.11.



A LOG CABIN.

(From "House and Garden.")

(From "House and Garden.")

The very name of log cabin is appealing to the average Australian who, for all his reputed love of pleasure, has a sneaking regard and preference for that variety that takes him nearest to nature; and since he is taught that "the architecture of a place should take its character from the surrounding country," his dream of an ideal cottage home is very probably a log cabin among the timber out back. Log cabins can be made cool in summer and warm in winter; their chief disadvantages are their liability to harbour vermin, and the difficulty in lining the interior. In America, this form of construction is common, the interstices between the logs being filled in with clay and mud, and the roof being ruberoid or malthoid, where available; otherwise turf makes a good substitute. good substitute.



Figure 16: Building, 12 August, 1924.

Figure 17: **Pavilion at the Canterbury** Simon Langton School for Girls (England).

This building is of timber construction, the walls being covered with cedar weatherboarding. Accommodation; two changing rooms, a large tea-room, kitchen and stores. Timber Buildings for the Country, 1938.

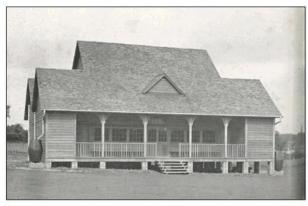


Figure 18: All timber cricket pavilion at Radlett (England). Timber Buildings for the Country, 1938.



Figure 19: Sir William Talbot Sons of Rest Home, Reedswood, Walsall.

Note the rustic timber detailing to the verandah. Timber Buildings for the Country, 1938.

In addition to cabins, small rustic timber structures were also popular in private gardens. Figure 20 provides one example known to have stood in the gardens of *Caerleon*, Bellevue Hill. Note also the rustic bench, examples of which can be found at the Croquet Clubhouse.



Figure 20: Rustic Shelter in the gardens of Caerleon. The Home, December, 1922.

3.0 SITE ASSESSMENT

3.1 The Site

For the following, refer to Figure 21, an aerial photograph over the site.



Figure 21: Aerial Photograph over the Clubhouse and bowling greens. SIXMaps; annotations by WP Heritage and Planning.

The site, for the purposes of this assessment includes the roughly rectangular area generally defined by the trees that surround the Clubhouse and croquet lawns.

As illustrated by Figure 21, mature planting surrounds the croquet lawn, particularly on the northern, southern and western sides. Council's Heritage Officer and Tree Officer have identified the significant trees that surround the site as including:

- · 3 Hill's Weeping Figs
- · 3 Norfolk Island Pines
- a Washingtonia Palm
- 3 Yellowwoods
- 2 Eucalyptus sp.
- 2 Brush Box.⁶⁰

The planting is less dense and more recent on the eastern side. Wire fences of varying heights protect the lawns from stray golf balls. The main entrance into the site is via rough stone stairs at the end of a narrow pathway leading from the carpark onto the south-western corner of the croquet lawns.

The Croquet Clubhouse, described below, is located on the northern side of the croquet lawns.

There are two small free standing shelters, described below, on the southern side of the croquet lawn.

 $^{^{\}rm 60}$ Site inspection carried out with Council's Tree Officer and Heritage Officer on 11 June 2020.

There are modern sheds and benches. These are not further described.

Figures 22 to 25 illustrate the general character of the site. Refer also to the photographs in the following sections.



Figure 22: View north across the lawn to the Clubhouse.



Figure 23: Stone stairs with metal pipe rail hand rail leading down onto the south-western corner of the croquet green. This is the principal entrance to the club grounds.



Figure 24: Looking towards the southwestern corner of the green.



Figure 25: Looking towards the southeastern corner of the green.

3.2 The Clubhouse

3.2.1 Exterior

The Clubhouse is a timber framed painted spilt-log clad building with a hipped and gabled roof clad in green Colorbond (or equivalent). The building stands on a brick base. The centre of the southern and northern roof planes are interrupted by a wide gable, each with shaped log bargeboards supported by brackets constructed of log ends. The lower part of each gable is dressed with split logs; the apex is finished with terracotta shingle. There is a small arched vent set into the shingle. Behind the gables, and rising above the ridge of the roof, is a small timber cupula with gabled roof. The faces of the cupula are finished with two row of three small blind arches. The eaves of the building are wide and timber lined.

The principal elevation is the southern elevation, overlooking the croquet lawns. The elevation is asymmetrically arranged. The eastern-most end (extending partially under the gable) is inset and occupied by a verandah set beneath the main roof. The verandah has a timber board floor; roughly dressed timber columns with brackets; a rustic timber balustrade; and timber lined ceiling. There are free standing rustic style benches on the verandah. A timber panel door leads into the building from the verandah. There is a smaller similarly detailed verandah, also set under the main roof, at the western end. The verandah at the western end returns part way along the northern side.

Windows in the southern elevation vary in size and type. The windows are awning sash windows with six panes, set singly or in groups, or timber framed double hung windows with a single pane to the lower sash and eight panes to the upper sash. The double hung window beneath the gable is fitted with solid timber shutters.

Figures 26 to 33 illustrate the southern elevation.



Figure 26: Southern elevation.



Figure 27: Detail of the southfacing gable, showing terracotta shingles, vent and split log.



Figure 28: Detail of the cupola on the roof.



Figure 29: Brick stairs with pipe rail balustrade leading up to the entrance at the eastern end.

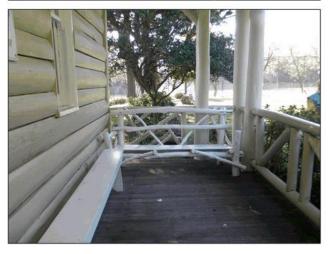


Figure 30: One of the rustic benches.



Figure 31: Detail of the rustic balustrade.



Figure 32:
Detail of the opening plaque mounted on the wall beneath the verandah at the eastern end.



Figure 33: Detail of the rough timber posts supporting the roof.

Figure 34 illustrates the eastern elevation. There are two openings in this elevation: a timber framed double hung window detailed to match those described above and a small timber framed window with fixed glass louvres.



Figure 34: Detail of the rough timber posts supporting the roof.

Figure 35 illustrates the western elevation which, as noted above, lies under a return of the northern verandah. There are no openings in this elevation.



Figure 35:
Western elevation. Note the difference in detailing the balustrade. Note the detailing of the split logs at the corners.

Figures 36 to 41 illustrate the northern elevation. The western verandah returns for a short distance along this elevation and is detailed to match the southern verandah. The pattern of openings in the elevation beneath the verandah is irregular and includes a timber framed double hung window (detailed to match those described above), which is partially blocked in and a timber panel door with toplight. Double timber doors open at the end of the verandah. As for the southern elevation, there is a timber framed double hung window (match those described above) beneath the gable. This window does not have shutters. There is one opening in the eastern end of the elevation, comprising three timber framed awning sash windows with six panes to each sash.



Figure 36: Eastern end of the northern elevation. Note the details of the brick base.



Figure 37: Centre part of the northern elevation.



Figure 38: Western end of the northern elevation.



Figure 39: Balustrade details at the western end of the northern elevation.



Figure 40: Looking west along the northern elevation towards the double doors.



Figure 41: Single door with top light into the main part of the building.

3.2.2 Interior

The building is divided into two halves. The Croquet Club occupy the eastern end of the building as their Clubhouse; Council use the western end for staff rooms and storage.

The Clubhouse, accessed from the southern verandah, comprises a number of rooms. The largest room, and the central club space, has walls lined with timber panels to a high height, with fibre-cement lining (or equivalent) above. The ceiling is timber lined with exposed rafters. Door openings and windows have simply profiled timber architraves. Door panels have three vertical panels. All surfaces are painted. The floor is concealed by lino. There are honour boards mounted on the walls and other club memorabilia. Refer to Figures 42 to 44.

A large opening at the eastern end of the main club room opens directly into a kitchen with modern fit-out in the north-eastern corner of the building. There are, however, wall tiles which are likely to be original. There are bathrooms in the south-eastern corner of the building, adjoining the kitchen. The doors are three panel doors. Refer to Figures 45 to 47. There are two rooms in the western end of the club's part of the building (beneath the gables). There is timber panelling and timber lockers, with fitted benches in the southern room, above which the walls are lined with ripple iron. The timber work in this room is stained. The ceiling is lined with fibre-cement and battened. Refer to Figures 48 and 49. The room on the northern side is similarly finished, albeit without the timber lockers. The timber work in this room is stained. Double timber doors lead into the other part of the building. Refer to Figures 50 and 51.



Figure 42: Western end of the main club room showing timber panelling.



Figure 43: Detail of the window architraves.



Figure 44: Looking towards the north-eastern corner of the main club room.



Figure 45: Three panel door leading into the bathrooms.



Figure 46: Kitchen in the north-eastern corner of the building.



Figure 47: What may be original tiling in the kitchen.



Figure 48: Locker room in the southwestern corner of the building. Note the pennant collection.



Figure 49: Locker room in the south-western corner of the building. Note the pennant collection.



Figure 50: Room adjoining the locker room.



Figure 51: Room adjoining the locker room.

There are a number of rooms in the western end of the building. Not all these rooms were accessible at the time of the site visit. The largest of these rooms is finished in a similar manner to the main room within the Clubhouse, i.e. the walls are panelled to a high height and are lined with fibre-cement sheet (or equivalent) above; the ceiling is timber lined with exposed rafters. Internal doors are three panel doors. Doors and windows have profiled timber architraves. One of the smaller rooms inspected had fibro lined walls and ceiling, the latter with timber battening. Refer to Figures 52 and 53.



Figure 52: Main room within the western end of the building showing wall panelling; ceiling detail and architraves to openings.



Figure 53: One of the smaller rooms in the western end of the building showing original ceiling details and later tiling.

3.3 The Shelters

There are two timber framed and clad shelters on the southern side of the croquet lawn. The rear wall of each shelter is clad in profiled timber weatherboards. The eastern and western walls are clad in timber weatherboard to the lower part and timber lattice to the upper part. The northern side is partially open to provide access to the interior. The roof is gabled and clad in Colorbond. Each shelter has a concrete floor; a fitted timber bench; the roof structure is exposed. Refer to Figures 54 to 57.



Figure 54: One of the two timber shelters (northern side).



Figure 55: One of the two timber shelters (southern and western sides).



Figure 56: Timber roof framing.



Figure 57: Timber benches and concrete floor.

3.4 The Setting

As demonstrated by Figure 2 above, the Croquet Club is located within Woollahra Park. To the north, east and west lie the fairways of the Woollahra Golf Course, all of which are screened by trees to varying degrees. To the south, separated by a line of trees and a bitumen path lies a fenced synthetic playing field. Refer to Figure 58 to 61.



Figure 58: Farways to the north, east and west of the site. This view is to the north of the Clubhouse.



Figure 59:
Mature trees on
the western side
of the croquet
lawn line the
faraway just
visible through
the trees. The
wire fence on the
right hand side
protects the
croquet lawns.



Figure 60: Pathway and trees on the southern side of the croquet lawn, separating it from the playing field (Figure 61).



Figure 61: Playing field to the south of the croquet lawn.

4.0 ASSESSMENT OF SIGNIFICANCE

4.1 Summary of Existing Statutory Heritage Listings for the Site

4.1.1 Commonwealth Listings

The Sydney Croquet Club is <u>not</u> listed on the Commonwealth or National Heritage Lists under the auspices of the *Environment Protection and Biodiversity Conservation Act 1999*.

4.1.2 State Listings

The Sydney Croquet Club is \underline{not} listed on the State Heritage Register under the auspices of the NSW Heritage Act 1977.

4.1.3 Local Listings

The Sydney Croquet Club is:

- Not listed as a heritage item by Schedule 5 Part 1 of the Woollahra LEP 2012.
- <u>Is not</u> located within a Heritage Conservation Area as defined by Schedule 5 Part 2 of the Woollahra LEP 2012.

4.2 View Corridors

View corridors towards the Croquet Club from the surrounding Woollahra Golf Course and the wider public domain are limited by the vegetation that surrounds the Croquet Clubhouse and lawn. There are only glimpses of the lawn and Clubhouse from the immediately surrounding area. Within the confines of the Croquet Club, the views towards the southern elevation of the Clubhouse, across the lawns, are the most significant. Views out of the Croquet Club grounds are contained by the surrounding vegetation. Refer to Figures 62 to 64.



Figure 62: View towards the Sydney Croquet Club on approach from the carpark.



Figure 63: Typical tree lined view towards the croquet lawn and southern elevation of the Clubhouse from outside of the immediate Croquet Club grounds.



Figure 64:
The Croquet
Clubhouse, marked by
the arrow, is
concealed by
vegetation from
O'Sullivan Road.

4.3 Integrity

The Croquet Club was established in this location with two croquet lawns; these two lawns remain. The lawns have been regraded and replanted over time. Fencing has also been changed over time.

The way the Croquet Club has been accessed has changed over time. As shown by Figure 6, the Club once had direct access to O'Sullivan Road from the western end of the Clubhouse, across the golf course. This road no longer exists and the Croquet Club is now accessed through the golf course car park.

The Clubhouse demonstrates high external integrity. There do not appear to have been any major additions to the building. The most notable changes are the painting of the once oiled split logs and timber work and the replacement of the tile roof with a corrugated metal roof.

The interior layout appears to be largely original. Note: The original plans have not been located to confirm this. The fibro-lined walls; timber lined and fibro-lined ceilings; profiled timber architraves; and three panel doors are consistent with the original construction date. It is not known if the kitchen and bathrooms were originally more separated from the main club space than they are today. The ripple iron wall cladding may be original or early in date. The tiling in the Clubhouse kitchen may similarly be original or early in date. There is some confusion as to when the lockers were installed; this appears, however, to have been soon after the Clubhouse was opened. The existing lockers may be the same lockers installed in the 1930s. Also of note, is the Club's moveable heritage, including honour boards, photographs, pennants and trophies. There is a fixed plaque recording the opening of the Clubhouse on the exterior wall.

The two shelters on the southern side of the croquet lawns are likely those constructed in 1964.

The setting of the Croquet Clubhouse and lawns has changed significantly over time as the large trees that surround it have matured. In the historic photographs (Figures 5 and 6) the Club lies within a largely open landscape.

4.4 Comparative Analysis

4.4.1 Croquet Clubs

As set out in Table 1 below, there are five croquet clubs listed on the State Heritage Inventory. None of these examples are listed on the State Heritage Register.

The heritage listed clubhouses are all modest buildings; they are all smaller in size than the Sydney Croquet Clubhouse. Construction materials vary; the most common are weatherboard and other lightweight materials. The primary reasons for listing are their association with local recreation and, in some instances, the architectural merit of the building.

Council Minutes demonstrate Woollahra Council's interest in the provision of recreational facilities during the Inter-War period. The Sydney Croquet Club lawns were one of several recreational facilities constructed by Council during this period. Other examples include ovals, tennis courts, parks and the surrounding golf course. Within the immediate area, recreational facilities that date from a similar period to the Croquet Clubhouse include the Grimley Pavilion and the Woollahra Golf Clubhouse, both of which have undergone a greater degree of alteration than the subject building.

While a different type of building construction, the Croquet Clubhouse demonstrates a comparable or greater level of architectural merit to the listed examples.

Item/Date	Address	Reasons For Listing	Photograph
Wagga Wagga Croquet Club Date: c.1930s	No. 25 Fitzhardinge Street, Wagga Wagga	Modest example of an Art Deco Building; significant associations with provision of recreational facilities to Wagga Wagga.	Google Maps. Masonry building.
Croquet Clubhouse, Alstonville Date: Unknown. Club est. c.1930s	Pearches Creek Road (Lumley Park), Alstonville	Significant for the recreational history of the area.	No photograph or description has been located.

Item/Date	Address	Reasons For Listing	Photograph
Croquet Clubhouse, Marrickville Date: Unknown. Club formed c.1927	Lawson Street, Marrickville	Social significance; rare building type (i.e. as a croquet club building)	SHI Listing Sheet. Weatherboard building.
Croquet Lawn and Pavilion, Epping Date: c.1940s.	No. 43A and 47 Kent (Cnr) Street, Epping	Historic significance and ability to demonstrate Council's view of public recreation at time.	Google Maps. Fibro building.
Eastwood Park Pavilion Date: c.1935	No. 45 West Parade, Eastwood	Historic, social and aesthetic significance as highly intact croquet pavilion since in use for original purpose.	Google Images. Stone and weatherboard building.

Item/Date	Address	Reasons For Listing	Photograph
Taree Park, including Croquet Club, Grandstand, Memorial Gates and Mature Trees.	Macquarie Street, Taree	Important open space (the park) structured for active and passive recreation.	The Contraction of the Contracti
1937.			SHI Listing Sheet. Weatherboard building.

Table 1: Examples of Croquet Clubs listed on the State Heritage Inventory.

Identified Post World War II examples are generally simpler buildings, will little architectural pretension. Refer to Table 2.

Item/Date	Address	Reasons For Listing	Photograph
Coogee Croquet Club Date: Post World War II	Smithfield Avenue, Coogee	Not listed	Google Maps. Weatherboard clad building with brick elements.

Item/Date	Address	Reasons For Listing	Photograph
Hunters Hill Croquet Club Date: Post World War II.	No. 1 Matthew Street, Hunters Hill	Not listed.	Google Maps. Proprietory clad building.
Killara Croquet Club. Date: Post World War II.	Lorne Avenue, Killara	Not listed.	Google Maps.
			Weatherboard clad building.

 $Table\ 2: Examples\ of\ Croquet\ Clubs\ not\ listed\ on\ the\ State\ Heritage\ Inventory.$

The Williamstown Croquet Club, an architect designed croquet club (Morsby and Coates), c.1930s, and Canberra Croquet Club, provide two Interwar period interstate examples. 61 Refer to Figures 62 and 53. The subject building demonstrates a comparable level of architectural merit to the Williamstown Croquet Club, which is the only other example known to have been architecturally designed.

 $^{^{61}}$ Architect and date of Williamstown Club building identified with reference to 'Croquet Pavilion at Williamstown, Victoria,' *Building*, 12 March, 1930, p.57.



Figure 65: Williamstown Croquet Club. Google Images. Weatherboard and roughcast.



Figure 66: Williamstown Croquet Club.

Google Images

Fibre-cement sheet and battening.

4.4.2 M.V. E. Woodforde

Two examples of Woodforde's work are listed on Council Local Environmental Plans in NSW:

- Former Cyclone Fence and Gate factory, No. 61 Mentmore Avenue, Rosebery.
- Northbridge Golf Club, Northbridge.

Woodforde may also have designed the State heritage listed Roxy Theatre and Peters Greek Café Complex in Bingara and the Gainsborough, in Woollahra, which are identified by its listing sheet as being designed by 'Mark' Woodforde. No architect of this name has been identified.

As set out in Section 2.5, the architect M.V.W. Woodforde worked in a variety of styles. It is difficult to identify distinct characteristics. Arguably, his most noteworthy buildings are the two listed examples. In terms of size and cost of commission, the Croquet Clubhouse is a modest example of his work. Two other examples of his work in Woollahra have been identified, being the Woollahra Golf club and the Baby Health Care Centre on the corner of New South Head Road and Sherbrook Avenue. Whilst the former has been significantly altered, the latter is substantially intact and was a significantly larger commission. The Sydney Croquet Clubhouse appears to have been a minor commission, as part of his work as Council's architect. It is not recognisable as an example of his work without reference to documentary evidence.

4.4.3 Split Log Buildings

No split log buildings dating from the Inter-War period are listed on the State Heritage Inventory. It is possible that split log buildings from this period may survive and are yet to be identified. It is not likely, however, that many buildings of a comparable size and level of sophistication survive. One other example, which is not heritage listed, is provided by a building at No. 364 The Entrance Road, Long Jetty. Refer to Figure 67. The

date of this building, originally a dwelling, is known. It appears, however, to be an Inter-War period building.

Figure 67: No. 364 The Entrance Road, Long Jetty. Google Maps.

4.5 Significance

The Sydney Croquet Club is assessed for heritage significance under the following criterion of the New South Wales Heritage Office, now Heritage NSW, to determine if it meets the threshold for listing as a heritage item. The Guidelines for Inclusion/Exclusion are as provided by Assessing Heritage Significance, NSW Heritage Manual Update.

In order to be listed at a local level, a site must fulfil at least one of the following criteria. To be assessed for listing on the State Heritage Register an item will, in the opinion of the Heritage Council of NSW, meet more than one of the following criteria or if an item satisfies only one of the criteria, the item is of such particular significance that it should be listed.

4.5.1 Criterion (a)

An item is important in the course, or pattern, of New South Wales' cultural or natural history (or the cultural of natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
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 continuity of a historical process or activity	has been altered so that is can no longer provide evidence of a particular association

The Sydney Croquet Club, Woollahra, has local significance under this criterion for the following reasons:

 Woollahra Council built the Clubhouse and lawns in the early 1930s at time when Council was demonstrating a strong interest in the provision of recreational facilities. This interest continues today.

- The Sydney Croquet Club has continuously leased the lawns and Clubhouse from the Council since 1934. They are one of several well-established local recreational clubs. The Club is part of a larger pattern of croquet clubs that extends State-wide.
- The Clubhouse demonstrates a high degree of integrity.

4.5.2 Criterion (b)

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

Guidelines for Inclusion	Guidelines for Exclusion
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
maintains or shows continuity of a historical process or activity	has been altered so that is can no longer provide evidence of a particular association

The Sydney Croquet Club, Woollahra, has local significance under this criterion for the following reasons:

- For its association with Woollahra Council, who constructed the lawns and Clubhouse and continue to own the site. The building is part of a body of evidence of their long held interest in and provision of public recreational facilities.
- For its long association with the Sydney Croquet Club. The Club's moveable
 heritage, housed within the Clubhouse, is of significance under this criterion.
 This collection includes the timber lockers (if not fixed in place), pendants,
 trophies, honour boards, photographs and two rustic benches in the style of
 the balustrade of the Clubhouse.
- For its association with Council's officially appointed architect during the 1930s, M.V.E. Woodforde. The building is substantially intact and clearly linked by documentary evidence to this architect.

4.5.3 Criterion (c)

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

Guidelines for Inclusion	Guidelines for Exclusion
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 creative or technical innovation or achievement	has lost its design or technical integrity
is aesthetically distinctive or has landmark qualities	its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded
exemplifies a particular taste, style or technology	has only a loose association with a creative or technical achievement

The Sydney Croquet Club, Woollahra, has local and State significance under this criterion for the following reasons:

- The Clubhouse is a rare and intact example of an Inter-War period split-log building. Split log construction was promoted during the Inter-War period as a way of constructing cost effective recreational buildings. This is the only known example in Woollahra. Few examples of this construction technique of this size and integrity appear to survive in New South Wales.
- The Clubhouse is an example of the popular Inter-War Bungalow Style adapted to suit split-log construction.

In addition to the above, the site has local significance under this criterion for the following reasons:

 The Clubhouse and lawns have high visual and sensory appeal. The vegetation that surrounds them creates a unique, self- contained, setting that has developed as the surrounding trees have matured.

4.5.4 Criterion (d)

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

Guidelines for Inclusion	Guidelines for Exclusion
is important for its association with	is only important to the
an identifiable group	community for amenity reasons
is important to a community's sense	is retained only in preference to a
of place	proposed alternative

No formal assessment of the value in which the premises is held by the Club members has been carried out. It is apparent, however, from brief conservations held that the members take great pride in their Clubhouse and lawns. Significance under this criterion is at a local level only.

4.5.5 Criterion (e)

An item has potential to yield information that will contribute to an understanding of New South Wales' cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
 has the potential to yield new or further substantial scientific and/or archaeological information 	has little archaeological or research potential
is an important benchmark or reference site or type	only contains information that is readily available from other resources of archaeological sites
provides evidence of past human cultures that is unavailable elsewhere	the knowledge gained would be irrelevant to research on science, human history of culture

The Sydney Croquet Club, Woollahra, has local and State significance under this criterion for the following reasons:

The Clubhouse is a rare example of a large Inter-War period split log building. This
type of construction is rare within Woollahra. Few examples of this construction
technique of this size and integrity appear to survive in New South Wales.

In addition to the above, the Sydney Croquet Club, Woollahra, has local significance under this criterion for the following reasons:

 As an example of a long running local club using facilities provided for by Council.

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4.5.6 Criterion (f)

An item possesses uncommon, rare or endangered aspects of New South Wales' cultural or natural history (of the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
 provides evidence of a defunct custom, way of life or process 	• is not rare
 demonstrate a process, custom or other human activity that is in danger of being lost 	is numerous but under threat
shown unusually accurate evidence of a significant human activity	
is the only example of its type	
demonstrate designs or techniques of exceptional interest	
shown rare evidence of a significant human activity important to a community	

The Sydney Croquet Club, Woollahra, has local and State significance under this criterion for the following reasons:

• The Clubhouse is a rare example of an Inter-War period split log building. It is the only known example in Woollahra. Few examples of this construction technique of this size and integrity appear to survive in New South Wales.

4.5.7 Criterion (g)

An item is important in demonstrating the principal characteristics of a class of New South Wales (or a class of the local areas):

- Cultural or natural places; or
- Cultural or natural environments

Guidelines for Inclusion	Guidelines for Exclusion
is a fine example of its type	is a poor example of its type
has the potential 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, technique of activity	does not represent well the characteristics that make up a significant variation of 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	

The Sydney Croquet Club, Woollahra, has local significance under this criterion for the following reasons:

- The site is a fine example of a long standing local recreational club with an unbroken association with is premises.
- The site demonstrates Council's growing interest in the Inter-War period in the provision of public recreational facilities, an interest that is sustained today.
- · The site demonstrates high integrity.

4.6 Statement of Significance

The Sydney Croquet Club, off O'Sullivan Road, Woollahra, New South Wales, has State and local significance. Designed by Council's architect M.V.E. Woodforde and built in 1934, the building is substantially intact and lies within a setting of high visual and sensory appeal.

The Clubhouse has State significance as a rare example of a large Inter-War period splitlog building.

The Sydney Croquet Club, including the Clubhouse (exterior, interior), lawns, timber shelters, and mature trees on the southern, northern and western sides, has local significance as a long-standing recreational club with an unbroken association with its premises since 1934. The Clubhouse and lawns were one of a number of facilities established by Woollahra Council during the Inter-War period in line with their growing interest in the provision of public recreational facilities, an interest that continues today. The Sydney Croquet Club is part of a wider pattern of croquet clubs throughout New South Wales. The Clubhouse houses a collection of Club memorabilia and moveable heritage that is significant at a local level.

The Clubhouse and lawns have local aesthetic significance for the qualities of its setting. The once open setting has become clearly defined by mature trees along the northern, western and southern boundaries that create an enclosed setting that sets the site apart from the surrounding golf course.

4.7 Relative Significance

Not all parts of the site are of equal significance: A preliminary assessment of the site suggests the following.

The following elements are of exceptional significance:

 The overall building form, including the roof form and cupola; the split log construction and gable detailing; the open verandahs to either end with their rustic balustrades; and original doors, windows and shutters.

The following elements are of high significance:

- The croquet lawns.
 - The 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3
 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining
 the boundaries of the Clubhouse facility identified in Section 3.1 above.
- Moveable heritage, including the two rustic benches (i.e. those in the style of the verandah balustrades), timber lockers (if not fixed in place), pennants, trophies, honour boards and photographs. This list is not exhaustive. There may be other moveable heritage items on site.
- Fibro lined and ripple iron lined walls; timber lined and fibro lined ceilings; original internal doors; original skirting boards and architraves.

The following elements are of moderate significance:

• The small timber shelters on the southern side of the croquet lawn.

- Flag pole.
- Original wall tiling in the kitchen/bathroom.

The following elements are of little significance:

- The roof cladding.
- · The fencing around the lawns.

This assessment should be further refined and extended through the preparation of a Conservation Management Plan and a Moveable Heritage Inventory.

5.0 CONCLUSION

This assessment has outlined the history of the Sydney Croquet Club and established its significance. The Croquet Club, established in 1934, is one of a number of sporting clubs in Woollahra that have a long association with their premises. The Club facilities were built during a period when Council were showing a growing interested in providing public sporting facilities. The Clubhouse that Council erected for the Croquet Club is the only known example of a large split long building of this size within the municipality; it is rare in New South Wales.

6.0 RECOMMENDATIONS

It is recommended that:

- The Sydney Croquet Clubhouse (including the interiors), moveable heritage items, lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility, be listed as a heritage item by Schedule 5 Part 1 of the Woollahra LEP 2014. The site meets the threshold for listing on the LEP 2014 under Heritage NSW under criteria (a), (b), (c), (d), (e), (f) and (g).
- The Sydney Croquet Club Clubhouse (exterior and interior) be nominated for listing on the State Heritage Register. The building meets the threshold for listing under criteria (c), (e) and (f).

The following curtilages are recommended:

- The recommended curtilage for the local listing is part Lot 1319 D.P.1222163.
 See Figure 68 below.
- The recommended curtilage for the State listing is the Clubhouse building alone. The setting, as assessed above, only meets the threshold for listing at a local level.

It is further recommended:

 That a Conservation Management Plan, including a schedule of conservation works and moveable heritage inventory, be prepared for the site to further identify the elements of significance, provide guidelines for its conservation, ongoing maintenance and any future works.



Figure 68: Recommended curtilage for listing on the *LEP 2014.* SIX Maps; annotation by WP Heritage and Planning.

Name of Item	and 3 Hill's \	Weeping Fig		ne interiors] nd Pines, a	Washingtonia	a Palm, 3 Ye	llowwo	timber shelters ods, 2 Eucalyptus ocility
Other Name/s Former Name/s	-							
Item type (if known)								
Item group								
(if known)								
Item category								
(if known) Area, Group, or								
Collection Name								
Street number	-							
Street name	Woollahra P	ark, off O'Su	ullivan Road					
Suburb/town	Rose Bay					Pos	stcode	2029
Local Government Area/s	Woollahra							
Property description	Part of Lot 1	319 D.P.122	22163					
Location - Lat/long	Latitude				Longitude			
Location - AMG (if no	Zone		Easting			Northing		
street address)	Woollahra M	funciainal Ca	un all					
Owner								
Current use	Croquet Clu							
Former Use	Croquet Clu							
Statement of significance Level of Significance	significance. substantially The Clubhou The Sydney mature trees recreational lawns were in line with the continues to South Wales significant at The Clubhou open setting	Designed by intact and I use has State Croquet Cluss on the sourclub with an one of a num heir growing day. The Sys. The Clubh ta local leveruse and lawn has become	ub, including the thern, northern a numbroken asso mber of facilities interest in the p dney Croquet C nouse houses a	nitect M.V.E ing of high s a rare ex Clubhouse and western ciation with established provision of club is part collection of established stablished collection of	E. Woodforde a visual and sen ample of a large (exterior, intensisted by Woollahra public recreation of a wider pattor of Club memoral ficiance for the trees along the visual and sentence for the visual	and built in 1 sory appeal. ge Inter-War erior), lawns, cal significar since 1934. a Council du ional facilitie ern of croquabilia and me e qualities one northern,	period timber nce as a The Clu ring the s, an in et clubs oveable f its set western	split-log building. shelters, and a long-standing bhouse and Inter-War period terest that a throughout New b heritage that is

		State 🖂		Local 🖂	
		DESC	RIPTION		
Designer	Clubhouse: Marcus				
Builder/ maker	Clubhouse: G. Yate	S			
Physical Description	are surrounded by i	The Sydney Croquet Club lies within the Woollahra Golf Course. The Clubhouse and croquet lawns are surrounded by mature trees, creating a distinct, enclosed setting. Council's Heritage Officer and Tree Officer have identified the significant trees that surround the site as including:			
	 3 Hill's Weeping Figs 3 Norfolk Island Pines a Washingtonia Palm 3 Yellowwoods 2 Eucalyptus sp. 2 Brush Box 				
	The Clubhouse is located on the northern side of the croquet lawns. The Clubhouse is a free standing, timber framed, painted split-log building erected on a brick base. The building has a hipped and gabled roof clad in green Colorbond (or equivalent). The centre of the southern and northern roof planes are interrupted by a wide gable, each with shaped log bargeboards supported by brackets constructed of log ends. The lower part of each gable is dressed with split logs; the apex is finished with terracotta shingle. There is a small arched vent set into the shingle. Behind the gables, and rising above the ridge of the roof, is a small timber cupula with gabled roof. The faces of the cupula are finished with two rows of three small blind arches. The eaves of the building are wide and timber lined.				
	The principal elevation is the southern elevation, overlooking the croquet lawns. The elevation is asymmetrically arranged. The eastern-most end (extending partially under the gable) is inset and occupied by a verandah set beneath the main roof. The verandah has a timber board floor; roughly dressed timber columns with brackets; a rustic timber balustrade; and timber lined ceiling. There are free standing rustic style benches on the verandah. A timber panel door leads into the building from the verandah. There is a smaller similarly detailed verandah, also set under the main roof, at the western end. The verandah at the western end returns part way along the northern side. Windows are timber framed double hung windows with multiple panes to each sash. The remaining elevations have similar characteristics.				e) is inset and ord floor; roughly ceiling. There are the building from in roof, at the side. Windows are
	The building appears substantially intact internally. Of particular note is the locker room in the south-western corner of the Clubhouse, with its ripple iron walls, strapped ceiling, stained timber lockers and benches and Club pennant collection. Other moveable heritage items of note housed within the Clubhouse include honour boards, framed historical photographs and trophies.				
	There are two small timber framed shelters on the southern side of the croquet lawns.				
Physical condition and Archaeological potential	Physical condition: good. Archaeological potential: unknown. Note: no structures are known to have stood on this site prior to the construction of the Clubhouse.				
Construction years	Start year	1935	Finish year	1935	Circa
Modifications and dates			eastern side (Novembe		nelters (1964).

	Replacement of the original tiled roof of the Clubhouse with Colorbond (after 1977).	
	Painting of the originally oiled split logs of the Clubhouse (after 1977).	
Further comments		

	HISTORY
Historical notes	The Clubhouse and lawns:
	Woollahra Council Minutes of the 1920s and 1930s reveal a keen awareness of the importance of public open space and publicly accessible recreational facilities. In 1923, Woollahra Council received permission from the Governor of NSW to borrow £20,000 for the 'acquisition of park and recreation areas and the improvement thereof.' Accordingly, Woollahra Park was created and the first sod of earth turned by Alderman Grimley on 25 October 1924.
	In 1933, Council began investigating the possibility of constructing croquet lawns in Woollahra Park. The Sydney Croquet Club, which had been established in Rushcutters Bay in the 1920s, took up the offer of the lease. During early 1934, Council Minutes show that various proposals were put forward for the design of a clubhouse. The Clubhouse that was eventually built was designed by M.V.E. Woodforde, who designed numerous other projects for Council from 1933. The original plans have not been located. The tender of G. Yates of Rockdale for £972, was accepted in late 1934.
	The Clubhouse and lawns were officially opened on 27 April 1935 by the Mayor of Woollahra. The Clubhouse has been shared with other sporting associations over time, including the Woollahra Golf Club and the Colleagues Football Club.
	Two small shelters were erected on the southern side of the croquet lawns (replacing earlier structures) in 1964.
	The Architect:
	According to 'Who's Who' in <i>Decoration and Glass</i> in February, 1940, Marcus Victor Ernest Woodforde served his articles with Herbert E. Ross of H.E. Ross and Rowe prior to enlisting with the Australian Imperial Services during World War I, where he served in France. He later returned to H.E. Ross and Rowe before working with Henry E. Budden and Greenwell, during which time he attended the Atelier at the University of Sydney studying design under Professor Leslie Wilkinson. After a third period with H.E. Ross and Rowe, during which time he worked on the Commonwealth Bank in Martin Place, he commenced private practice (1928), executing various commissions. In 1933, he was appointed as architect to the Municipality of Woollahra. Woodforde worked on residential and commercial commissions and in a variety of architectural styles.

	THEMES		
National	8 Developing Australia's cultural life		
historical theme			
State	Creative Endeavour.		
historical theme	Leisure		
	Social institutions.		
	Sport		

APPLICATION OF CRITERIA

The Sydney Croquet Club, Woollahra, has local significance under this criterion for the following reasons:
 The lawns and Clubhouse were built by Woollahra Council in the early 1930s at time when Council was demonstrating a strong interest in the provision of recreational facilities. This interest continues today.
 The Sydney Croquet Club has continuously leased the lawns and Clubhouse from the Council since 1934. They are a well-established local recreational Club. The Club is part of a larger pattern of croquet clubs that extends state wide.
The Clubhouse demonstrates a high degree of integrity.
The Sydney Croquet Club, Woollahra, has local significance under this criterion for the following reasons:
 For its association with Woollahra Council, who constructed the lawns and Clubhouse and continue to own the site. The building is part of a body of evidence of their long held interest in and provision of public recreational facilities.
 For its long association with the Sydney Croquet Club. The Club's moveable heritage housed within the Clubhouse is of note. This collection includes the two rustic benches on the front verandah, pennants, honour boards, trophies and photographs.
 For its association with Council's officially appointed architect during the 1930s, M.V.E. Woodforde. The building is substantially intact and clearly linked by documentary evidence to this architect.
The Sydney Croquet Club, Woollahra, has local and State significance under this criterion for the following reasons:
The Clubhouse is a rare and intact example of an Inter-War period split-log building. Split log construction was promoted during the Inter-War period as a way of constructing cost effective recreational buildings. This is the only known example in Woollahra. Few examples of this construction technique of this size and integrity appear to survive in New South Wales.
 The Clubhouse is an example of the popular Inter-War Bungalow Style adapted to suit split-log construction.
In addition to the above, the site has local significance under this criterion for the following reasons:
 The Clubhouse and lawns have high visual and sensory appeal. The vegetation that surrounds them creates a unique, self- contained, setting that has developed as the surrounding trees have matured.
No formal assessment of the value in which the premises is held by the Club members has been carried out. It is apparent, however, from brief conservations that the members take great pride in their Clubhouse and lawns. Significance under this criterion is at a local level only.
The Sydney Croquet Club, Woollahra, has local and State significance under this criterion for the following reasons:
 The Clubhouse is a rare example of a large Inter-War period split log building. This type of construction is rare within Woollahra. Few examples of this construction technique of this size and integrity appear to survive in New South Wales.
The Sydney Croquet Club, Woollahra, has local and state significance under this criterion for the following reasons:

SHR criteria (f)	The Clubhouse is a rare example of an Inter-War period split log building. It is the only known example in Woollahra. Few examples of this construction technique of this size and integrity appear to survive in New South Wales.
Representativeness	The Sydney Croquet Club, Woollahra, has local significance under this criterion for the following reasons:
SHR criteria (g)	The site is a fine example of a long standing local recreational club with an unbroken association with is premises.
	The site demonstrates Council's growing interest in the Inter-War period in the provision of public recreational facilities, an interest that is sustained today.
	The site demonstrates high integrity.
Integrity	The clubhouse and lawns demonstrate high integrity. Note: The roofing material has been replaced; the once oiled split logs have been painted.
	The setting has changed over time as the trees that now define the club premises have matured.
	The small timber shelters on the southern side of the croquet lawn were constructed in c.1964, replacing earlier shelters.

HERITAGE LISTINGS						
Heritage listing/s						

INFORMATION SOURCES							
Include conservation and/or management plans and other heritage studies.							
Туре	Author/Client	Title	Year	Repository			
Written	Weir Phillips Heritage and Planning	Sydney Croquet Club, Woollahra Park, off O'Sullivan Road, Rose Bay: Heritage Assessment	2020	Woollahra Council			
Written	-	Sydney Croquet Club, Clubhouse Log Cabin- Woollahra Park, 50 th Anniversary, Saturday, 27 April, 1985	1985	Woollahra Library			
Written	-	'New Croquet Lawns: Opened at Woollahra Park,' <i>The Sydney</i> <i>Morning Herald</i> , 2 May, 1935.	1935	TROVE			
Written	Woollahra Municipal Council	Woollahra Council Minutes	Various	Woollahra Library			
Photogra- phic		(Sydney Croquet Club), undated.	1930s(?)	Sydney Croquet Club			

Photogra- phic	(Sydney Croquet Club), 1977	1977	Sydney Croquet Club

	RECOMMENDATIONS
Recommendations	It is recommended that the Sydney Croquet Clubhouse (including the interiors), moveable heritage items, lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility be listed as a heritage item on the Woollahra Local Environmental Plan 2014. It is recommended that the item has a reduced lot boundary curtilage that includes the Sydney Croquet Clubhouse (including the interiors), moveable heritage items, lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility. See the plan below.
	It is recommended that a Conservation Management Plan, including a schedule of conservation works and moveable heritage inventory, be prepared for the site to further identify the elements of significance, provide guidelines for its conservation, ongoing maintenance and any future works.

	SOURCE OF THIS INFORMATION						
Name of study or	Sydney Croquet Club, Woollahra Park, off O'Sullivan Road, Rose Bay:	Year of s	study	2020			
report	Heritage Assessment	or report					
Item number in study							
or report							
Author of study or	Weir Phillips Heritage and Planning						
report							
Inspected by	Alice Fuller						
NSW Heritage Manual	guidelines used?	Yes 🗵]	No 🗌			
This form completed	Alice Fuller	Date	Sept	ember			
by			2020)			

IMAGES - 1 per page							
Image caption	Aerial photograph o	ver the Sydney C	roquet Club				
Image year		Image by	SIX Maps	Image copyright holder	SIX Maps		



Image caption	View north across the croquet lawns towards the front elevation of the Clubhouse						
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning		



Image caption	Front, southern, elevation of the Clubhouse.						
Image year	2019	Image year	2019	Image year	2019		



Image caption	Western elevation of the Clubhouse.						
Image year	2019	Image year	2019	Image year	2019		

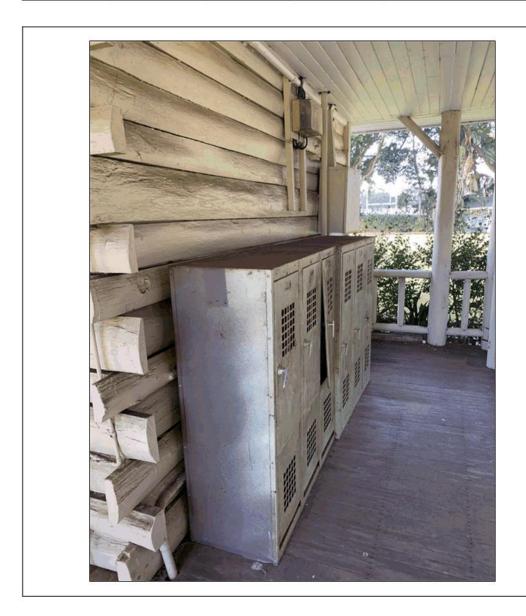


Image caption	Northern elevation of the Clubhouse						
Image year	2019	Image year	2019	Image year	2019		

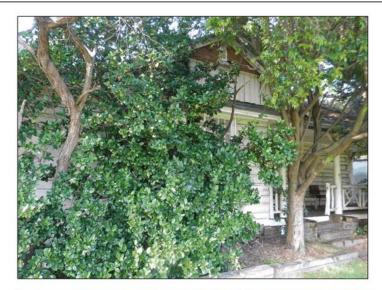




Image caption	Eastern elevation of the Clubhouse				
Image year	2019	Image year	2019	Image year	2019



Image caption	Main Club room				
Image year	2019	Image year	2019	Image year	2019

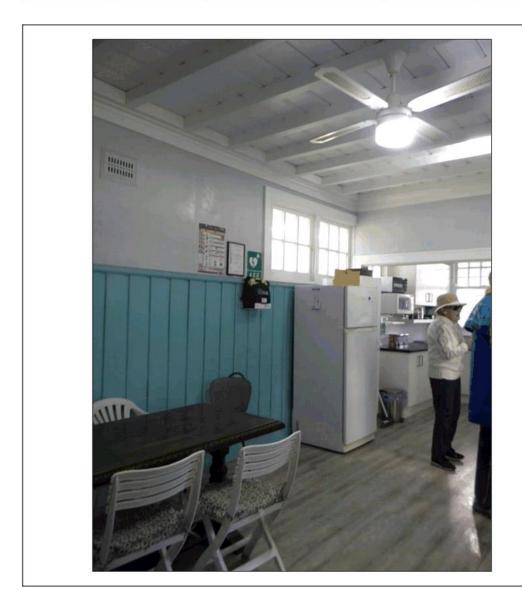


Image caption	Locker Room				
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning

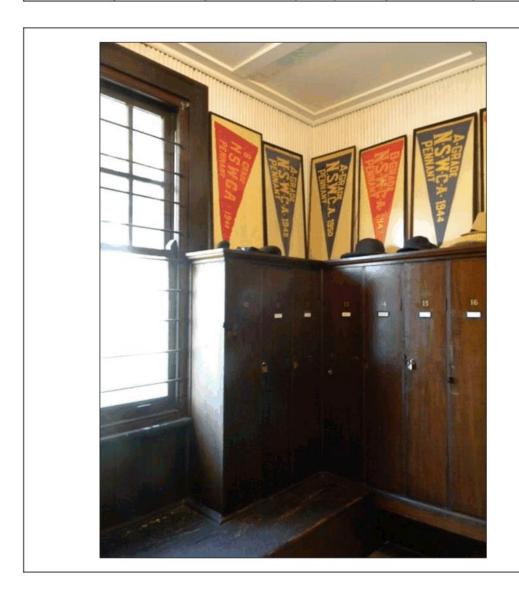


Image caption	Recommended curti	lage			
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning



			ITEM DE	TAILS				
Name of Item	Sydney Croquet Clubhouse (exterior and interior)							
Other Name/s Former Name/s	-							
Item type (if known)								
Item group								
(if known)								
Item category (if known)								
Area, Group, or								
Collection Name								
Street number	-							
Street name	Woollahra P	ark, off O'Su	ıllivan Road					
Suburb/town	Rose Bay					Pos	tcode	2029
Local Government Area/s	Woollahra							
Property description	Part of Lot 1	319 D.P.122	22163					
Location - Lat/long	Latitude				Longitude			
Location - AMG (if no street address)	Zone		Easting			Northing		
Owner	Woollahra M	lunicipal Co	uncil					
Current use	Croquet club	and lawns						
Former Use	Croquet club	and lawns						
Statement of significance	The Sydney Croquet Clubhouse, off O'Sullivan Road, Woollahra, New South Wales, has State significance. Designed by Council's architect M.V.E. Woodforde and built in 1934, the building is a rare and intact example of a large Inter-War period split-log building.							
Level of Significance		State				Local		

		DESC	RIPTION			
Designer	Clubhouse: Marcus	Victor Ernest Woo	odforde			
Builder/ maker	Clubhouse: G. Yates					
Physical Description	a brick base. The bucentre of the southe bargeboards support with split logs; the a shingle. Behind the roof. The faces of the	The Sydney Croquet Clubhouse is a free standing, timber framed, painted split-log building erected on a brick base. The building has a hipped and gabled roof clad in green Colorbond (or equivalent). The centre of the southern and northern roof planes are interrupted by a wide gable, each with shaped log bargeboards supported by brackets constructed of log ends. The lower part of each gable is dressed with split logs; the apex is finished with terracotta shingle. There is a small arched vent set into the shingle. Behind the gables, and rising above the ridge of the roof, is a small timber cupula with gabled roof. The faces of the cupula are finished with two row of three small blind arches. The eaves of the building are wide and timber lined.				
	asymmetrically arra occupied by a verar dressed timber colu free standing rustic the verandah. Ther western end. The v are timber framed d have similar charact	The principal elevation is the southern elevation, overlooking the croquet lawns. The elevation is asymmetrically arranged. The eastern-most end (extending partially under the gable) is inset and occupied by a verandah set beneath the main roof. The verandah has a timber board floor; roughly dressed timber columns with brackets; a rustic timber balustrade; and timber lined ceiling. There are free standing rustic style benches on the verandah. A timber panel door leads into the building from the verandah. There is a smaller similarly detailed verandah, also set under the main roof, at the western end. The verandah at the western end returns part way along the northern side. Windows are timber framed double hung windows with multiple panes to each sash. The remaining elevations have similar characteristics. The building appears substantially intact internally. Of particular note is the locker room in the south western corner of the clubhouse, with its ripple iron walls, strapped ceiling, stained timber lockers and benches and club pennant collection.				
Physical condition and Archaeological potential	Physical condition: of Archaeological pote the construction of the	ntial: unknown. N	ote: no structures are kno	own to have stood o	n this site prior t	ю
Construction years	Start year	1935	Finish year	1935	Circa	
Modifications and dates	Replacement of the original tiled roof of the clubhouse with Colorbond (after 1977). Painting of the originally oiled split logs of the clubhouse (after 1977).					
Further comments						

	HISTORY
Historical notes	The clubhouse and lawns:
	Woollahra Council Minutes of the 1920s and 1930s reveal a keen awareness of the importance of public open space and publicly accessible recreational facilities. In 1923, Woollahra Council received permission from the Governor of NSW to borrow £20,000 for the 'acquisition of park and recreation areas and the improvement thereof.' Accordingly, Woollahra Park was created and the first sod of earth turned by Alderman Grimley on 25 October, 1924.
	In 1933, Council began investigating the possibility of constructing croquet lawns in Woollahra Park. The Sydney Croquet Club, which had been established in Rushcutters Bay in the 1920s, took up the offer of the lease. During early 1934, Council Minutes show that various proposals were put forward for the design of a clubhouse. The clubhouse that was eventually built was designed by M.V.E. Woodforde, who designed numerous other projects for Council from 1933. The original plans have not been located. The tender of G. Yates of Rockdale for £972, was accepted in late 1934.
	The clubhouse and lawns were officially opened on 27 April, 1935 by the Mayor of Woollahra. The clubhouse has been shared with other sporting associations over time, including the Woollahra Golf Club and the Colleagues Football Club.
	Two small shelters were erected on the southern side of the croquet lawns (replacing earlier structures) in 1964.
	The Architect:
	According to 'Who's Who' in Decoration and Glass in February, 1940, Marcus Victor Ernest Woodforde served his articles with Herbert E. Ross of H.E. Ross and Rowe prior to enlisting with the Australian Imperial Services during World War I, where he served in France. He later returned to H.E. Ross and Rowe before working with Henry E. Budden and Greenwell, during which time he attended the Atelier at the University of Sydney studying design under Professor Leslie Wilkinson. After a third period with H.E. Ross and Rowe, during which time he worked on the Commonwealth Bank in Martin Place, he commenced private practice (1928), executing various commissions. In 1933, he was appointed as architect to the Municipality of Woollahra. Woodforde worked on residential and commercial commissions and in a variety of architectural styles.

	THEMES
National	8 Developing Australia's cultural life
historical theme	
State	Creative Endeavour.
historical theme	Leisure
	Social institutions.
	Sport

	APPLICATION OF CRITERIA
Historical significance SHR criteria (a)	Significance under this criteria is at a local level only.
Historical association significance SHR criteria (b)	Significance under this criteria is at a local level only.
Aesthetic significance SHR criteria (c)	The Sydney Croquet Club, Woollahra, has State significance under this criterion for the following reasons: The clubhouse is a rare example of an Inter-War period split-log building. Split log construction was promoted during the Inter-War period as a way of constructing cost effective recreational buildings. Few examples of this size and integrity appear to survive in New South Wales.
Social significance SHR criteria (d)	Significance under this criteria is at a local level only.
Technical/Research significance SHR criteria (e)	The Sydney Croquet Club, Woollahra, has State significance under this criterion for the following reasons: The clubhouse is a rare example of a large Inter-War period split log building. Few examples of this construction technique of this size and integrity appear to survive in New South Wales.
Rarity SHR criteria (f)	The Sydney Croquet Club, Woollahra, has State significance under this criterion for the following reasons: The clubhouse is a rare example of a large Inter-War period split log building. Few
	examples of this construction technique of this size and integrity appear to survive in New South Wales.
Representativeness SHR criteria (g)	Significance under this criteria is at a local level only.
Integrity	High. Note: The roofing material has been replaced; the once oiled split logs have been painted.

	HERITAGE LISTINGS
Heritage listing/s	

Include conservation and/or management plans and other heritage studies.						
Туре	Author/Client	Title	Year	Repository		
Written	Weir Phillips Heritage and Planning	Sydney Croquet Club, Woollahra Park, off O'Sullivan Road, Rose Bay: Heritage Assessment	2020	Woollahra Council		
Written	-	Sydney Croquet Club, Clubhouse Log Cabin- Woollahra Park, 50 th Anniversary, Saturday, 27 April, 1985	1985	Woollahra Library		
Written	-	'New Croquet Lawns: Opened at Woollahra Park,' The Sydney Morning Herald, 2 May, 1935.	1935	TROVE		
Written	Woollahra Municipal Council	Woollahra Council Minutes	Various	Woollahra Library		
Photographic		(Sydney Croquet Club), undated.	1930s(?)	Sydney Croquet Club		
Photographic		(Sydney Croquet Club), 1977	1977	Sydney Croquet Club		

	RECOMMENDATIONS
Recommendations	It is recommended that the Sydney Croquet Club Clubhouse (exterior and interior), be listed as a heritage item on the State Heritage Register on the basis that the clubhouse is a rare and substantially intact example of a large Inter-War period split log building.
	It is recommended that the item has a reduced lot boundary curtilage that includes the clubhouse only. The setting is of local significance and will be managed by the proposed local listing. It is recommended that a Conservation Management Plan be prepared for the site.

	SOURCE OF THIS INFORMATION			
Name of study or	Sydney Croquet Club, Woollahra Park, off O'Sullivan Road, Rose Bay:	Year of s	tudy	2020
report	Heritage Assessment	or report		
Item number in study				
or report				
Author of study or	Weir Phillips Heritage and Planning			
report				
Inspected by	Alice Fuller			
NSW Heritage Manual	guidelines used?	Yes 🗵		No 🗌
This form completed	Alice Fuller	Date	Septe	mber
by			2020	

		IMAGE	ES - 1 per page		
Image caption	Aerial photogr	raph over the Sydney Cr	roquet Club		
Image year	2019	Image by	SIX Maps	Image copyright holder	SIX Maps



Image caption	View north across the croquet lawns towards the front elevation of the clubhouse						
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning		



Image caption	Front, southern, elevation of the clubhouse.						
Image year	2019	Image year	2019	Image year	2019		



Image caption	Western elevation of the clubhouse.							
Image year	2019	Image year	2019	Image year	2019			



Image caption	Northern elevation of the clubhouse							
Image year	2019	Image year	2019	Image year	2019			

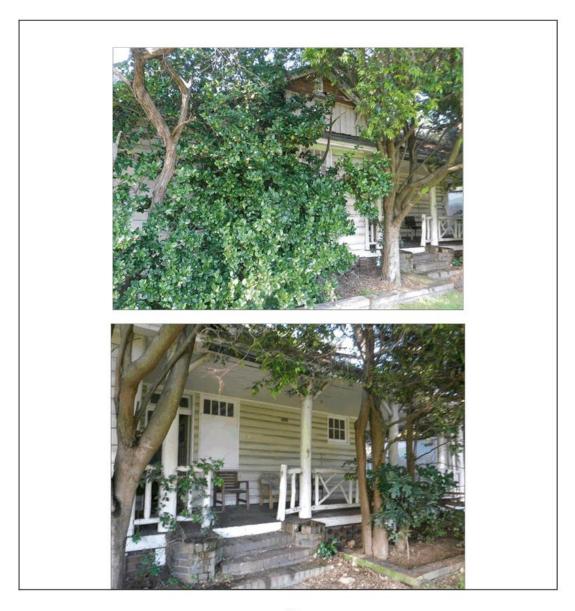


Image caption	Eastern eleva	ation of the clubhouse			
Image year	2019	Image year	2019	Image year	2019

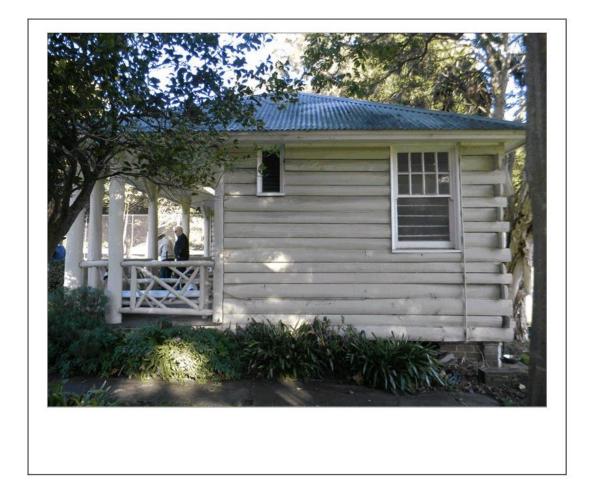


Image caption	Main club room				
Image year	2019	Image year	2019	Image year	2019



Image caption	Locker Room				
Image year	2019	Image by	Weir Phillips Heritage and Planning	Image copyright holder	WP Heritage and Planning





Gateway Determination

Planning proposal (Department Ref: PP_2020_WOOLL_010_00): to list the George S. Grimley Pavilion and Sydney Croquet Club, in Woollahra Park off O'Sullivan Road, Rose Bay, as local heritage items.

I, the Director, Eastern and South Districts at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Woollahra Local Environmental Plan (LEP) 2014 to list two sites located in Woollahra Park, off O'Sullivan Road, Rose Bay, namely:

- The George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side; and
- The Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility;

as local heritage items should proceed subject to the following conditions:

- Prior to public exhibition, the planning proposal is to be amended to update the project timeline to reflect the timeframe allowed to complete the Local Environmental Plan, where appropriate.
- Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
- Consultation is required with Heritage NSW under section 3.34(2)(d) of the Act.
 Heritage NSW is to be provided with a copy of the planning proposal and any
 relevant supporting material and given at least 21 days to comment on the
 proposal.

- 4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, if reclassifying land).
- 5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
- The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated 19th day of October 2020.

Laura Locke

Director, Eastern and South Districts Greater Sydney, Place and Infrastructure

Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces

PP_2020_WOOLL_010_00 (IRF20/4622)

From:
To:
Subject:
Re: SC5734 Notification - Planning proposal for heritage listing of George S. Grimley Pavilion & Sydney Croquet Club - Public Exhibition

Date:
Wednesday, 4 November 2020 11:18:26 PM

The Rose Bay Residents Association fully supports the heritage listing of the Pavilion and Croquet Club as Rose Bay's unique identity and point of difference is found in our precious heritage buildings and the subject in question is an excellent, standout example of this.

Kind regards

Maria Judd
Committee Member, Rose Bay Residents Association.

> On 4 Nov 2020, at 8:48 am,

> On 4 Nov 2020, at 8:48 am, > SC5734

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit http://www.symanteccloud.com

From: Your Say Woollahra

Subject: croquet player completed Make an online submission

Date: Friday, 20 November 2020 10:16:17 AM

croquet player just submitted the survey Make an online submission with the responses below.

Would you like to make a submission to the proposed heritage listing of George S. Grimley Pavilion and the Sydney Croquet Club?

Yes

Your email



Wendy Fothergill

How would you like to make your submission?

Type your submission here

Please type your submission here.

In regard to the heritage listing of Sydney Croquet Club I would like to comment that the lawns are being seriously undermined as a playing area for this game because of invasive tree roots. The trees are inappropriate for this type of activity and native trees should have been used. A heritage listed croquet site is of no use if the lawns are not adequate for playing serious games. The tree roots will gradually kill the site's purpose. It is not just the roots, though these are really bad, but the loss of sun on the grass as well. I have been a member for very many years and the problem just keeps growing. Thank you

From: Your Say Woollahra

Subject: Gazza completed Make an online submission Date: Monday, 30 November 2020 7:01:11 PM

Gazza just submitted the survey Make an online submission with the responses below.

Would you like to make a submission to the proposed heritage listing of George S. Grimley Pavilion and the Sydney Croquet Club?

Yes

Your email

Your name

Garry Walsh

How would you like to make your submission?

Type your submission here

Please type your submission here.

The Sydney Croquet Club has no heritage value and this proposal is an appalling effort by the small number of members to lock-in their current privileges even though the building has no significant heritage value. If this proposal is adopted the Council will realistically forever be handicapped from putting this public land for better use for the general public good. Just how many ratepayers are members of this club? It is hardly used at all, certainly not by the number of ratepayers that would justify this imposition on future Council's opportunities to put the land to a better use.

From: To: Cc:

Subject: Planning Proposal - Local Heritage Listing - George S Grimley Pavilion and Sydney Croquet Club Date:

Thursday, 3 December 2020 4:12:52 PM

Attachments:

Our ref: DOC20/941378

Planning Proposal - Local Heritage Listing - George S Grimley Pavilion and Sydney Croquet Club

Dear Mr Swift-McNair

Attention: Ms Shona Lindsay, Heritage Officer

Thank you for the opportunity to comment on the planning proposal to list the George S Grimley Pavilion and the Sydney Croquet Club as items of local heritage significance under Woollahra Local Environmental Plan 2014.

We have reviewed the planning proposal and note that Council's assessment of heritage significance indicated that both proposed items meet the criteria for listing at a local level.

We encourage the identification and listing of new heritage items, provided that all necessary due diligence, assessments and notifications have been undertaken. Prior to finalisation of the planning proposal, Council should be satisfied that this is the case.

If you have any questions, please don't hesitate to contact me via the details below.

Yours sincerely

James

James Sellwood | Senior Heritage Programs Officer, Heritage Programs

Heritage NSW

Department of Premier and Cabinet



I acknowledge and respect the traditional custodians and ancestors of the lands I work across

Heritage NSW

 $The former \ Office \ of \ Environment \ and \ Heritage \ (Heritage \ Division) \ is \ now \ Heritage \ NSW.$

Correspondence should be sent to us via email at If you need to provide hard copies, please send to

Please update your records as using an incorrect name and address could cause significant delays or nondelivery of your correspondence.

.....

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: Your Say Woollahra
To:

Subject: Wales007 completed Make an online submission

Date: Thursday, 3 December 2020 9:40:31 PM

Wales007 just submitted the survey Make an online submission with the responses below.

Would you like to make a submission to the proposed heritage listing of George S. Grimley Pavilion and the Sydney Croquet Club?

Yes

Your email

Your name

Stephen Wales

How would you like to make your submission?

Type your submission here

Please type your submission here.

This proposal would limit to future use of what should be public access space of premium land. There should be further consideration of best use fir the broader community for this sosve

From: Your Say Woollahra

Subject: Woollahra9 completed Make an online submission

Date: Thursday, 3 December 2020 9:44:03 PM

Woollahra9 just submitted the survey Make an online submission with the responses below.

Would you like to make a submission to the proposed heritage listing of George S. Grimley Pavilion and the Sydney Croquet Club?

Yes

Your email

Your name

Thomas

How would you like to make your submission?

Type your submission here

Please type your submission here.

I object to this proposal. Whilst I appreciate the historical significance of the property, this is used by a very small and exclusive number of members and guests. The land is crown/council land and could be much better utilised for a wider purpose to benefit a much larger proportion of the woollahra council area now and/or into the future. Heritage will unduly hinder better current and future uses. Consider the need for public pools for example, which Woollahra council does not have - young, old and in between could get much greater community health and well-being outcomes than for the less than 200 current members? I understand Woollahra Council has subsidised the lease and/or green keeping fees for this land over a long period of time at the potential expense of better uses of the land to benefit the wider community. A study should be undertaken of alternate uses for this space which benefits the broader community.

Woollahra Council 536 New South Head Road Double Bay

Planning Proposal #SC5734

Dear Woollahra Council and Committee Members,

I am writing regarding the proposed heritage listing of the Sydney Croquet Club located inside Woollahra golf club grounds.

The heritage listing of the Sydney Croquet Club building and surrounds, which include the lawns, fences, trees is flawed.

The trees should NOT be heritage listed as the FIG trees have invasive roots which are destroying the lawn surface, which make playing impossible. A croquet club with one lawn will not continue to operate.

Management of the problem root system of the Fig trees, will be an ongoing problem and expensive for the Council. After consultation the solution is to remove the problem trees and replace them with more trees suitable for the site and cohabitate with the lawns without destroying the surface of the lawns.

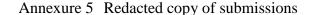
Having the lawns top dressed each year or every other year, for the next 40 - 50 years to build up the lawn surface so as to keep the lawn surface playable is delaying the inevitable, as the lawn surface could get to a height which would be ridiculous, and retaining walls would have to be installed to hold back the soil.

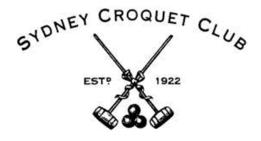
The trees located on the Northern boundary cast a shadow which prevent sunlight from getting to the lawn and prevent grass from growing.

The remainder of the trees should be solar thinned so as the lawn has a chance to grow! This was proposed by Council. Council obtained a quote which was given to Council but as yet NO action has been forthcoming.

The removal of the Fig trees is a last resort, but to save the council a lot of money for the ongoing management of the situation over the next 40-50 years and to preserve the Croquet lawns it is the logical solution.

Rod Richardson





Woollahra Council 536 New South Head Road Double Bay

Planning Proposal #SC5734

Dear Chairperson and Committee Members,

Re: Planning proposal - Heritage Listing of Sydney Croquet Club

I ask the Committee to defer a decision in to the proposed plan to heritage list the Sydney Croquet Club. Three Sydney Croquet Club committee members met on the 27th November with Councillor Regan, and Council Staff Tom O'Hanlon, Director Technical Services, Paul Fraser, Manager Open Space & Trees and Zubin Marolia, Manager Property & Projects.

It was shown to them the current condition of the lawns, damage due to age and poor maintenance for the structure. Mr O'Hanlon agreed to investigate the issues raised at the meeting and could not make any recommendations on how to proceed until further investigations were undertaken. This included a review of the structure as to the extent of pest and termite or age related damage to the Club House. Undertake exploratory works to find the cause of the damage to the playing surface and the extent that the trees roots are part of the problem.

It was explained to us that the Heritage listing would not change anything for the Club other than creating more paperwork for the Council as the Council would be required to prepare and submit DA.

I request of the Panel to defer any decision until these investigations have been completed.

I have provided Appendix A and B of previous correspondence to the Council and an email recently sent to Mr O'Hanlon out lining my concerns for the long term future of Sydney Croquet Club Inc.

Regards, Emma Diamond

Rod Richardson

Hi Tom.

From:			
Sent:	Tuesday, 1 December 2020 10:44 PM		
То:			
Subject:	RE: Meeting with Council staff		
Dear Armodee,			
I would appreciate it if you would forward this to Tom O'Hanlon.			

Thank you for meeting us last Friday at the Croquet Club and providing guidance on the heritage listing of SCC and the area surrounding our lawns.

I still have some reservations as to its heritage listing is the right thing to do. I understand that it will be the Council that will prepare and assess any DA's necessary for the site. What I would like to know is what are the benefits to the Council and the Community? How will listing of the site prove beneficial to Sydney Croquet Club? It's my understand that the site is already protected as public space as part of Woollahra Park and the Trees are protected under EPA and Tree management policies. I guess what I am trying to stay is, what is the point of all this. From what was explained, all it appears to do is create more paperwork, complicate site management, add additional time delays with DA processes, increasing capital works costs, and possibly create long term issues with regards future tree removed after exhausting all other controls.

To date we have not seen nor been contacted regarding the establishment of a Conservation Management Plan as mentioned on page 11 of the Planning Proposal. What does this type of document contain? Can it be structured that in the event of permanent damage caused by a tree, such as the immature Norfolk Pine on the north side, which may in the future cause excessive shading at maturity resulting in death of the lawn allow Council to approve a DA for its immediate removal as pruning or thinning this type of tree would make it unattractive.

The heritage listing of the trees is a major concern for the Club. At this point in time we don't want the trees removed, but also we need a plan as to how to manage them. The lawns of a Croquet Club are the most important asset. If the lawns are unplayable and each individual tree is heritage listed and the lawn is heritage listed (as proposed) how is the issue of removal of the trees or tree roots meant to be prioritised. Will the lawns be protected or will it be the trees? If the lawns are dying from lack of sunlight, will the trees be thinned/removed or the grass left to turn to dust.

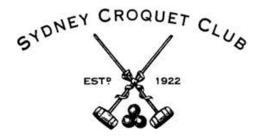
With regards to the restoration works to be conducted on repairing and/or replacing part of the existing Club House structure as shown to Zubin and yourself would a DA be required for such works as things are currently?

If a DA is currently not required for tree works or Club House structure repairs, when could I request of you to inform the Council Officer in charge of the Planning Proposal and request the Committee to deferral a decision on heritage list of Sydney Croquet Club until such time that Zubin and Paul have had time to investigate the extent of the damage and remediation.

Regards,

Emma Diamond Treasurer

1



Woollahra Municipal Council Environmental Planning Committee 3rd August 2020

Re: Planning proposal - Heritage Listing of Sydney Croquet Club

Dear Chairperson and Committee Members,

I wish to raise with you the changes that have been made to the proposed heritage listing of the Sydney Croquet Club.

The recommendation made to this Committee on the 17th February 2020 and 16th March 2020 was for the proposed listing of Sydney Croquet Club which consisted of the clubhouse, moveable heritage items and lawns.

The proposal put before you today has been extended to include the above as well as the timber shelters and mature trees surrounding the facility.

At the meeting that was attended by myself and the President Rod Richardson on the 5th March 2020, we raised the issue of trees. We were advised by Council staff that there was no intention to include the Trees within the proposal, and that we had no need for concern. But here we are today, wondering why without any consultation with the Croquet Club or its members why has this been changed, and why after all this time we have not been contacted before it was added to the proposal.

I am not against trees, in fact I am a volunteer bush regenerator and I have family members who are professionals and one thing they have taught me is to admire nature and enhance the environment that we live in today. Now we all know that Woollahra Park in no nature reserve, but it does bring and contribute to the urban wildlife that continues to live within the region, including the people that share it with them.

We are not asking that the existing fig trees be removed. Our only request is that when they come to the end of their life that something is planted that will be less destructive and costly to the lawns. My personal preference would be for an example native garden with large trees that are true to the local area. As you know there is very little Eastern Suburbs Banksia Shrub lands remaining. Having an example of a native garden in a public space will show to locals how hardy, beautiful and diverse a native garden can be for their own back yards.

The Fig trees that have been included in the proposed heritage listing are destroying the lawns, there buttress roots lifting the soil, distorting the surface of the lawns. The Council did try to rectify the problem many years ago by building an underground wall to stop the roots from growing towards the lawns. This wall has failed and the surface is so uneven on one lawn that members call every shot as "pot luck" or "don't forget aim 3 feet to the right of the hop" (it used to be 1 foot) or "hit the ball hard to get up the hill".

The buttress roots are appearing above the ground on the southern side line. Council staff Graham, who beautiful tends to our lawns, has commented to Mr Richardson that the uneven ground is

ruining the lawn mower, digging up part of the ground and cutting the buttress root as he mows. (FYI, I believe his lawn mower is antique, and essential equipment for the croquet lawn maintenance).

There is one Norfolk Island pine on the northern side which is a more recent planting, because of its sheer size shades the lawn making it difficult to grow grass. It also has a hard woody seed which is difficult to remove and impacts on the running and playing of the ball.

The others trees on the northern side of the lawns do create shading issues especially during winter. Very little grass will grow in the northern corners and some areas none at all no matter what the season, as there is not enough light making it to the ground. This could be better managed with regular pruning and thinning of the existing trees to allow light to come to the ground.

The last major restoration of the lawns took place 26 years ago. Now they are in urgent need of rescue. The Club Committee has applied numerous times for Grant Funding without success. The last two times when we ask how we could improve our application. The representative advised that it was perfect we just were not considered important enough to be successful. The last Grant that we applied for with the NSW Infrastructure (Liquor & Gaming) Grant was in March 2020, priority was giving to entities affected by the drought and/or fires. I don't see our Club being successful any time soon as to much has been lost elsewhere around the State and Country.

As for the timber shelters these are never used because only one person can sit in them and have a view of the lawn. The view that this one person has is limited to the space of the opening to the shelter which is 2-3 metres. They cannot see to the left or right it has to be directly in front. The shelters are too deep for viewing the game and front timbers (left and right of opening) are too high to look over. The current design is impractical and as one member has said "useless". It would be a waste of money restoring and maintaining the current structures.

Our Club has been asked by Croquet NSW to co-host the Australian Championships in March 2021. Unfortunately now that we know that there is no Grant Funding arriving it is only the Council that can help us. As fair as we can recall we have never had an opportunity like this before, and we would like to be able to add an event like this to our history.

I ask the Committee to please reconsider the recommendation to heritage list the mature trees and the shelters and remove both from the proposal put to you today.

The protection of living assets such as trees is important but in our urban environment when an opportunity to improve and regrow arises in should be taken up. Please don't lock us into something that will make it difficult for those in the next generation to improve on and develop. We are a croquet club and without a decent lawn we cannot play. We have had to give up inter club competitions as the playing surface is well just embarrassing. Our Club Champions have left as they cannot improve on their game and it's impossible to attract new members whom want to play competitively. The most important asset of a croquet club is its lawns.

Regards, Emma Diamond Treasurer Sydney Croquet Club Inc. From: Your Say Woollahra
To:

Subject: benelong completed Make an online submission

Date: Friday, 4 December 2020 11:25:47 AM

benelong just submitted the survey Make an online submission with the responses below.

Would you like to make a submission to the proposed heritage listing of George S. Grimley Pavilion and the Sydney Croquet Club?

Yes

Your email

Your name

Michael Caldwell

How would you like to make your submission?

Type your submission here

Please type your submission here.

Grimley Pavilion. The south western facade possibly has some heritage significance but the interiors have no value. The F45 Gymnasium above and the ESRUFC dressing rooms behind wih its planned \$2.4m extension may affect the interiors significantly. There are water leaks into the golf club dressing rooms and golf shop from the current rugby dressing rooms roofs.and the flat areas of the stands. The public toilets need to be moved to an area where they are available at all times. Currently the male toilets are not obvious to any visitors and are inside the rugby enclosure whenever a game is played. Croquet Club. This has no redeeming architectural, cultural or heritage values whatsoever. It is just a timber log cabin, quaint but with little reason to give it heritage status. Trees. Trees already have protection regulations and seeing these are on council land it is likely the only peiople who might interfere with them are council employees.

Item No: R2 Recommendation to Council

Subject: PLANNING PROPOSAL - HILLCREST - 780-786 NEW SOUTH

HEAD ROAD, ROSE BAY

Author: Kristy Wellfare, Strategic Heritage Officer **Approvers:** Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 20/242751

Reason for Report: To provide Council with the advice of the Woollahra Local Planning

Panel.

To obtain Council's approval to proceed with the planning proposal to list Hillcrest, including interiors and gardens at 780-786 New South Head

Road, Rose Bay, as a local heritage item in Woollahra Local

Environmental Plan 2014.

Recommendation:

A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 17 December 2020 for the planning proposal to list Hillcrest, including interiors and gardens at 780-786 New South Head Road, Rose Bay, as a local heritage item in Woollahra Local Environmental Plan 2014.

- B. THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee meeting on 1 February 2021 be forwarded to the Department of Planning, Industry and Environment with a request for a gateway determination to allow public exhibition.
- C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

1. Background:

On 3 February 2020, a development application [DA19/2020/1] was lodged with Council for the demolition of the three storey residential flat building at 780-786 New South Head Road, Rose Bay, known as Hillcrest.

Council's Heritage Officer considered the demolition proposed, and provided a preliminary assessment of the heritage significance of the building under the seven criteria identified in the NSW Heritage Manual. Based on the information available, the building was considered to have potential to meet the threshold for local significance under the historic, aesthetic, rarity and representative criteria.

On 4 June 2020, the Woollahra Local Planning Panel (Woollahra LPP) resolved to refuse development application DA19/2020/1 on the basis of heritage grounds and a lack of adequate information, which was consistent with the staff recommendation.

The Interim Heritage Order

Under a Ministerial Order, the *Authorisation for Local Councils to make Interim Heritage Orders*, published in the Government Gazette on 12 July 2013 and under a sub-delegation to the Director of Planning they may, on behalf of Council, make an interim heritage order (IHO). An IHO can be made if, among other things, the following pre-conditions are in place:

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

Given DA19/2020/1 proposed the demolition of the structures on the site, and that the site is potentially of local heritage significance, the [former] Director of Planning formed the opinion that the above circumstances were in place. Subsequently, the [former] Director of Planning authorised the making of an IHO. The IHO was made under section 25 of the *Heritage Act 1977* (IHO No. LC-5) and was published in the NSW Government Gazette No. 151 of 10 July 2020, p. 3569-3570.

The Order was to remain in place for an initial period of six months which gives Council the opportunity to fully assess the heritage significance of the building and identify whether the building should be listed as a State and/or local heritage item. If within these six months Council resolves to proceed with the listing of the item, the order remains in place for an additional six months.

Under section 57 of the *Heritage Act 1977*, when an IHO applies to a place or building a person must not, among other things, demolish, damage or carry out development except in pursuance of an approval granted by the approval body, i.e. Council.

In light of the IHO, Council commissioned Robert Moore, Heritage Architect and Consultant of Robert A Moore Pty Ltd to undertake an independent assessment of the heritage significance of the site and provide recommendations as to whether the site fulfilled the criteria for heritage listing at either a local or a State level. The assessment by Mr Moore indicated that the site fulfilled five (5) of the seven (7) criteria for listing at a local level see **Annexure 2**. An inventory sheet has also been drafted for the site which is at **Annexure 3**.

On 2 November 2020 a report was considered by the *Environmental Planning Committee* (EPC) (see **Annexure 4**) recommending the property be listed as a heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). On 23 November 2020 Council resolved:

- A. THAT a planning proposal be prepared to list Hillcrest, including interiors and gardens, at 780-786 New South Head Road, Rose Bay 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.
- D. THAT the alleged unauthorised fence adjoining 9 Dumaresq Road, Rose Bay be referred to Council's Compliance department for investigation

Appeal

A Class 1 appeal against the refusal of DA19/2020/1 was filed with the Land and Environment Court on 22 December 2020 [2020/363998]. Council was notified of the Appeal application on 5 January 2021.

In addition to seeking consent for the demolition of the residential flat building known as Hillcrest and the ancillary structures on the site, the Appeal also seeks orders for the revocation of the IHO issued by Council on 10 July 2020.

At the time of writing this report, the status of the Appeal is that the application is listed for a directions hearing in the Land and Environment Court on 2 February 2021.

2. Planning proposal:

A planning proposal was prepared in accordance with the Council's decision of 23 November 2020 (see **Annexure 1**). The objective of the amendment to the Woollahra LEP 2014 is to recognise the heritage significance of the residential flat building known as Hillcrest, including its interiors and gardens at 780-786 New South Head Road, Rose Bay, and provide it with statutory heritage protection.

3. Woollahra Local Planning Panel advice

The matter was referred to the Woollahra Local Planning Panel (Woollahra LPP) on 17 December 2020 for advice. The Panel considered a report on the planning proposal (see **Annexure 5**) and provided the following advice to Council:

Reason for Decision

The panel noted the submission made on behalf of the applicant that the heritage listing be limited to the exterior of the building and "remnant" parts of the gardens and interiors. However, for the reasons set out in the Council officers report, it supports the planning proposal proceeding to Gateway. This will enable further assessment of significance and consideration of public submissions.

Resolved

THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to list the residential flat building "Hillcrest" at 780-786 New South Head Road, Rose Bay, and its interiors and gardens, as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.

4. Next steps

Subject to the Council's decision, the planning proposal will be referred to the Department of Planning, Industry and Environment (DPIE) for a gateway determination. This will allow the planning proposal to be placed on public exhibition.

The public exhibition of the planning proposal will be undertaken in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the Act), the *Environmental Planning and Assessment Regulation 2000*, the relevant DPIE guidelines, and the gateway determination.

Public notification of the exhibition will comprise:

- A notice on Council's website.
- A notice to the land owner of the site.
- A notice to land owners adjoining and in the vicinity of the site.
- A weekly notice in the Wentworth Courier for the duration of the exhibition period (if a hardcopy is being published).
- A letter to local community groups.

To streamline the plan-making process, the Minister can delegate some plan-making powers to Council for routine matters. In this case, Council may request authorisation to exercise the functions of the Minister to make an LEP under section 3.36 of the Act. Part C of the recommendation for this report deals with this request. After public exhibition, the planning proposal and submissions received will be reported to Council.

5. Conclusion

The listing of Hillcrest, including its interiors and gardens, at 780-786 New South Head Rad, Rose Bay as a local heritage item in Woollahra LEP 2014 is supported by an assessment of the heritage significance prepared by Robert A Moore Architects

On 17 December 2020, the Woollahra LPP provided advice to Council that it supports the planning proposal and its submission to the Minister.

The Council may now proceed with referring the planning proposal to the Department requesting a gateway determination to allow public exhibition.

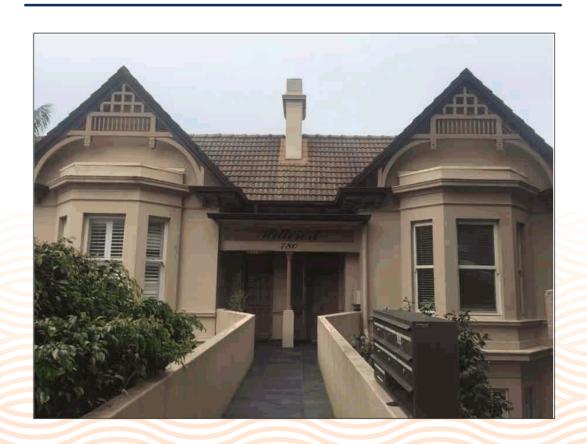
Annexures

- 1. Planning proposal Hillcrest 780-786 New South Head Road, Rose Bay (updated 24 December 2020) J
- 2. Hillcrest Heritage Significance Assessment 27 October 2020 (updated 4 December 2020) U
- 3. Heritage Inventory Sheet Hillcrest 780-786 New South Head Road, Rose Bay J.
- 4. Hillcrest Environmental Planning Committee Agenda 2 November 2020 (Annexures Removed) J
- 5. Hillcrest WLPP Public Agenda 17 Dec 2020 (Annexures Removed) U



Hillcrest

780-786 New South Head Road, Rose Bay



Version Date:	December 2020 (Updated 24 December 2020)		
Division/Department:	Planning and Development/Strategic Planning		
Responsible Officer:	Kristy Wellfare - Strategic Heritage Officer		
HPE CM Record Number:	20/217117		

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1. Introduction

1.1. Background

On 3 February 2020 a development application DA19/2020/1 was lodged with Council for the demolition of the three storey residential flat building at 780-786 New South Head Road, Rose Bay, known as Hillcrest.

Council's Heritage Officer considered the demolition proposed by the DA, and provided a preliminary assessment of the heritage significance of the building under the seven criteria identified in the NSW Heritage Manual. Based on the information available, the building was considered to have potential to meet the threshold for local significance under the historic, aesthetic, rarity and representative criteria.

On 4 June 2020 the Woollahra LPP resolved to refuse development application DA19/2020/1 on the basis of heritage grounds and a lack of adequate information, which was consistent with the staff recommendation.

Subsequent to the refusal of the development application for demolition, an Interim Heritage Order (IHO) was issued for the site under Section 25 of the *Heritage Act 1977* and Council engaged Robert A Moore Architect Pty Ltd to prepare a Heritage Significance Assessment (HSA) for the site.

The Heritage Significance Assessment prepared by Mr Moore concluded that the site satisfied 5 of the 7 criteria for listing as a local heritage item, with the potential to fulfil the remaining 2 criteria upon further investigation and study. On 2 November 2020 a report recommending a planning proposal be prepared to list *Hillcrest, including interiors and gardens* as a local heritage item in the Woollahra Local Environmental Plan 2014 was presented to the *Environmental Planning Committee* and on 23 November 2020, Council resolved the following:

- A. THAT a planning proposal be prepared to list the property at 780-786 New South Head Road, Rose Bay as a heritage item in 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.
- D. THAT the alleged unauthorised fence adjoining 9 Dumaresq Road, Rose Bay be referred to Council's Compliance department for investigation.

On 17 December 2020 the matter was referred to the Woollahra Local Planning Panel (Woollahra LPP) and the Panel provided the following advice to Council:

Reason for Decision

The panel noted the submission made on behalf of the applicant that the heritage listing be limited to the exterior of the building and "remnant" parts of the gardens and interiors. However, for the reasons set out in the Council officers report, it supports the planning proposal proceeding to Gateway. This will enable further assessment of significance and consideration of public submissions.

Planning proposal - "Hillcrest", 780-786 New South Head Road, Rose Bay - Local Heritage Listing

20/217117 Page 5 of 30

Version: December 2020

Resolved

THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to list the residential flat building "Hillcrest" at 780-786 New South Head Road, Rose Bay, and its interiors and gardens, as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.

1.2. Description of this planning proposal

This planning proposal is made in relation to the residential flat building known as *Hillcrest*, located at 780-786 New South Head Road, Rose Bay [SP 30455].

The objective of the planning proposal is to amend the Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014), to list Hillcrest as a local heritage item in Schedule 5. Heritage listing of this property will ensure recognition of its significance, as well as protection through ensuring any future modification proposals are assessed against heritage provisions in the Woollahra LEP 2014.

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) and the two documents prepared by the formerly named NSW Department of Planning and Environment (now known as the NSW Department of Planning, Industry and Environment) titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018).

The requirements for a planning proposal are provided in sections 2 to 9 as follows:

- Existing site and surrounding context
- · Existing planning controls
- · Objective of planning proposal
- · Explanation of provisions
- Justification
- Mapping
- · Community consultation
- Project timeline

1.3. Assessment of Heritage Significance

In response to Council's decision, a Heritage Significance Assessment was prepared for the site by Robert A Moore Architect Pty Ltd on behalf of Council.

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

Criterion (a) - Historical significance

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

Criterion (b) - Associative significance

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

Criterion (c) - Aesthetic/technical significance

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

Criterion (d) - Social significance

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

Criterion (e) - Research potential

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

Criterion (f) - Rarity

An item 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) - Representative

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. To be assessed for State significance an item will meet more than one of the seven heritage criteria at a State level, or if an item satisfies only one of the criteria, the item is of such particular significance to NSW that it should be listed.

A copy of the assessment prepared by Robert Moore, which includes the assessment against all criteria, is attached separately.

Table 1 below provides a summary of the assessment of the heritage significance of Hillcrest 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)	√	×

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	Criteria Meets criteria for he listing and grading significance		grading of
		Local	State
(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	May fulfil 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)		May fulfil 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)	~	×
(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.		

1.4. Statement of heritage significance

"Hillcrest", No.780-786 New South Head Road, Rose Bay, which is the residential flat building built c.1890 as a pair of semi-detached dwellings originally known as "Dalkey" and "Bionopa", and converted to six flats in the early 1900s, is of Local heritage significance within the Municipality of Woollahra for its historic, aesthetic, and associative values, particularly within the Rose Bay locality. Within its Locality and LGA context it also demonstrates a rarity of its type, design, and developmental history and context, supported by its relative integrity.

Built by the prominent businessman and local alderman Morrice Alexander Black, the building was the first to be built in the subdivided lands that had been part of Black's Tivoli Estate. Adopting an urban form – semi-detached dwellings – usually seen in more developed city and urban streets, the building took advantage of its harbourside site to present as a prestigious "marine villa" in complementary gardens like its earlier grand neighbours. However, in the context of increasingly closer subdivision and greater densities, with purpose-designed flat buildings becoming the first-builds on surrounding lots, the two

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aesthetically designed, Victorian Italianate semi-detached houses became four and later, six flats - sold and successively owned by investors.

Renamed "Hillcrest", the building remains significantly intact despite its adaptive re-use, and retains key dimensions and qualities of its original spacious garden setting, to maintain its historic and aesthetic contextual significance. "Hillcrest" contributes distinctively to the locality in which it is a landmark and an interpretable milestone of evolving development.

(Robert A Moore Pty Ltd, "Hillcrest", 780-786 New South Head Road, Rose Bay Heritage Significance Assessment, p 21)

1.5. Recommended heritage listing

The heritage assessment/inventory sheet provides the following recommendations:

The assessment of the heritage significance of "Hillcrest", comprising the house, its interiors, and garden setting, concludes that the property as a whole meets the threshold of LOCAL heritage significance and should be listed as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014. The property is not considered to be of State heritage significance, or likely to be so found.

The heritage significance assessment concluded that the property meets the threshold for heritage listing on historical, associational, and aesthetic values, and that it is rare, representative of a type of dwelling – the "marine villa" - once fashionable and important in the development of Sydney's harbourside lands and later, suburbs. Such houses are uncommon on a local level. Further research and analysis may also confirm that social, research and rarity values are present – but no testing has been conducted to date. The history of the building and its setting, the physical fabric of its construction, combined with the documentary evidence found thus far, together illuminate its construction, development, and its heritage significance.

As a large property in a densely occupied, redeveloping part of Sydney, it has come under pressure for redevelopment. Unless its significance is protected by heritage listing and/or development controls, such pressure will continue to arise. The care and ongoing use of the property will require sensitive consideration of its identified values and their consequences in the planning of a strategy for its deserved conservation. The Heritage Significance Assessment provides the necessary basis on which to plan appropriate heritage outcomes. In due course, a Conservation Management Document is to be prepared for the site to guide its ongoing conservation and any future adaptive reuse. (Robert A Moore Pty Ltd, "Hillcrest", 780-786 New South Head Road, Rose Bay Heritage Significance Assessment, p.22)

The heritage significance assessment report recommended that Hillcrest and its interiors and gardens at 780-786 New South Head Road, Rose Bay, be added to the Heritage Schedule of the Woollahra LEP as an item of Local heritage significance and that its ongoing care, use and potential future development be planned for in a Conservation Management Document such as a Conservation Management Plan or Strategy. This planning proposal seeks to amend the Woollahra Local Environmental Plan 2014 to include Hillcrest in Schedule 5 as a local heritage item in keeping with the recommended heritage listing.

1.6. Recommended management

The Heritage Significance Assessment recommended that Hillcrest and its interiors and gardens at 780-786 New South Head Road, Rose Bay, be included in Schedule 5 of the

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Woollahra Local Environmental Plan 2014 as a local heritage item, and initially recommended that its ongoing care, use and potential future development be planned for in a Conservation Management Plan. This recommendation has been reviewed during the finalisation of the heritage inventory sheet for the site to recommend that a conservation management document, such as a conservation management plan or strategy, be prepared for the site to guide the ongoing use and future management of the site, including any future adaptive reuse. This amendment allows greater flexibility in the approach taken to the future management of the site.

2. Existing site and surrounding context

2.1. The site

This planning proposal concerns a part two-storey and part-three story residential flat building located at 780-786 New South Head Road, Rose Bay, known as "Hillcrest". The site is located in the Woollahra Local Government Area (LGA) and is legally identified as SP 67302 which stands on Lot C in DP 177878. The site is regular in shape, 1710m² in area, with a frontage of 32.004m to Vaucluse Road, a rear boundary of 31.96m and a depth of between 52.330m and 54.42m.

The site is the subject of an Interim Heritage Order (IHO) issued by the Director, Planning and Development under Section 25 of the *Heritage Act 1977* (IHO No. LC-5) as published in the NSW Government Gazette No. 151 of 10 July 2020, p. 3569-3570.

The Order will remain in place for an initial period of six (6) months which gives Council the opportunity to fully assess the heritage significance of the building and identify whether the building should be listed as a State and/or local heritage item. As Council has resolved to proceed with the listing of the item, the Order remains in place for an additional six (6) months, and will lapse on 10 July 2020.

Existing development on the site consists of what was originally a three storey late Victorian era semi-detached dwelling pair with Federation Queen Anne influences built on lots 17 and 18 in the Tivoli Estate. It was converted into a residential flat building in the 1920s and currently accommodates six dwellings over three levels. The building is placed on the site with its ground floor level set significantly below the footpath level so that only the top floor is readily apparent from New South Head Road.

The site is benefitted by generous front and side setbacks, which accommodate established gardens that contribute to the character of the site and the amenity of the site and neighbouring sites (see **Figure 7**). The rear setback is substantially less generous, with the original rear portion of the property extending through to Dumaresq Road, lots 17 and 18 in the Tivoli Estate, being subdivided away from the main building.

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Figure 1: Hillcrest, as viewed from the southern side of the New South Head Road frontage. Source: WMC Officer, 2020



Figure 2: Aerial photo of the locality, with the site highlighted in red. (Source: Woollahra MAPS)

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Figure 3: Cadastral map with subject site shown in red. (Source: Woollahra MAPS)



Figure 4: Heritage map with subject site shown in red. (Source: Woollahra MAPS)

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2.2. Existing context

The site is located within an established residential area, with a mix of single dwellings and residential flat buildings of varying ages and styles present within the locality. Development on adjoining sites consists of an interwar residential flat building to the north of the site at 788 New South Head Road (see **Figure 5**), and an interwar Spanish mission residential flat building to the south at 778 New South Head Road (see **Figure 6**). Development to the east of the site fronting Dumaresq Street consists of an interwar Mediterranean style building at 9 Dumaresq Road and a contemporary (c.1990s) three storey residential flat building at 7 Dumaresq Road (see **Figure 7**).



Figure 5: Inter-war residential flat building at 788 New South Head Road, Rose Bay. (Source: Google Street View)



Figure 6: Inter-war Spanish mission residential flat building, "San Romolo", 778 New South Head Road, Rose Bay. (Source: Google Street View)

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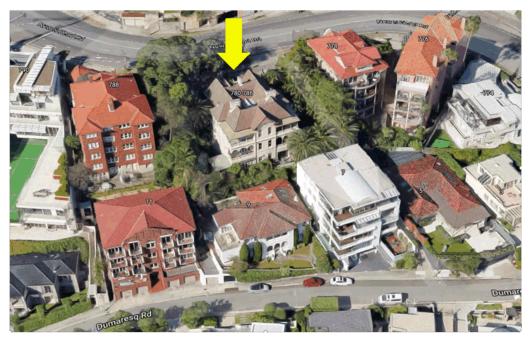


Figure 7: Oblique aerial view of Hillcrest from rear (site identified with an arrow), with Dumaresq Road properties in the foreground. The landscape setting is apparent at this angle. (Source: Google Maps. Annotation: WMC Officer)

3. Existing planning controls

The site is subject to existing planning controls within the Woollahra LEP 2014, relating to land zoning, height of building, minimum lot size and acid sulfate soils. These are as follows:

	Zone	Maximum building height (m)	Floor space ratio
780-786 New South Head Road, Rose Bay	R3 – Medium Density Residential	16.5m (Area D)	1.3:1
		Under Cl 4.3A Exceptions to building heights (Areas A-H), a secondary building height of 7.5m applies at the highest part of the land.	

Table 1: Existing planning controls

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The site and its immediately adjacent sites to the north and south are zoned R3 – Medium Density Residential in the Woollahra LEP 2014. The Objectives for the R3 zone are:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

The neighbouring sites to the rear (east) are zoned R2 Low Density Residential in the Woollahra LEP 2014. The Objectives for the R2 zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for development that is compatible with the character and amenity of the surrounding neighbourhood.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

The residential flat building known as "Hillcrest" at 780-786 New South Head Road Rose Bay and its interiors are not currently listed as a State or local heritage item, and therefore are not subject to the controls outlined in Clause 5.10 (Heritage Conservation) in the Woollahra LEP 2014. The site is the subject of an Interim Heritage Order and is therefore subject to the applicable provisions of the *Heritage Act 1977*.

4. Objectives of planning proposal

The objective of the planning proposal is to amend Part 1 (Heritage items) under Schedule 5 (Environmental Heritage) of the Woollahra LEP 2014, to list the residential flat building known as "Hillcrest" at 780-786 New South Head Road, and its interiors and garden setting, as a local heritage item. Heritage listing of this property will ensure recognition of its significance, as well as protection through ensuring any future modification proposals are assessed against heritage provisions in the Woollahra LEP 2014.

5. Explanation of provisions

The planning proposal seeks the following amendments to Woollahra LEP 2014:

- Insert a listing for "Hillcrest", including interiors and gardens at 780-786 New South Head Road, Rose Bay, in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage). The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP.
- Amend the Heritage Map (Sheet HER_005) to identify a heritage item on the site of the 780-786 New South Head Road, Rose Bay.

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6. Justification

The planning proposal has strategic merit. The inclusion of "Hillcrest", located at 780-786 New South Head Road, Rose Bay, including its interiors and gardens as a local heritage item in Schedule 5 of Woollahra LEP 2014 will ensure its recognition as a rare example of a c.1890 Victorian era semi-detached dwelling pair, since converted into a residential flat building, in the Rose Bay locality and greater Woollahra municipality. Listing in Schedule 5 of the Woollahra LEP 2014 will also ensure the ongoing protection of the heritage values of the site.

These matters are further discussed below in part 6.1 to 6.3.

6.1. Need for planning proposal

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

Yes. The planning proposal is the result of the recommendations found in the heritage assessment report/Heritage Inventory Sheet, prepared by Robert Allan Moore. The report concluded that "Hillcrest", including its interiors and garden setting, meets the criteria for listing as a local heritage item. The report recommended that Schedule 5 be amended to include "Hillcrest", its interiors and gardens as a local heritage item.

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

The objective of the planning proposal is to ensure recognition of the heritage significance of the site, as well as achieve a level of protection through ensuring any future modification proposals are assessed against heritage provisions in the Woollahra LEP 2014. The planning proposal seeks to amend Part 1 (Heritage items) under Schedule 5 (Environmental Heritage) of the Woollahra LEP 2014, to list the residential flat building known as "Hillcrest" at 780-786 New South Head Road, Rose Bay and its interiors as a local heritage item. The best, and only, means of achieving this objective is through the planning proposal process.

Heritage listing will provide ongoing protection and recognition of the heritage significance of the item. Other options, such as adding site-specific objectives and controls to *Woollahra Development Control Plan 2015*, or including heritage conservation conditions to a potential development consent will not provide the same level of heritage protection and recognition. Without the listing, the structures may be fundamentally altered under the provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* thus affecting the recognised significance of the site.

6.2. Relationship to strategic planning framework

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

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

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Greater Sydney Region Plan: A Metropolis of Three Cities

The planning proposal is consistent with the directions and objectives of *Greater Sydney Regional Plan: A Metropolis of Three Cities*, particularly objective(s) Objective 13: Environmental heritage is identified, conserved and enhanced.

Identifying "Hillcrest" as a local heritage item, will allow the appropriate conservation of the property into the future.

Eastern City District Plan

The planning proposal is generally consistent with the actions of the *Eastern City District Plan*, particularly action(s) 20 and 63 by:

- Identifying, conserving and enhancing the environmental heritage of the local area through:
 - o engaging with the community early to understand heritage values
 - enhancing the interpretation of heritage to foster distinctive local places
 - managing the cumulative impact of development on the heritage values and character of places
- Identifying and protecting scenic and cultural landscapes.

4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Yes. The planning proposal is consistent with the Council's Community Strategic Plan titled *Woollahra 2030 – our community, our place, our plan* (Woollahra 2030). Notably, the planning proposal meets the following strategy within Goal 4 (Well planned neighbourhood) under the theme Quality places and spaces:

4.3 Protect local heritage, including significant architecture and the natural environment.

The planning proposal is consistent with the *Woollahra Local Strategic Planning Statement* (LSPS), which was supported by the Greater Sydney Commission and adopted by Council and came into effect on 31st March 2020. In particular, the planning proposal is consistent with Planning Priority 5 under the theme of Liveability:

Planning Priority 5 Conserving our rich and diverse heritage

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

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1**).

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

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2**).

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6.3. Environmental, social and economic impact

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

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

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

No. There are no likely environmental effects that would arise as a result of the planning proposal. Protection of the item, its interiors, and its setting will be required when development is proposed for "Hillcrest", or if there is development proposed in its vicinity. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

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

Yes. The heritage assessment / inventory sheet considered "Hillcrest", its interiors, and garden setting against the criteria for 'cultural significance' as defined in the Australia ICOMOS Burra Charter, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The assessment found that "Hillcrest", its interiors and garden setting hold heritage significance at the local level.

6.4. State and Commonwealth interests

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

Yes. The planning proposal involves the local heritage listing of the residential flat building known as "Hillcrest" at 780-786 New South Head Road, Rose Bay, its interiors and its garden setting and does not involve amendments to planning controls that would facilitate intensified development.

Currently, the three-storey residential flat building has access to adequate public infrastructure such as water, sewer, electricity and telephone services. The site's closest access to transport services is on New South Head Road.

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

If required by the gateway determination, consultation will be undertaken with public utility companies, service providers and emergency services during the public exhibition.

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

This section will be completed following consultation with public authorities identified in the gateway determination. Public authorities, including but not limited to, will be notified:

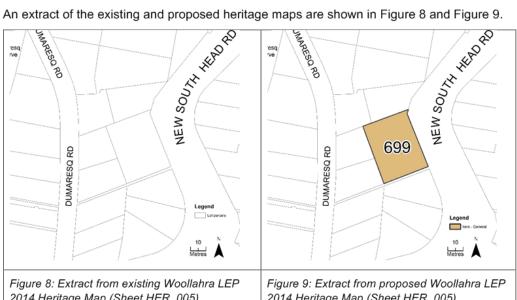
- Heritage NSW, Department of Premier and Cabinet.
- National Trust of NSW.

Any other authorities identified by the Greater Sydney Commission and Department of Planning, Industry and Environment will be consulted during the public exhibition of the planning proposal.

7. Mapping

The planning proposal seeks to amend the Woollahra LEP 2014 Heritage Map (Sheet HER 005) by applying an "Item – General" classification to the property at 780-786 New South Head Road, Rose Bay.

An extract of the existing and proposed heritage maps are shown in Figure 8 and Figure 9.



2014 Heritage Map (Sheet HER_005)

2014 Heritage Map (Sheet HER_005)

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8. Community consultation

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*, also having regard to other relevant plans and guidelines including *Woollahra Community Participation Plan* (2019) and *Local Environmental Plans – a guide to preparing local environmental plans* (2018) and any conditions of the Gateway Determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period, when a hardcopy version of that newspaper is being published.
- a notice on Council's website.
- a letter to land owners in the vicinity of each site, which will include every landowner in the Centre.
- notice to local community, resident and business groups such as the Woollahra History and Heritage Society and the Rose Bay Residents' Association.

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

- the planning proposal, in the form approved by the gateway determination.
- · the gateway determination.
- information relied upon by the planning proposal (such as the view analysis and relevant Council reports).
- Woollahra LEP 2014.
- Section 9.1 Directions.

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9. Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Environmental Planning Committee recommends proceeding	February 2021
Council resolution to proceed	February 2021
Gateway determination	March 2021
Completion of technical assessment	Usually none required
Government agency consultation	April 2021
Public exhibition period	Same time as agency consultation
Submissions assessment	May 2021
Council assessment of planning proposal post exhibition	June 2021
Council decision to make the LEP amendment	June 2021
Council to liaise with Parliamentary Counsel to prepare LEP amendment	July 2021
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	August 2021
Notification of the approved LEP	September 2021

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Schedules

Schedule 1 – Consistency with State Environmental Planning Policies

State environmental planning policy	Comment on consistency
SEPP No 19 – Bushland in Urban Areas	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 21 – Caravan Parks	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 33 – Hazardous and Offensive	Applicable
Development	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 36 – Manufactured Home Estates	Not applicable
SEPP No 47 – Moore Park Showground	Not applicable
SEPP No 50 – Canal Estate Development	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 55 – Remediation of Land	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 64 – Advertising and Signage	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 65 – Design Quality of	Applicable
Residential Apartment Development	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
	See section 6.3 of the planning proposal for more information.

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State environmental planning policy	Comment on consistency
SEPP No 70 – Affordable Housing (Revised	Applicable
Schemes)	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Aboriginal Land) 2019	Not applicable.
SEPP (Activation Precincts) 2020	Not applicable.
SEPP (Affordable Rental Housing) 2009	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index:	Applicable
BASIX) 2004	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Coastal Management) 2018	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Concurrences and Consents) 2018	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Educational Establishments and	Applicable
Child Care Facilities) 2017	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying	Applicable
Development Codes) 2008	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Gosford City Centre) 2018	Not applicable.
SEPP (Housing for Seniors or People with	Applicable
a Disability) 2004	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

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State environmental planning policy	Comment on consistency
SEPP (Infrastructure) 2007	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Koala Habitat Protection) 2019	Not applicable
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Major Infrastructure Corridors) 2020	Not applicable
SEPP (Mining, Petroleum Production and	Applicable
Extractive Industries) 2007	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Primary Production and Rural Development) 2019	Applicable
	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (State and Regional Development)	Applicable
2011	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (State Significant Precincts) 2005	Applicable
	There are currently no identified state significant sites located in the Woollahra Municipality.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Three Ports) 2013	Not applicable

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State environmental planning policy	Comment on consistency
SEPP (Urban Renewal) 2010	There are currently no potential urban renewal precincts in the Woollahra Municipality which are identified in the SEPP.
SEPP (Vegetation in Non-Rural Areas) 2017	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Western Sydney Aerotropolis) 2020	Not applicable
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable

Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies	Comment on consistency
SREP No 8 (Central Coast Plateau Areas)	Not applicable
SREP No 9 - Extractive Industry (No 2 - 1995)	Not applicable
SREP No 16 – Walsh Bay	Not applicable
SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)	Not applicable
SREP No 24 - Homebush Bay Area	Not applicable
SREP No 26 – City West	Not applicable
SREP No 30 - St Marys	Not applicable
SREP No 33 - Cooks Cove	Not applicable

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Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies	Comment on consistency
SREP (Sydney Harbour Catchment) 2005	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. The planning proposal applies to land within the Sydney Harbour Catchment. Therefore the planning principles under Part 2, clause 13 Sydney Harbour Catchment of the SREP have been considered during its preparation. The planning proposal is consistent with the principles. The site is not land in the Foreshores and Waterways Area, therefore the principles of clause 13 Foreshores and Waterways Area are not applicable to this planning proposal.

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Schedule 2 - Compliance with section 9.1 directions

Note any inconsistencies that are considered to be minor here for DPE and in the introduction to the PP and 6.2 question 6.

	Planning proposal – Compliance with section 9.1 directions		
Direc	tion	Applicable/comment	
1	Employment and resou	ırces	
1.1	Business and industrial zones	Not applicable. The direction does not apply where sites are not zoned for business or industry.	
1.2- 1.5	Directions 1.2-1.5	Not applicable. These directions are not relevant to the Sydney metropolitan area.	
2	Environment and herita	age	
2.1	Environment protection zones	Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.	
2.2	Coastal management	Not applicable. The planning proposal does not apply to land within the coastal zone.	
2.3	Heritage conservation	Applicable. Consistent. Heritage listing of <i>Hillcrest</i> , including interiors and gardens at 780-786 New South Head Road, Rose Bay will provide ongoing protection and recognition of the heritage significance of the item.	
2.4	Recreation vehicle areas	Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area.	
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable. The planning proposal does not apply to land in the Far North Coast.	
2.6	Remediation of contaminated land	Not applicable. The planning proposal does not seek to alter the zoning or the uses of the site. Notwithstanding this, the planning proposal will not affect the application or operation of any legislation or planning instrument pertaining to managing land contamination or investigation thereof on the subject site.	
3	Housing, infrastructure and urban development		
3.1	Residential zones	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.	

Planning proposal – "Hillcrest", 780-786 New South Head Road, Rose Bay – Local Heritage Listing

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	Planning proposal – Compliance with section 9.1 directions		
Direc	ction	Applicable/comment	
3.2	Caravan parks and manufactured home estates	Not applicable. The planning proposal does not affect caravan parks or manufactured home estates.	
3.3	Home occupations	Not applicable. The planning proposal does not affect home occupations in dwelling houses.	
3.4	Integrating land use and transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.	
3.5	Development near regulated airports and defence airfields	The site is affected by the Sydney (Kingsford-Smith) Airport 'Obstacle Limitation Surface' map (OLS), being located within the Outer Horizontal Surface contour for Sydney Airport which is identified as 156m AHD.¹ This planning proposal does not seek to alter the development potential of the site in terms of building height or floor space ratio or propose a 'controlled activity' and therefore consultation with the Commonwealth is not required.	
3.6	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.	
3.7	Reduction in non- hosted short term rental accommodation period	Note applicable. The planning proposal does not apply to land in the Byron Shire Council.	
4	Hazard and risk		
4.1	Acid sulfate soils	Applicable. Consistent. The site is identified as being Class 5 acid sulfate soils. This planning proposal does not seek to intensify the permitted use on the site and is consistent with the direction. The existing acid sulfate soils provisions will not be altered by the planning proposal.	
4.2	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.	

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¹ Sydney Airports, n.d. Airspace protection - Chart 1 - Obstacle Limitation https://www.sydneyairport.com.au/corporate/planning-and-projects/airspace-protection-tile

Planning proposal – Compliance with section 9.1 directions		
Direc	tion	Applicable/comment
4.3	Flood prone land	Applicable. Consistent. This planning proposal does not seek to alter the zoning of the site or permit development that would be inconsistent with the Floodplain Development Manual 2005.
4.4	Planning for bushfire protection	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.
5	Regional planning	
5.1 - 5.9	Strategies 5.1-5.9	Not applicable. These strategies do not apply to the Woollahra LGA.
5.10	Implementation of Regional Plans	Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced. Heritage listing of "Hillcrest", including interiors and garden setting at 780-786 New South Head Road, Rose Bay will provide ongoing protection and recognition of the heritage significance of the item.
		Refer to Schedule 1 of this report and direction 7.1 of this table.
5.11	Development of Aboriginal Land Council land	Not applicable. The planning proposal does not apply to land identified in State Environmental Planning Policy (Aboriginal Land) 2019
6	Local plan making	
6.1	Approval and referral requirements	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
6.2	Reserving land for public purposes	Not applicable. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site specific provisions	Not applicable. The planning proposal does not allow a particular development to be carried out.

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7	Metropolitan Planning	ı
7.1 Implementation of A Metropolis of Three Cities (March 2018)	Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced.	
		Heritage listing of "Hillcrest", including interiors and garden setting at 780-786 New South Head Road, Rose Bay will provide ongoing protection and recognition of the heritage significance of the item.
		Refer to Schedule 1 of this report and direction 5.10 of this table.
7.2 - 7.12	Directions 7.2 – 7.12	Not applicable. These strategies do not apply to the Woollahra LGA.

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Supporting documents (circulated separately)

"Hillcrest", 780-786 New South Head Road, Rose Bay - Heritage Significance Assessment Report prepared by Robert A Moore Pty Ltd Architects and Heritage Consultants, October 2020 (Updated December 2020) and Heritage Inventory Sheet (December 2020).

Report to the Environmental Planning Committee of 2 November 2020

"Hillcrest", 780-786 New South Head Road, Rose Bay Heritage Significance Assessment

Report prepared for Woollahra Municipal Council October 2020 (updated December 2020)



Robert A Moore Pty Ltd Architects and Heritage Consultants Sydney

Copyright

Appendix 1, supporting Section 3 of this report, was prepared by consulting historian Dr. Mark Dunn, commissioned for this report. Historical sources and reference material used in the preparation of this report are acknowledged and referenced accordingly.

Robert A Moore Pty Ltd is acknowledged as the author of this report. Unless otherwise specified or agreed, copyright in intellectual property of this report vest jointly in Robert A Moore Pty Ltd and Woollahra Municipal Council, and in the case of any pre-existing historic source or reference material in the respective owners thereof.

Draft Report: 25th October 2020

Cover image: enlargement of c.1948 aerial photo showing the twin-gabled roof form of "Hillcrest" in centre, with the former mansion "Tivoli", developed into Kambala School, at lower right (Source: SLNSW-Milton Keys Collection Item 32).

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APPENDIX 1

Report of Dr. Mark Dunn

APPENDIX 2

Selected Photographs by the author

1.0 SYNOPSIS

Robert A Moore Pty Ltd (RAM) Heritage Architects and Heritage Consultants have been commissioned by Woollahra Municipal Council (WMC) to prepare a Heritage Significance Assessment (HSA) for the Building known as "Hillcrest", located at 780-786 New South Head Road, Rose Bay. In response to an application to demolish the building, an Interim Heritage Order (Woollahra No. 5) was made by Council under its delegated authority and imposed through Gazettal on 10th July 2020. It requires Council to assess the significance of "Hillcrest" and its worthiness for entry upon Council's LEP list of heritage items, within six months. If listing is to be pursued, it must be achieved within a further six months, before the Order would expire on 10th July 2021.

This HSA has been prepared within a two week period so as to provide the basis for a Council decision on the heritage significance and potential heritage listing of the site on an LEP or on the State Heritage Register (SHR).

The property is not currently included on the NSW State Heritage Register (SHR) nor in the Heritage Schedule of the Woollahra Local Environmental Plan 2014 (LEP 2014). It is not listed by the National Trust of Australia (NSW).

To inform this Heritage Significance Assessment, consulting historian Dr Mark Dunn was commissioned to provide an analysis of the historical development and associations of the building and its site, drawing upon available and accessible source materials, enquiries made by Council's Local History Library, and historical accounts advanced in heritage reports submitted by the applicant. Dr. Dunn's findings appear as Appendix 1 and are summarised in Section 3, but should be read in full.

Section 4 considers the fabric and setting of the building, its condition, integrity and authenticity. **Section 5** reviews comparative assessments and opinions on the building, and briefly considers some comparable properties in support of this assessment's purpose.

Section 6 identifies and evaluates the heritage significance of the building and its site, using the Heritage Significance Assessment Guidelines published by the NSW Heritage Office in 2001¹. The social, archaeological and Aboriginal values of the site have not been assessed. This assessment is also consistent with the relevant principles and guidelines of the Australia ICOMOS Charter for Places of Cultural Significance 2013 (the Burra Charter).²

This assessment concludes that the heritage significance of "Hillcrest" meets the threshold of LOCAL heritage significance. Based upon the evidence available for this assessment, the property is not considered to be of State heritage significance.

¹ NSW Heritage Office 2001, 'Assessing Heritage Significance', a NSW Heritage Manual update, Sydney.

² Australia ICOMOS Inc, The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013, Australia ICOMOS Inc, Burwood, VIC.

Accordingly, within the statutorily defined time limit of the IHO upon the property, Council must determine if it wishes to pursue the inclusion of the property in Schedule 5 of its LEP. This report recommends that it should so do. Additional research should further clarify aspects of the heritage significance of the property. The preparation of a Conservation Management Plan (CMP), or Conservation Strategy (CMS), to guide the building's conservation and ongoing use is recommended.

2.0 BACKGROUND

2.1 Site Identification

"Hillcrest" is located at 780-786 New South Head Road, Rose Bay. The property is legally described as SP 30455. It is located in the Woollahra LGA, and is zoned R3, Medium Density Residential. The building is of rendered brick and stone construction, with a concrete tile roof that replaced the original slate roof. The fabric of the building and changes to it are described in detail in Section 4.0. A site/lot plan is shown at Fig. 2.1.

2.2 Site Use

"Hillcrest", formerly a pair of semi-detached dwellings known as "Dalkey "and "Bianopa", is now a residential flat building of six individual occupancies, with two flats on each level. The surrounding allotments are developed with residential flat buildings of varying scale, style, and numbers of flats.

2.3 Heritage Listings

Statutory

"Hillcrest" is not identified as a local heritage item, nor is it located in a Heritage Conservation Area, on Schedule 5 of the Woollahra Local Environmental Plan 2014 (LEP 2014).

It is not identified as a heritage item on the NSW State Heritage Register (SHR).

Non-statutory

"Hillcrest" is not listed on the NSW National Trust Registerⁱ.

2.4 Heritage in the Vicinity

There are no heritage conservation areas within the immediate vicinity of the subject site listed in the Woollahra LEP 2014 (Refer Figure 2.1). The nearest Woollahra heritage items to the property are, to the south, "Fernleigh Castle" at 5 Fernleigh Gardens, Rose Bay being the mansion house and gardens listed as Item No. 309, and an individually listed Cedar Fig Tree, Item No. 310, within its former grounds at 3 Fernleigh Gardens. To the north of "Hillcrest" is Kambala School, listed as Item No. 325 for its inclusion of "Kambala", formerly the mansion "Tivoli" whose grounds extended over the site of "Hillcrest" and to the harbour, before subdivision. Fig. 2.2 shows the relative location of these properties to "Hillcrest".

2.5 Project Methodology

This HSA has been prepared in accordance with Heritage Significance Assessment Guidelines published by the NSW Heritage Office in 2001.³ It is also consistent with the relevant principles and guidelines of the Australia ICOMOS Charter for Places of Cultural Significance 2013 (the Burra Charter).⁴

The preparation of the HSA has involved the following steps to assess the heritage significance of the site:

- historical research and preparation of an historical overview of the site's development in Section 3.0;
- a site inspection of the property and its context, and of four of its six apartments by the author of this report;
- a detailed consideration of the fabric of the building, and the phases of its construction :
- analysis of available Woollahra Council documentation pertaining to the development of the property;
- an assessment of the heritage significance of the site, consistent with the State Heritage Significance Criteria adopted by the Heritage Council of New South Wales.

2.6 Limitations

This assessment was prepared in a two week period in October 2020. The description and analysis of the site were based on a visual inspection only. No opening up of fabric or of concealed areas was undertaken.

This report does not consider Aboriginal heritage values of the site, nor its potential archaeological heritage, both of which are needed to inform the future development of the site. No social significance consultation or assessment was undertaken as part of this study.

2.7 Author Identification

This report was prepared by Robert Moore, RAM principal. The historical analysis was prepared by Dr Mark Dunn, consulting professional historian.

The author acknowledges the assistance of Kristy Wellfare, Anne White and Chris Bluett of Woollahra Council in providing advice and access to Council documentation and data for the preparation of this report; and to staff of the Local History Centre at Woollahra Library in sourcing the historical information and images which have been used in this report.

¹ Woollahra LEP 2014

² Advice from the National Trust Listings Office

³ NSW Heritage Office 2001, 'Assessing Heritage Significance', a NSW Heritage Manual update, Sydney.

⁴ Australia ICOMOS Inc, The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013, Australia ICOMOS Inc, Burwood, VIC.

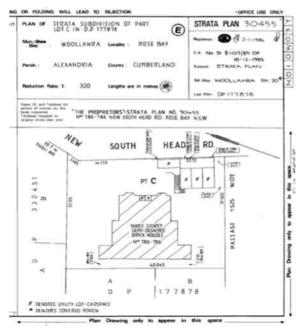


Fig.2.1 Current Hillcrest Site (Lot) Plan – S.P. 30455

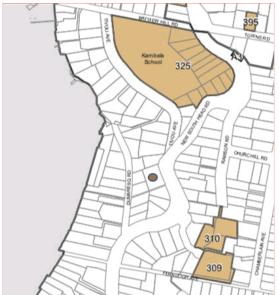


Fig 2.2 : Excerpt from the Woollahra Heritage Map LEP 2014 ; "Hillcrest" marked with red dot

3.0 HISTORICAL DEVELOPMENT OF "HILLCREST"

3.1 Introduction

To support the considerations of this assessment, Dr. Mark Dunn, consulting historian, was tasked to review the historical background presented in the submission documents and Council reports, and review such other material as could be provided by Council's Local History Librarians. The further inquiries suggested by these materials were pursued as possible in the report time frame. Mark's report is set out as Appendix 1, and should be read in full.

3.2 Key dates and events

Key dates and related events, assembled from all sources consulted would appear to be as follows:

- 1881 Morrice (or Maurice) Alexander Black acquires the "Tivoli" Estate, and subdivides, leaving the house with 13 acres.
- 1882 Black commissions Horbury Hunt to extensively remodel "Tivoli".
- 1889 Black subdivides more of the former "Tivoli" Estate, creating Lots 17 & 18 on which the existing building, first known as "Dalkey" and "Bionopa" would later be built.
- 1890 In June1890 Black advertises the sale of two recently completed three storey, semi-detached dwellings, initially named "Dalkey" and "Bianopa", with each house "of special merit in design and comfort, highly finished throughout with no expense spared to render them worthy of the select district". Black dies in August 1890, and his trustees manage the estate.
- 1911 The dwellings are advertised for sale.
- 1915 The dwellings are transferred to Charles Matthews, who before his death in 1919, converts the houses to a total of four flats.
- 1921 Transferred to Thomas Jesson, who re-names it "Hillcrest".
- 1922-23 Jesson converts the basement offices (service spaces) to an additional two flats, one each side of the central dividing wall, using architect A. Lanyon Clark (BA 549/1924).
- c1924 Jesson dies and his widow Clara (with joint tenants) sells to builder Charles Bland.
- 1925 Bland subdivides the property into three lots.
- 1978 The concrete entry bridge is constructed (BA 1208/1978).
- 1985 Converted to strata title (source GBA Heritage). BA for carport (BA 179/1985).

1987- Installation of a swimming pool in the eastern garden beside the basement flat No. 6.

1992 - Conservatory addition to basement flat No. 5.

1998-9 - DAs for a carport and carport roof are also recorded.

2020 - Proposed for demolition (DA/19/2020/1).

3.3 Other views on the property history

The Demolition Report prepared by Zoltan Kovacs Architect as part of the submission to Council in support of the demolition application, presents a largely parallel picture of "Hillcrest's" history. It notes that when constructed, "Dalkey" and "Bianopa" were the only dwellings shown on the 1905 and 1908 plans which supported the offer for sale of lots from the Estate along Dumaresq Road and Bay View Hill Road. These plans and the associated history of the subdivisions support the notion of the property's relative and unusual isolation when built.

In a submission addressing the current DA on behalf of neighbouring owners, GBA Heritage, Heritage Consultants, presents and interprets the same historical facts and related events, but concludes that Hillcrest is of Local Heritage significance, while posing many questions of detail which they consider to require answers. GBA Heritage notes that the property was strata-titled in 1985, but was retained in one ownership at that time. While answers for some of their submissions' queries are already apparent, others remain to be addressed.

Unsurprisingly, in their respective interpretations of the historical facts, the consultants mentioned reach very different interpretations and views of the property's heritage significance, as will be discussed below.

3.4 The emerging historical picture

Presented as a 'marine villa' but unusually built as two attached homes for rental, the building that became "Hillcrest" precedes the more dense development of purpose-built flats in Woollahra that was to gather momentum quickly in the early Twentieth Century. It appears that "Hillcrest" may be an unusual form of a more urban residential development that was not common in its area, nor in the Municipality. In its conversion to flats it was a harbinger of the change that was to sweep the eastern harbour context, as grand estates made way for subdivisions and suburbs, evolving house types and fashions, flat conversions of existing buildings and purposedesigned apartments.

No architect is known to have designed the building, but "Hillcrest" was a pair of grand houses of the nature and stature usually associated with architecturally designed works. Designed "in the round" with care to the detailing of all its elevations, meant to be appreciated in its gardens, the houses must plausibly reflect the tastes and commercial plans of Morrice Alexander Black for his Tivoli Estate, extinguished by his death soon after their completion.

4.0 DESCRIPTION AND FABRIC OF THE BUILDING

4.1 Form and Setting

"Hillcrest" is sited on elevated ground at the transition from Rose Bay to Vaucluse, on the outer side of the curve of New South Head Road. The building is set upon ground below the level of the boundary, footpath and road, upon a platform likely to have been excavated and benched so that it sits into its site. Of its three levels, only the uppermost floor, immediately under its roof, and the gables of the roof itself, are apparent from the frontage and New South Head Road. Its original main floor (now first floor), the ground floor and basement levels, are concealed by the dramatic level change.

The building originally comprised a pair of substantial, semi-detached mansion-residences, each comprised of a ground (or main) floor level with reception rooms; a first floor with bedrooms, and a basement level in which were the kitchens and service areas. Their floor plans were mirror-reversed either side of the central dividing wall, with the central stair of each house placed against the central wall. The later basement modification drawings prepared by A. Lanyon Clark in 1922-23 do not suggest the main stairs continued internally down to the basement kitchens and services, or that there was a separate service stair.

The building was generously sited upon two lots, with both lots originally extending to Dumaresq Street. Subdivision brought the northern boundary closer to the building and later flat buildings stand close across the fence, on these former parts of the "Hillcrest" site. Generous side setbacks allowed for the spacious overall garden setting which the respective dwellings retain, and their architectural design and detail shows the building was clearly designed to present "in the round" – appreciable as a building whose elevations were all considered, and placed within a garden setting allowing all its "sides" to be appreciated.

Both side gardens appear to retain some older planting and structural elements, though each has been internally divided (close to the house) with timber fences to establish more private courtyards. Notably the side gardens provide verdant outlooks for both the residents and neighbours.

The street frontage retains most of the (likely-original) iron palisade fence with masonry base and modelled, elaborately piered stone entry gates at each side boundary corner. Stone steps which would have led down to the front entries at each side, are now disused. The central section of the fence has been replaced through the provision of a concrete entrance bridge, spanning across to former balconies, now the front entries to the upper most flats Nos. 1 (west) and 2 (east). The 1948 aerial photograph (see cover image) shows a central, post- supported entry bridge, possibly of timber construction, with the palisade to the left of the bridge still intact with palms in the garden. This bridge has been replaced with the current concrete bridge, and a large, concrete, open car standing bay has been built to its west, with a lattice-enclosed storage area beneath.

With the subdivision of its original curtilage and the development of Inter-War flats and houses in its vicinity, "Hillcrest" is apparent as an unusual survivor of the earlier development of its locality, older in style and set in what are now unusually

expansive gardens which complement the building while lending to the setting and amenity of its neighbours.

4.2 Design and Construction

The building itself is of rendered brick and masonry construction, originally with a slate roof, now replaced with concrete tile cladding. Stylistically, the building combines Victorian period,

Italianate Revival features popular in the latter half of the Nineteenth Century, with references to the later Queen Anne Revival, Aesthetic Movement fashion. This eclecticism emerged during the 1880s and presaged the still-later Edwardian-Federation and Arts-and-Crafts styles, with exposed brickwork and timber detailing and trim. In Sydney, the work of the Blacket and Mansfield families of architects personify the former Revival styles, while that of Horbury Hunt – engaged by Black for the rebuild of "Tivoli", exemplifies the latter.

The whole form and arrangement of "Hillcrest" is that of two dwellings, symmetrical about the central dividing wall. The roof presents pitched faces to all sides with a common ridge line circumscribing an internal roof flat. Gables above the projecting bays on the street frontage emphasize the two dwellings, with a particularly distinctive touch in the curve-braced and spindled timber joinery gable screens. A centreline-placed, end-on shared chimney adds to the effect. The front bays also feature typically Victorian, half-hexagonal bay windows, common to the ground and first floors, enhancing the space and light of the front south-facing rooms.

To each side, a hip-roofed lateral projection carries out the interiors of the principal rooms to each floor, and allows each house a square, arcaded porch at ground level, with balustered parapet and extending the themes of the arches and enclosing masonry balustrades of the balconies to front and rear. The north elevation of the house, facing and opening to the Harbour, features a grand, full width, arcaded ground floor veranda - its arches supported on fine cast iron columns - surmounted by a lighter veranda of squarish line with lighter iron columns to the first floor bedrooms. The circular arches and substantial columns of this manner were occasionally described in the day as "Romanesque" references. The layering of verandahs significantly enhances the grandeur and "marine villa" allusions of the dwellings.

The elevations to the upper residential floors of the house are mock-ashlar scribed render into which vertically proportioned timber sash windows are set. The wall surfaces are enlivened and weighted by string courses and sill mouldings which are reflected in the eaves above by bracketed eaves consoles and heavy moulded trim. The basement level of the house is emphasized with finely wrought, grooved rustication of its wall surfaces. The overall impression is of considered, substantial, quality detailing, and a building designed with regard to all its sides.

At the northwest and northeast corners of the building are found more recent basement level additions to the flats Nos. 5 and 6 – hipped roof, masonry walled additions providing new kitchens and living areas, accompanying the upgrade in fitout of this level. A further timber framed and glazed "conservatory" addition has been made to flat No 5.

4.3 Interiors

The interiors of the original semi-detached dwellings appear to have been conventionally laid out on each floor and their construction featured set-plastered masonry walls, plaster ceilings, timber-boarded floors and extensive timber joinery with substantial quality mouldings to door cases and window trim. The conversion of the ground floor and first floor rooms to flats have involved the replacement or concealment of some wall and ceiling surfaces. While some cornices and trim have been replaced, significant original elements do remain, as in the unusual "gothic" staff mould details of some arches and external corner mouldings. The joinery, a combination of original and new elements, is now painted. Important surviving internal fittings include some original fireplaces of distinctive design character.

Each floor of each dwelling has been converted to a separate flat and this entailed the removal of the staircases, whose lines faintly remain (in some locations) on the plastered wall surfaces to which they were attached. At each of the main levels, the emptied stair hall spaces were taken up by new bathrooms or bathroom-laundries, generally placed against or extending the central room (now bedroom) walls. Kitchens have been intelligently inserted into auxiliary bays or former box rooms at the northern end, and en-suite bathrooms inserted into the bedrooms. Their fit-outs reflect ongoing upgrades of the individual flats, to their owners' tastes. Within the basement level, the former kitchens and service spaces have been liberally adapted to create flats commensurate with the stature and context of the property. The extent of internal change is such that interpretation of the ways in which the spaces and connections of the level have been changed is only possible through reference to early floor plans.

4.4 Condition

Overall the building appears externally to be in a sound, well managed and maintained condition. Some minor localised deterioration of areas of masonry and render is evident, as is the deterioration of some of the metal columns to the porches and balconies/verandahs. One column to the north-west corner of the building has been replaced in a temporary manner by a modern steel section post. The western porch at ground level has been part-enclosed with a pragmatically fitted sheet of clear corrugated synthetic roofing. Service conduits, and some plant items such as small air conditioning units are attached to external walls in an ad-hoc manner. Typically of such buildings, there are insubstantial accretions which could be removed.

Fencing which delineates the individual flat outdoor areas is in mostly sound condition. The enclosed storage area under the car parking hardstand is somewhat informal in presentation, and hard landscape elements of the grounds and gardens, and the extensive planting, appear to require extensive maintenance. Pathways and retaining wall structures may require attention.

Sections of the front boundary iron and masonry palisade fence have been destabilized and enveloped by tree growth.

Internally, from the inspection of the five flats conducted for this report's purpose, the interiors are presented in a variously sound condition, ranging from well-presented,

to high quality condition. Fitments and internal finishes are in good to excellent order and obviously maintained to good/high standards.

4.5 Integrity

The exterior form of "Hillcrest" is essentially intact, with legible changes having been made in the concrete entry bridge and the parking 'carport', with impacts on the original palisade fence.

At basement level, interpretable additions have been made to the NE and NW corners. Its roof cladding has been changed, but its roof form remains.

The curtilage of the building has been altered through subdivision and its setting by the subsequent development of those sites, but the building's side setbacks and their garden space have been retained, and they support key enduring aspects of its presentation and character. Their spaciousness and planting make the property distinctive in its now developed context. The building retains some view lines to the harbour, and can still be seen from the harbour.

Internally, through its conversion the building has lost some of its internal integrity, but the floor plans of its principal levels are still readily understood, and supported by retained spaces and architectural detail of interest. Its bathrooms and kitchens are consistent with its change of use.

In short, the relative integrity of "Hillcrest" both supports and emphasises the understanding of its fabric and development history.

5.0 COMPARATIVE ANALYSIS

5.1 Relevant comparisons

An exhaustive comparative consideration of "Hillcrest" has not been possible within the two-week time frame for the preparation of this report, but a preliminary consideration is possible, having regard to the building's typology, style, date and the condition and integrity it manifests.

A comparative analysis has been provided by Zoltan Kovacs in support of the application, and the submission by GBA Heritage has responded to this.

5.2 The Kovacs and GBA observations

From a consideration of examples noted as not being comprehensive, the Kovacs analysis concludes that "Hillcrest" is not rare in the municipality, nor representative of the Queen Anne Style. However, as commented by GBA, only two of the properties suggested by Kovacs as comparable are two storey semi-detached pairs of dwellings, and these are stylistically quite dramatically different to "Hillcrest". To this observation it must be comment that these examples appear to have been developed in contextually different circumstances to "Hillcrest", and are not directly comparable or relevant.

GBA differ with Kovacs on "Hillcrest's" satisfaction of Criteria F (Rarity). To the GBA observations must be added that the setting, the design context and physical context of the nominated comparisons are also dramatically different.

5.3 Reconsidering comparisons

No genuinely comparable example of a semi-detached, Victorian period pair of dwellings is advanced within the Kovacs Comparative Analysis which supports the proposed demolition of "Hillcrest". The only examples amongst those nominated which might be considered as contemporaneous with "Hillcrest" and which qualify as 'marine villas', are "Tivoli" and "Fernleigh Castle". Both are large single dwelling mansions.

Comparisons for "Hillcrest" may be seen in other suburbs (and municipalities) where contemporaneous examples may be found. In parts of Potts Point, in Randwick and Annandale, grand two-storey semi-detached pairs of dwellings can be cited, but none are "marine villas". Examples would include pairs of houses in Annandale, developed by John Young, eg., "Agincourt", Nos. 13-15 Collins Street, Annandale, which is heritage listed by Inner West (formerly Leichhardt) Council, and semi-detached houses within Potts Point e.g., "Highclere" and "Romney Hall", Nos. 25-27 Challis Avenue, Potts Point, listed by the City of Sydney. Of these the Potts Point properties are the most comparable, being an impressive Italianate style semi-detached pair of three storey houses, originally built as "Banyulu" and Pezilla" c.1890 and converted to flats in 1919. See Figs. 5.1 and 5.2 which follow.

These properties do not appear to be as pivotal in the history and development of their locality as "Hillcrest" appears to be. Neither are "marine villas", nor are they designed in the round, to be appreciated in their complete settings. Both provided substantial homes intended for occupation by people of considerable means. 25-27 Challis Avenue were converted to flats at a similar date to "Hillcrest" and have continued in residential use, or as medical rooms. Both are heritage listed.



Fig. 5.1:13-15 Collins Street Annandale (NSW Heritage Database)



Fig. 5.2: 25-27 Challis Avenue, Potts Point (NSW Heritage Database)

6.0 HERITAGE SIGNIFICANCE ASSESSMENT

6.1 Introduction

The Burra Charter defines cultural significance as 'aesthetic, historic, scientific, social or spiritual value for the past, present or future generations'. Cultural significance is embodied in the place itself, its fabric, its setting, its use, associations, meanings, related places and objects.

The assessment of heritage significance identifies whether a place (or element of a place) may be considered important and valuable to the community. A place may also have a range of values important to different individuals or groups, within different communities.

The terms 'cultural significance', 'heritage value' and 'heritage significance' are synonymous, interchangeably used in practice generally and in Australia by organisations such as the NSW Heritage Council, NSW Heritage and the National Trust of Australia (NSW).

6.2 Heritage Significance Assessment New South Wales Heritage Assessment Guidelines

The NSW Heritage Manual guidelines, prepared by the then NSW Heritage Office and Department of Urban Affairs and Planning, provide the key framework for the assessment of significance, and preparation of a Statement of Significance. The guidelines employ and build upon the essential values of cultural heritage identified in the Burra Charter and comprise the framework and perspective which are accepted as the required format by administering heritage authorities in NSW. Five specific values are enunciated and two comparative heads of consideration are identified in the guidelines:

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).

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 NSW (or the cultural or natural history of the local area).

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

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

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).

Two further qualifiers are applied:

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).

An item is important in demonstrating the principal characteristics of a class of

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

An item is considered significant if it can be demonstrated to meet the inclusion guidelines set against each criterion. Inclusion and exclusion guidelines help to perceive qualities which might be difficult to discern and prioritize in assessment and evaluation, and which might emerge to qualify or disqualify a place from support as significant. In the tabulated set out of the inclusion and exclusion guidelines below, the relevant considerations for "Hillcrest" are shown in bold letters.

6.3 Assessment

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).

"Hillcrest" is demonstrably part of the first phase of closer settlement in the Rose Bay area, in which the larger estates of the gentry were subdivided for the development of substantial homes. This was closely followed by the pattern of more intense flat development upon increasingly more closely divided lands. "Hillcrest" is a marker of transition in its locality, unusually a pair of grand, semi-detached houses while still a "marine villa", reflecting the ambitions and harbour associations evident in its neighbours. It survives to demonstrate that short period of development in which the

burgeoning city, improving access and the demands for housing drove across the landscaped settings of homes built by Sydney's wealthy elite (and entrepreneurs).

Gu	uidelines for Inclusion	Guidelines for Exclusion	
•	Shows evidence of a significant human activity.	Has incidental or unsubstantiated connections with historically important	
•	Is associated with a significant activity or historical phase.	activities or processes. • Provides evidence of activities or processes	
•	Maintains or shows the continuity of a historical process or activity.	 that are of dubious historical importance. Has been so altered that it can no longer provide evidence of a particular association. 	

"Hillcrest" is considered to meet the thresholds for local significance against Criterion (a). It is not considered to demonstrate a State level of significance against this criterion.

Criterion (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 NSW (or the cultural or natural history of the local area).

"Hillcrest" is most directly associated with Morrice (Maurice) Alexander Black, whose estate trustees sold the just-completed building after Black's death. The Scottishborn, 'head-hunted' actuary of the AMP, Black acquired the "Tivoli" estate in 1881-named thus by the original grant recipient of the land, Samuel Breakwell, and formerly the site of the house built upon the land by Capt. William Dumaresq in 1840. In 1882 Black was elected to Woollahra Council as the alderman for Bellevue Hill. On construction "Dalkey" and "Bionopa" became the near neighbours of Black's Horbury Hunt designed mansion "Tivoli", built upon the existing earlier house in 1882.

These names and milestones revolving around the history of the building are important associations and support arguments for its pivotal role and marker-presence in the development of its locality across the Nineteenth and Twentieth Centuries.

Guidelines for Inclusion	Guidelines for Exclusion	
 Shows evidence of a significant human occupation. Is associated with a significant event, person, or group of persons. 	 Has incidental or unsubstantiated connections with historically important people or events. 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. 	

"Hillcrest" is considered to meet the thresholds for Local Significance within the Woollahra LGA against Criterion (b). It is not considered to demonstrate a State level of significance against this criterion.

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).

"Hillcrest" is a striking, impressive, Late Victorian period pair of semi-detached residences, unusually (in its context) built for rental and capitalising upon the potential of its site to present as a "marine villa". Substantially built and ambitious in both architectural terms and aesthetic character, the building retains the capacity to demonstrate its story of aspirational design, development and evolving occupation, despite the building having had its site more closely subdivided and the development of its once-open surroundings. Complemented by its gardened side setbacks, which were central to its prestigious presentation, which have survived to provide a complementary setting for the building, and which emphasise its presence in its densely developed context, "Hillcrest" is a remarkable survivor which demonstrates its story.

Its exteriors are still markedly intact and capable of enhancement to support its continued use, as are its interiors, which have sustained various changes in the building's conversion to flats, but remain significant in their capacity to demonstrate the building's story and heritage importance.

Guidelines for Inclusion		Gui	Guidelines for Exclusion	
•	Shows or is associated with creative or technical innovation or achievement.	:	Is not a major work by an important designer or artist. Has lost its design or technical integrity.	
•	Is the inspiration for a creative or technical innovation or achievement.		Its positive visual or sensory appeal or landmark as scenic qualities have been more than temporarily	
•	Is aesthetically distinctive.	degraded.	,	
•	Has landmark qualities.	•	Has only a loose association with a creative or	
•	Exemplifies a particular taste, style or technology.		technical achievement.	

"Hillcrest" is considered to meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (c). Aesthetically distinctive, a landmark in both the physical and temporal sense, "Hillcrest" is a strong statement of taste, style, and concept. However, it is not considered to demonstrate a State level of significance against this criterion.

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.

While no special advocacy has emerged in support of the building, for spiritual or natural history reasons within the short time frame of this assessment report, the proposed demolition of "Hillcrest" has elicited a strong response from neighbours and nearby residents who have made submissions to Council in opposition to the proposed demolition. The community perception of heritage value in the building, together with its contribution to the amenity and understanding of the local area's history, have in this way, been communicated to Council in opposition to its proposed loss. While not conclusive evidence of "social significance", this supports the likelihood of further investigation establishing a relevant degree of social value.

Guidelines for Inclusion		Guidelines for Exclusion	
•	Is important for its associations with an identifiable group.	•	Is only important to the community for amenity reasons.
•	Is important to a community's sense of	•	Is retained
	place.	•	only in preference to a proposed alternative.

"Hillcrest" may meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (d), on further specific investigation. It is not considered to demonstrate a State level of significance against this criterion.

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

"Hillcrest" may have a potential local significance against this criterion, as a "reference site" of its type, through its pivotal place in the local history in which it is prominent. However, more enquiry would be necessary to confirm this value.

Guidelines for Inclusion	Guidelines for Exclusion
Has potential to yield new or further	The knowledge gained would be irrelevant to
substantial scientific and/or archaeological	research on science, human history or culture.
information.	Has little archaeological or research potential.
Is an important benchmark or reference site, or type.	Only contains information that is readily available from other resources or archaeological sites.
Provides evidence of past human cultures that is unavailable elsewhere.	

"Hillcrest" may be proven to meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (e), particularly as a "benchmark, reference example of its type". It is not considered to potentially demonstrate a State level of significance against this criterion.

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)

Within its local area, and within the Woollahra LGA, "Hillcrest" appears to be a rare and unusual example of its type – a substantial pair of semi-detached residences, built for rental as prestigious, aspirational homes presented as a harbourside "marine villa". It is also a building of unusual historical prominence in the development of its locality, in which it remains a prominent marker of historical development processes.

Gu	idelines for Inclusion	Guidelines for Exclusion
•	Provides evidence of a defunct custom, way of life or process.	Is not rare. Is numerous but under threat.
•	Demonstrates a process, custom or other human activity that is in danger of being lost.	
•	Shows unusually accurate evidence of a significant human activity.	
•	Is the only example of its type.	
٠	Demonstrates designs or techniques of exceptional interest.	
•	Shows rare evidence of a significant human activity important to a community.	
		40

16

"Hillcrest" is considered to meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (f). It is a curious, distinctive example of the "marine villa" which figured prominently in the development of harbourside lands, but for a short period. It is not considered to demonstrate a State level of significance against this criterion.

Criterion (g) – An item is important in demonstrating the principal characteristics of a class of NSW's (or a class of the local area's) cultural or natural places; or cultural or natural environments.

"Hillcrest" is an unusual, representative exemplar of its type within its local area and the Woollahra LGA, being important not only for its rarity, but also for its related illustration of the course and pattern of development of local history, relative integrity and authenticity, and relationship with its setting. The retention of this capacity to demonstrate its unusual nature and design, as well as its place in local history, makes the building distinctive within the municipality.

Guidelines for Inclusion	Guidelines for Exclusion
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, technique 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.	

"Hillcrest" is considered to meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (g). It is not considered to demonstrate a State level of significance against this criterion.

6.4 Assessment Conclusions

It is concluded after this assessment that against the NSW Heritage Assessment Criteria, "Hillcrest" must be considered an Item of Local Heritage Significance, both worthy and appropriate for inclusion as such upon Schedule 5 of the Woollahra LEP. Its historic and aesthetic importance, together with its associational values in the local context, merit its inclusion, and are supported by the retained integrity of the building and its interiors, notwithstanding the alterations made internally in its conversion from semi-detached houses to apartments. The retention of its original front and side setbacks, and the gardens therein, support in particular its historic and aesthetic values, and contribute to its landmark and streetscape importance.

In Woollahra, it is a "milestone" building illustrating important phases in the development of its locality and the municipality in general. With further investigation, it may prove to have a degree of social significance, against Criterion (d), and a scientific/investigative value emanating from its potential capacity to sustain enquiry about its history, design, and type of building.

Its qualities are not however, considered to merit its consideration, or nomination to the NSW state government, as an item of State significance.

Continuing documentary research into the building's development at a key period within Woollahra may enhance the understanding of its comprehensive significance, and its capacity to demonstrate what can already be appreciated through its story.

6.5 Statement of Significance

"Hillcrest", No.780-786 New South Head Road, Rose Bay, is the residential flat building built c.1890 as a pair of semi-detached dwellings originally known as "Dalkey" and "Bionopa", and converted to six flats in the early 1900s. It is of Local heritage significance within the Municipality of Woollahra for its historic, aesthetic, and associative values, particularly within the Rose Bay locality. Within its locality and LGA context it also demonstrates a rarity of its type, design, and developmental history and context, supported by its relative integrity.

Built by the prominent businessman and local alderman Morrice Alexander Black, the building was the first to be built in the lands subdivided in 1889 from Black's "Tivoli" Estate. Adopting an urban form of semi-detached dwellings, usually seen in more closely developed city and urban streets, the building took advantage of its harbourside site to present as a prestigious "marine villa" set in complementary gardens like its earlier grand but distant neighbours. However, in the context of increasingly closer subdivision and greater densities, with purpose-designed flat buildings becoming the first-builds on surrounding lots, the two aesthetically designed, Victorian Italianate semi-detached houses became four and later, six flats - sold and successively owned by investors.

Renamed "Hillcrest", the building remains significantly intact despite its adaptive reuse, and retains key dimensions and qualities of its original spacious garden setting, to maintain its historic and aesthetic contextual significance. "Hillcrest" contributes distinctively to the locality in which it is a landmark and an interpretable milestone of evolving development.

7.0 RECOMMENDATIONS

The assessment of the heritage significance of "Hillcrest", comprising the house, its interiors, and garden setting, concludes that the property as a whole meets the threshold of LOCAL heritage significance and should be listed as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014. The property is not considered to be of State heritage significance, or likely to be so found.

The heritage significance assessment concluded that the property meets the threshold for heritage listing on historical, associational, and aesthetic values, and that it is rare, representative of a type of dwelling – the "marine villa" - once fashionable and important in the development of Sydney's harbourside lands and later, suburbs. Such houses are uncommon on a local level. Further research and analysis may also confirm that social, research and rarity values are present – but no testing has been conducted to date. The history of the building and its setting, the physical fabric of its construction, combined with the documentary evidence found thus far, together illuminate its construction, development, and its heritage significance.

As a large property in a densely occupied, redeveloping part of Sydney, it has come under pressure for redevelopment. Unless its significance is protected by heritage listing and/or development controls, such pressure will continue to arise. The care and ongoing use of the property will require sensitive consideration of its identified values and their consequences in the planning of a strategy for its deserved conservation. The Heritage Significance Assessment provides the necessary basis on which to plan appropriate heritage outcomes. In due course, a Conservation Management Document is to be prepared for the site to guide its ongoing conservation and any future adaptive reuse.

APPENDIX 1:

Report of Dr. Mark Dunn

Hillcrest 780-786 New South Head Road

Occupation history

First Land Grant and subsequent ownership

In August 1812, Samuel Breakwell, a free emigrant to Sydney was granted 60 acres of land in what would become Rose Bay overlooking the harbour. He named his estate Tivoli after his birthplace in Ireland. Breakwell had arrived free in 1802, and until 1812 served as the valet of former Sherriff of Cork, Sir Henry Browne Hayes. Hayes, a prominent and wealthy citizen of Cork had been tried for abducting an heiress in Ireland and transported to Sydney for life in 1802. In Sydney, Governor King allowed him to purchase land at South Head and establish a farm, which he named Vaucluse. In 1812 Hayes was awarded a full pardon, sold his Vaucluse estate and returned to Ireland. Breakwell, having secured his Tivoli estate left Sydney in company with Hayes, with both men returning to Ireland and settling back in Cork. Breakwell's Tivoli Estate in Sydney remained undeveloped until 1830 when Adam Hayes, the nephew of Sir Henry Hayes, was given the Power of Attorney to sell both the Tivoli estates, which was sold to Thomas Horton James of Sydney. Horton soon subdivided and sold the estate, with an 18 acre portion being purchased by Captain William John Dumaresq. In 1842, Dumaresq built his house which he named Tivoli, the first building to be erected on the estate. Dumaresg, the brotherin-law to Governor Ralph Darling, had arrived in New South Wales with his regiment in 1825. He was granted land in the Hunter Valley, which he named St Aubins close to his brother Henry's grant (who was Darling's private secretary). Dumaresq was provisionally appointed as civil engineer, inspector of roads and bridges and later recommended by Darling to be assistant surveyor-general, although none of these appointments were confirmed by the British Government. In 1829 Dumaresq retired from public life to his St Aubins estate until the purchase of Tivoli. After the construction of his Sydney residence, Dumaresq lived at Tivoli, representing the Hunter Valley in the Legislative Assembly until 1856. With his wife's death at Tivoli in 1866, Dumaresq moved to live with his daughter in Queensland until his death in 1868, whereupon the Tivoli house and land transferred to his son William.iii In 1881 the Tivoli Estate was transferred to Maurice Alexander Black, an actuary of the Australian Mutual Provident Society (AMP). Black had arrived in Sydney from Scotland with his wife and four children, plus maid, in 1868 to take up his position with AMP. iv In 1881 Black subdivided part of the Tivoli Estate, leaving the main house surrounded by 13 acres, and the following year he replaced the original house with a new dwelling designed by John Horbury Hunt. In 1882 Black was also elected to the Woollahra Municipal Council as an Alderman for the Bellevue Ward.^v

Hillcrest House

In 1889 Black subdivided more of the estate, creating Lots 17 & 18 upon which Hillcrest would eventually be built. At the time, Black retained ownership of part of the estate including Lots 17 & 18. In June 1890, Black advertised the sale of two new semi-detached residences just completed on part of the Tivoli estate, with views over the harbour below. The new dwellings were described as being built of brick on concrete, with slate roofs and spacious throughout. The basement of each including a hall passage, kitchen, scullery, washhouse, storeroom, wine cupboard, lift space, pantry, servants room and was connected to the city water and gas supply. On the ground floor was a verandah, porch, hall, drawing room, dining room, library, alcove and hat stand recess, while the first floor of each had 3 bedrooms, a fourth small bedroom, linen press and balcony. The advertising noted the proximity of both the

omnbus and the ferry wharf, while noting that each house was of special merit in design and comfort, highly finished throughout with no expense spared. The two adjoining houses were named *Dalkey* and *Bianopa*.

In August 1890, before the sale could be completed on either of the new semi-detached dwellings, Black died and what remained of the Tivoli estate was managed by his Trustees. In a suburb that was developing a reputation as an area of large, exclusive houses, the two new semi-detached dwellings were perhaps unusual for the time in that they were built to rent. *Bianopa* was leased to Alfred Matchem Jenkins and his three daughters and *Dalkey* to Jonathon Leaver. Although a number of tenants were listed as occupying *Dalkey*, the Jenkins sisters remained in *Bianopa* after the death of their father in 1909 until at least 1915. Vii

In 1911 the two houses were advertised for sale, although neither sold until they were transferred to Charles Matthews in 1915. A notice for the proposed sale in November 1911 in the *Sydney Morning Herald* described the building as being 2 semi-detached residences with rendered cement brick walls and slate roofs, each containing 7 rooms plus offices and balconies and having frontage to New South Head Road and Dumaresq St. Matthews converted the two dwellings into flats before he died in August 1919. His estate placed the building on the market the following year in October 1920. Once again newspaper descriptions were published for prospective buyers. The two semi-detached dwellings were described as being substantial buildings of brick, each comprising 4 up-to-date residential flats with hall, kitchen, living-room, bathroom with porcelain bath and basin, two bedrooms and all modern conveniences. They each had a sub-basement area that could be converted to an extra flat and would make ideal residential flat investment properties. It was likely at this time that a short entrance bridge was built to give access to the top floor flats from New South Head Road.

Between 1920 and 1924, the property was transferred four times, first to Harold Kent in July 1920, then Solomon Oppenheim in December 1920, then to Thomas Jesson in 1921. Jesson renamed the building to *Hillcrest* and in 1923 converted the subbasement areas of each into single bedroom flats. When Jesson died in c1924, the property was transferred to his widow Clara as a joint tenant with two others before being sold once more to the builder Charles Bland. Bland subdivided the remaining land into three allotments in 1925.^x

For the remainder of the Twentieth Century and until recent years, Hillcrest has continued to be largely leased to tenants, going through a series of owners during the period. More recent changes to the property include the installation of a pool in 1987, the addition of a conservatory to Flat 5 in 1992, which was later converted to a kitchen and the erection of a carport in 1998-1999.xi

DELIGHTFUL BOSE BAY.

TWO EXCEPTIONALLY well-built and attractive RESIDENCES on part of the celebrated TIVOLI ESTATE, near the residences of M. A. Black and C. Bennett, Esquires.

The SITE simply told is one of those lovely spots only procurable at this matchless part of our pretty harbour;
indeed, inspection alone will convey to a visitor the
remarkable beauty of the scenery on water and land
viewable from the

TWO SEMI-DETACHED RESIDENCES,
which are built of brick, on best concrete, slate roofs.
They are spacious, and each contains
GROUND FLOOR—Verandah, porch, hall, drawing-room,
dining-room, library, alcove, recess, and hat-stand
recess.

FIRST FLOOR-\$ bedrooms, small ditto, bathroom,

FIRST FLOOR—3 bedrooms, small ditto, bathroom, linen press. balcony.

BaSEMENT—Hall passage, kitchen, scullery, washhouse, storeroom, wine cupboard, lift space, pantry, servants' room, city water and gas.

The regular steamers' wharf is only a few minutes' walk from them. Omnibuses pass frequently every day, and the read to city affords a charming drive.

LAND has 135ft. 2in. frontage to main south Head-road, depth lines varying from 280ft. to 186ft.

These Houses are of special merit in design and comfort, built in a faithful manner and highly finished throughout, no expense being spared to render them worthy of the select district.

ICHARDSON and WRENCH, Limited, be received instructions to sell by auction at the Root

Figure 1: The advertisement placed in the Sydney Morning Herald for the sale of two new semi-detached residences on the Tivoli estate of Maurice Black in June 1890 (Source: SMH 28 June 1890)

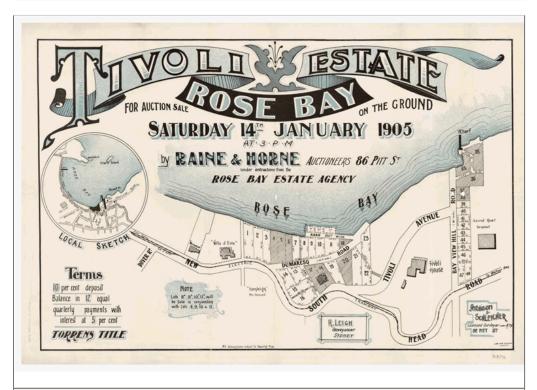


Figure 2: 1905 subdivision plan of the Tivoli Estate, Rose Bay. This plan shows Hillcrest when it was still two separate dwellings-Dalkey and Bianopa on Lots 17 and 18. The plan shows it as one of the earliest buildings constructed on the Tivoli Estate with its position taking full advantage of views back over Rose Bay and the harbour. (Source: SLNSW)

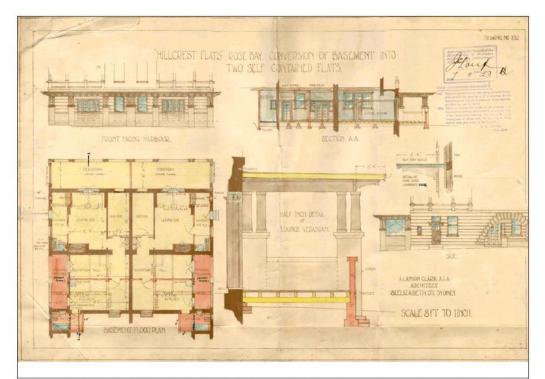


Figure 3: 1923 building application plan for the conversion of the basement area into two individual flats. Dalkey and Bianopa had already been converted into four flats in c1920 and the complex renamed Hillcrest. (Source: Woollahra Municipal Council)



Figure 4: Hillcrest with its front double gable clearly visible in the centre background of this 1959 image. (Source: Woollahra Local Studies Collection)



Figure 5: c1948 aerial photograph showing Hillcrest (arrowed). The entrance bridge is visible and the site now surrounded by inter-war flat development. (Source: SLNSW-Milton Keys Collection Item 32)



Figure 6: 1943 aerial photo showing Hillcrest, with access bridge clearly visible. (Source: SIX Viewer)



Figure 7: c2019 aerial showing Hillcrest. Comparison to Figures 4 and 5 show little to no external change to the building since the 1940s. (Source: SIX Viewer)

ii http://irishwattle.blogspot.com/2010/04/spotlight-on-samuel-breakwell.html

iii http://adb.anu.edu.au/biography/dumaresq-william-john-2239

[™] Shipping Arrivals, *The Empire*, 10 December 1868, p2

^v The Woes of Woollahra, Evening News, 14 August 1889, p.3

vi Sydney Morning Herald, 28 June 1890, p.15

vii 778-780 Local History File, Woollahra Library Local Studies collection

viii Sydney Morning Herald, 4 November 1911, p27

x Sydney Morning Herald, 23 October 1920, p17

^{*} Certificate of Title: Vol 949 Folio 246

xi Woollahra Municipal Council Development Application search

			ITEM DE	TAILS				
Name of Item	"Hillcrest" including interiors and garden setting							
Other Name/s Former Name/s	"Hillcrest Flats", formerly the semi-detached residences "Dalkey" and "Bianopa"							
Item type (if known)	Residential a	apartment b	uilding, adapted	from two s	semi-detached	residences		
Item group (if known)	-							
Item category (if known)	Built							
Area, Group, or Collection Name	-							
Street number	780-786							
Street name	New South I	Head Road						
Suburb/town	Rose Bay					Post	code	2029
Local Government Area/s	Woollahra							
Property description	SP 30455							
Location - Lat/long	Latitude				Longitude			
Location - AMG (if no street address)	Zone		Easting			Northing		
Owner	Private							
Current use	Residential a	apartment b	uilding comprisi	ng six apar	tments			
Former Use	Formerly two	o semi-deta	ched dwellings					
Statement of significance	"Hillcrest", No.780-786 New South Head Road, Rose Bay, is the residential flat building built c.1890 as a pair of semi-detached dwellings originally known as "Dalkey" and "Bionopa", and converted to six flats in the early 1900s. It is of Local heritage significance within the Municipality of Woollahra for its historic, aesthetic, and associative values, particularly within the Rose Bay locality. Within its locality and LGA context it also demonstrates a rarity of its type, design, and developmental history and context, supported by its relative integrity. Built by the prominent businessman and local alderman Morrice Alexander Black, the building was the first to be built in the lands subdivided in 1889 from Black's "Tivoli" Estate. Adopting an urban form of semi-detached dwellings, usually seen in more closely developed city and urban streets, the building took advantage of its harbourside site to present as a prestigious "marine villa" set in complementary gardens like its earlier grand but distant neighbours. However, in the context of increasingly closer subdivision and greater densities, with purpose-designed flat buildings becoming the first-builds on surrounding lots, the two aesthetically designed, Victorian Italianate semi-detached houses became four and later, six flats - sold and successively owned by investors. Renamed "Hillcrest", the building remains significantly intact despite its adaptive re-use, and retains key dimensions and qualities of its original spacious garden setting, to maintain its historic and aesthetic contextual significance. "Hillcrest" contributes distinctively to the locality in which it is a landmark and an interpretable milestone of evolving development.							
Level of Significance	State Local \							

	DESCRIPTION				
Designer	The original architect or designer of the building is as yet, unidentified.				
Builder/ maker	The identity of the builder of "Hillcrest" is as yet unidentified.				
Physical Description	Form and Setting				
	"Hillcrest" is sited on elevated ground at the transition from Rose Bay to Vaucluse, on the outer side of the curve of New South Head Road. The building is set below the level of the boundary, footpath and road, upon a platform likely to have been excavated and benched so that it sits into its site. Of its three levels, only the uppermost floor, immediately under its roof, and the gables of the roof itself, are apparent from the frontage and New South Head Road. Its original main floor, now the "middle" floor, and the basement level, are concealed by the dramatic level change between the street frontage and the site.				
	The building originally comprised a pair of substantial, semi-detached mansion-residences, each comprised of a ground (or main) floor level with reception rooms; a first or upper floor of bedrooms; and a basement level in which were the kitchens and service areas. Their floor plans were mirror-reversed either side of the central dividing wall, with the central stair of each house placed against the central wall, and approached from side entrance porches. The later basement modification drawings prepared by A. Lanyon Clark in 1922-23 do not suggest the main stairs continued internally down to the basement kitchens and services, or that there was a separate service stair.				
	The building was generously sited upon two lots, with both lots originally extending to Dumaresq Street. Subdivision brought the northern boundary closer to the building and later flat buildings stand close across the fence, on these former parts of the "Hillcrest" site. Generous side setbacks allowed for the spacious overall garden setting which the respective dwellings retain, and their architectural design and detail shows the building was clearly designed to present "in the round" – appreciable as a building whose elevations were all considered, and placed within a garden setting allowing all its "sides" to be appreciated.				
	th side gardens appear to retain some older planting and structural elements, though each has en internally divided (close to the house) with timber fences to establish more private courtyards. tably the side gardens provide verdant outlooks for both the residents and neighbours, as well as enduring setting of the building.				
	The street frontage retains most of the (likely-original) iron palisade fence with masonry base and modelled, elaborately piered stone entry gates at each side boundary corner. Stone steps which would have led down to the front entries at each side, are now disused. The central section of the fence has been replaced through the provision of a concrete entrance bridge, spanning across to former balconies, now the front entries to the upper most flats Nos. 1 (west) and 2 (east). The 1948 aerial photograph shows a central, post-supported entry bridge, possibly of timber construction, with the palisade to the left of the bridge still intact, and palms in the garden. This bridge has been replaced with the current concrete bridge, and a large, concrete, open car standing bay has been built to its west, at grade with the footpath, and with a lattice-enclosed storage area beneath.				
	Even with the subdivision of its original curtilage and the development of Inter-War flats and houses in its vicinity, "Hillcrest" is apparent as an unusual survivor of the earlier development of its locality, older in style and set in what are now unusually expansive gardens which complement the building while lending to the setting and amenity of its neighbours.				
	Design and Construction				
	The building itself is of rendered brick and masonry construction, originally with a slate roof, now replaced with concrete tile cladding. Stylistically, the building combines Victorian period, Italianate Revival features popular in the latter half of the Nineteenth Century, with references to the later Queen Anne Revival, Aesthetic Movement fashion. This eclecticism emerged during the 1880s and presaged the still-later Edwardian-Federation and Arts-and-Crafts styles, with exposed brickwork and timber				

detailing and trim. In Sydney, the work of the Blacket and Mansfield families of architects personify the former Revival styles, while that of Horbury Hunt – engaged by Black for the rebuild of "*Tivoli*" - forecasts the latter.

The whole form and arrangement of "Hillcrest" is that of two dwellings, symmetrical about the central dividing wall. The roof presents pitched faces to all sides with a common ridge line circumscribing an internal roof flat. Gables above the projecting bays on the street frontage emphasize the two dwellings, with a particularly distinctive touch in the curve-braced and spindled timber joinery gable screens. A centreline-placed, end-on shared chimney adds to the effect. The front bays also feature typically Victorian, half-hexagonal bay windows, common to the ground and first floors, enhancing the space and light of the front south-facing rooms.

To each side, a hip-roofed lateral projection carries out the interiors of the principal rooms to each floor, and allows each house a square, arcaded porch at ground level, with balustered parapet and extending the themes of the arches and enclosing masonry balustrades of the balconies to front and rear. The north elevation of the house, facing and opening to the Harbour, features a grand, full width, arcaded ground floor veranda - its arches supported on fine, cast iron columns - surmounted by a lighter veranda of squarish line with lighter iron columns to the first floor bedrooms. The circular arches and substantial columns of this manner were occasionally described in the day as "Romanesque" references. The layering of verandahs significantly enhances the grandeur and "marine villa" allusions of the dwellings.

The elevations to the upper residential floors of the house are mock-ashlar scribed render into which vertically proportioned timber sash windows are set. The wall surfaces are enlivened and weighted by string courses and sill mouldings which are reflected in the eaves above by bracketed eaves consoles and heavy moulded trim. The basement level of the house is emphasized with finely wrought, grooved rustication of its wall surfaces. The overall impression is of considered, substantial, quality detailing, and a building designed with regard to all its sides.

At the northwest and northeast corners of the building are found more recent basement level additions to the flats Nos. 5 and 6 – hipped roof, masonry walled additions providing new kitchens and living areas, accompanying the upgrade in fit- out of this level. A further timber framed and glazed "conservatory" addition has been made to flat No 5.

Internally

The building now comprises six flats with two on each level, such that each former dwelling now provides three apartments. The main stair between the mid and upper levels has been removed and bathrooms have been created through part-use of the stair hall and entry hall spaces. With the exception of the basement levels, the mid and upper floors feature identical arrangements with kitchen-living-dining rooms located to the westernmost rooms overlooking the Harbour to the west. The basement levels have seen more free adaptation of their original service spaces than the upper floors of the building, where more of the original floor plans can be interpreted than in the basements.

In their detail and finishes each of the apartments now present differently. On the upper and mid floors, more original detail survives, with ceilings, cornices, mouldings and finely wrought timber mouldings and joinery surviving. Some of these are distinctive, such as the Mediaeval-referenced staff moulds, imitating attached Romanesque/Gothic piers.

Physical condition and Archaeological potential

Condition

Overall the building appears externally to be in a sound, well managed and maintained condition. Some minor localised deterioration of areas of masonry and render is evident, as is the deterioration of some of the metal columns to the porches and balconies/verandahs. One column to the north-west corner of the building has been replaced in a temporary manner by a modern steel section post. The western porch at ground level has been part-enclosed with a pragmatically fitted sheet of clear corrugated synthetic roofing. Service conduits, and some plant items such as small air conditioning units are attached to external walls in an ad-hoc manner. Typically of such buildings, there are insubstantial accretions which could be removed. Paintwork is good but in need of cyclic maintenance attention.

	Fencing which delineates the individual flat outdoor areas is in mostly sound condition. The enclosed storage area under the car parking hardstand is somewhat informal in presentation, and hard landscape elements of the grounds and gardens, and the extensive planting, appear to require extensive maintenance. Pathways and retaining wall structures may require attention. Sections of the front boundary iron and masonry palisade fence have been destabilized and enveloped by tree growth. Internally, from the inspection of the four flats conducted for this assessment, the interiors are presented in a variously sound condition, ranging from well-presented, to high quality, recently-renovated condition. Fitments and internal finishes are in good to excellent order and obviously maintained to good/high standards.					
Construction years	Start year	1889	Finish year	1999 (to date)		
Modifications and dates	Constructed 1889-1890 for Maurice Black, on part of the former <i>Tivoli</i> Estate. Converted to four flats by Charles Matthews in August 1919; the entrance bridge to the top level possibly built in timber as part of these works. Thomas Jesson renames the building "Hillcrest" and converts the basement into single bedroom flats in 1924 (BA549/1924). Charles Bland, builder, resubdivides the property into three lots in 1925. In 1985 the building is strata titled becoming SP 30455. The pool is built in1987. A "conservatory" addition is made to Flat 5 in 1992. The car standing space ("carport") and storage undercroft are added 1998-1999 (BA179/1985)					
Further comments	The construction da	te for the present	concrete entry bridge is y	et to be clarified.		

Historical notes
(prepared by Mark
Dunn)

HIGTORI

First Land Grant and subsequent ownership

In August 1812, Samuel Breakwell, a free emigrant to Sydney was granted 60 acres of land in what would become Rose Bay overlooking the harbour. He named his estate Tivoli after his birthplace in Ireland. Breakwell had arrived free in 1802, and until 1812 served as the valet of former Sherriff of Cork, Sir Henry Browne Hayes. Hayes, a prominent and wealthy citizen of Cork had been tried for abducting an heiress in Ireland and transported to Sydney for life in 1802. In Sydney, Governor King allowed him to purchase land at South Head and establish a farm, which he named Vaucluse. In 1812 Hayes was awarded a full pardon, sold his Vaucluse estate and returned to Ireland. Breakwell, having secured his Tivoli estate left Sydney in company with Hayes, with both men returning to Ireland and settling back in Cork. Breakwell's Tivoli Estate in Sydney remained undeveloped until 1830 when Adam Hayes, the nephew of Sir Henry Hayes, was given the Power of Attorney to sell both the Tivoli estates, which was sold to Thomas Horton James of Sydney.

Horton soon subdivided and sold the estate, with an 18 acre portion being purchased by Captain William John Dumaresq. In 1842, Dumaresq built his house which he named Tivoli, the first building to be erected on the estate. Dumaresq, the brother-in-law to Governor Ralph Darling, had arrived in New South Wales with his regiment in 1825. He was granted land in the Hunter Valley, which he named *St Aubins* close to his brother Henry's grant (who was Darling's private secretary). Dumaresq was provisionally appointed as civil engineer, inspector of roads and bridges and later recommended by Darling to be assistant surveyor-general, although none of these appointments were confirmed by the British Government. In 1829 Dumaresq retired from public life to his St Aubins estate until the purchase of *Tivoli*. After the construction of his Sydney residence, Dumaresq lived at *Tivoli*, representing the Hunter Valley in the Legislative Assembly until 1856. With his wife's death at Tivoli in 1866, Dumaresq moved to live with his daughter in Queensland until his death in 1868, whereupon the *Tivoli* house and land transferred to his son William.

In 1881 the *Tivoli* Estate was transferred to Maurice Alexander Black, an actuary of the Australian Mutual Provident Society (AMP). Black had arrived in Sydney from Scotland with his wife and four children, plus maid, in 1868 to take up his position with AMP. III 1881 Black subdivided part of the *Tivoli* Estate, leaving the main house surrounded by 13 acres, and the following year he replaced the original house with a new dwelling designed by John Horbury Hunt. In 1882 Black was also elected to the Woollahra Municipal Council as an Alderman for the Bellevue Ward. IV

Hillcrest House

In 1889 Black subdivided more of the estate, creating Lots 17 & 18 upon which *Hillcrest* would eventually be built. At the time, Black retained ownership of part of the estate including Lots 17 & 18. In June 1890, Black advertised the sale of two new semi-detached residences just completed on part of the *Tivoli* estate, with views over the harbour below. The new dwellings were described as being built of brick on concrete, with slate roofs and spacious throughout. The basement of each including a hall passage, kitchen, scullery, washhouse, storeroom, wine cupboard, lift space, pantry, servants room and was connected to the city water and gas supply. On the ground floor was a verandah, porch, hall, drawing room, dining room, library, alcove and hat stand recess, while the first floor of each had 3 bedrooms, a fourth small bedroom, linen press and balcony. The advertising noted the proximity of both the omnibus and the ferry wharf, while noting that each house was of special merit in design and comfort, highly finished throughout with no expense spared. The two adjoining houses were named *Dalkey* and *Bianopa*.

In August 1890, before the sale could be completed on either of the new semi-detached dwellings, Black died and what remained of the *Tivoli* estate was managed by his Trustees. In a suburb that was developing a reputation as an area of large, exclusive houses, the two new semi-detached dwellings were perhaps unusual for the time in that they were built to rent. *Bianopa* was leased to Alfred Matchem Jenkins and his three daughters and *Dalkey* to Jonathon Leaver. Although a number of tenants were listed as occupying *Dalkey*, the Jenkins sisters remained in *Bianopa* after the death of their father in 1909 until at least 1915. vi

In 1911 the two houses were advertised for sale, although neither sold until they were transferred to Charles Matthews in 1915. A notice for the proposed sale in November 1911 in the Sydney Morning Herald described the building as being 2 semi-detached residences with rendered cement brick walls and slate roofs, each containing 7 rooms plus offices and balconies and having frontage to New South Head Road and Dumaresq St.vii Matthews converted the two dwellings into flats before he died in August 1919. His estate placed the building on the market the following year in October 1920. Once again newspaper descriptions were published for prospective buyers. The two semi-detached dwellings were described as being substantial buildings of brick, comprising 4 up-to-date residential flats with hall, kitchen, living-room, bathroom with porcelain bath and basin, two bedrooms and all modern conveniences. They each had a sub-basement area that could be converted to an extra flat and would make ideal residential flat investment properties. viii It was likely at this time that a short entrance bridge was built to give access to the top floor flats from New South Head Road. Between 1920 and 1924, the property was transferred four times, first to Harold Kent in July 1920, then Solomon Oppenheim in December 1920, then to Thomas Jesson in 1921. Jesson renamed the building to Hillcrest and in 1923 converted the sub-basement areas of each into single bedroom flats. When Jesson died in c1924, the property was transferred to his widow Clara as a joint tenant with two others before being sold once more to the builder Charles Bland. Bland subdivided the remaining land into three allotments in 1925.ix

For the remainder of the Twentieth Century and until recent years, *Hillcrest* has continued to be largely leased to tenants, going through a series of owners during the period. More recent changes to the property include the installation of a pool in 1987, the addition of a conservatory to Flat 5 in 1992, which was later converted to a kitchen, and the erection of a carport in 1998-1999.*

- ¹ http://irishwattle.blogspot.com/2010/04/spotlight-on-samuel-breakwell.html
- 1 http://adb.anu.edu.au/biography/dumaresq-william-john-2239
- ¹ Shipping Arrivals, The Empire, 10 December 1868, p2
- ¹ The Woes of Woollahra, Evening News, 14 August 1889, p.3
- ¹ Sydney Moming Herald, 28 June 1890, p.15
- ¹ 778-780 Local History File, Woollahra Library Local Studies collection
- ¹ Sydney Morning Herald, 4 November 1911, p27
- ¹ Sydney Morning Herald, 23 October 1920, p17
- ¹ Certificate of Title: Vol 949 Folio 246

Woollahra Municipal Council Development Application search

	THEMES
National	4. Building settlements, towns and cities
historical theme	
State	Towns, suburbs and villages (local)
historical theme	Accommodation (local)

Historical significance SHR criteria (a)	"Hillcrest" is one of the earlier independent residential buildings built in the Rose Bay area - not the centre of a grand estate, but erected upon two generous but smaller sites created in the subdivisions of one of the grand estates – that being "Tivoli". Styled as a "marine villa", a substantial residence erected with prospects to and from the Harbour, the building was unusually built as a pair of semi-detached dwellings, of a high quality, intended for well-to-do occupants. It has survived amidst the more modern dwellings and residential apartment buildings that now characterise its locality, a very individual and unusual part of its history. It survives to demonstrate that short period of development in which the burgeoning city, improving access and the demands for housing drove across the landscaped settings of homes built by Sydney's wealthy elite (and entrepreneurs). "Hillcrest" is considered to have local heritage significance under criterion (a), and is considered to meet all three inclusion guidelines at a local level of significance, not known to have been celebrated or influential at a State level.
Historical association significance SHR criteria (b)	"Hillcrest" is most directly associated with Morrice (Maurice) Alexander Black, whose estate trustees sold the just-completed building after Black's death. The Scottish-born, 'head-hunted' actuary of the AMP, Black acquired the "Tivoli" estate in 1881- named thus by the original grant recipient of the land, Samuel Breakwell, and formerly the site of the house built upon the land by Capt. William Dumaresq in 1840. In 1882 Black was elected to Woollahra Council as the alderman for Bellevue Hill. On construction "Dalkey" and "Bionopa" became the near neighbours of Black's Horbury Hunt designed mansion "Tivoli", built upon the existing earlier house in 1882. Joseph Pearce, who owned "Tivoli" from 1892, occupied "Dalkey" in 1900. These names and milestones revolving around the history of the building are important associations and support arguments for its pivotal role and marker-presence in the development of its locality across the Nineteenth and Twentieth Centuries. It is considered that these associations, particularly with Morrice Black, and the Tivoli Estate and its role in the development of Rose Bay, mean that the house satisfies Criterion (b) for listing at a Local level, but not for State listing.
Aesthetic significance SHR criteria (c)	"Hillcrest" is a striking, impressive, Late Victorian period pair of semi-detached residences, unusually (in its context) built for rental and capitalising upon the potential of its site to present as a "marine villa". Substantially built and ambitious in both architectural terms and aesthetic character, the building retains the capacity to demonstrate its story of aspirational design, development and evolving occupation, despite the building having had its site more closely subdivided and the development of its once-open surroundings. Complemented by its gardened side setbacks, which were central to its prestigious presentation, which have survived to provide a complementary setting for the building, and which emphasise its presence in its densely developed context, "Hillcrest" is a remarkable survivor whose fabric and setting demonstrate its story. Its exteriors are still markedly intact and capable of enhancement to support its continued use, as are its interiors, which have sustained various changes in the building's conversion to flats, but remain significant in their capacity to demonstrate the building's story and heritage importance. "Hillcrest" is considered to meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (c). Aesthetically distinctive, a landmark in both the physical and temporal sense,

	,
	"Hillcrest" is a strong statement of taste, style, and concept. However, it is not considered to demonstrate a State level of significance against this criterion.
Social significance SHR criteria (d)	While no special advocacy has emerged in support of the building for spiritual or natural history reasons, the proposed demolition of "Hillcrest" has elicited a strong response from neighbours and nearby residents who have made submissions to Council in opposition to the proposed demolition. The community perception of heritage value in the building, together with its contribution to the amenity and understanding of the local area's history, have in this way, been communicated to Council in opposition to its proposed loss. While not conclusive evidence of "social significance", this supports the likelihood of further investigation establishing a degree of social value. "Hillcrest" may meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (d), on further specific investigation. It cannot be asserted at this time. It is not considered to demonstrate a State level of significance against this criterion.
Technical/Research significance SHR criteria (e)	"Hillcrest" may have a potential local significance against this criterion, as a "reference site" of its type, through its pivotal place in the local history in which it is prominent. However, more enquiry would be necessary to confirm this value. Its site is unlikely to hold archaeological interest, other than of the building and its garden. Therefore, "Hillcrest" may be proven to meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (e), particularly as a "benchmark, reference example of its type", but it cannot be asserted at this time. It is not considered to potentially demonstrate a State level of significance against this criterion.
Rarity SHR criteria (f)	Within its local area, and within the Woollahra LGA, "Hillcrest" appears to be a rare and unusual example of its type — a substantial pair of semi-detached residences, built for rental as prestigious, aspirational homes presented as a harbourside "marine villa". The building is still visible from the Harbour, and retains its outlook to the Harbour, albeit diminished. It is also a building of unusual historical prominence in the development of its locality, in which it remains a prominent marker of historical development processes.
Representativeness SHR criteria (g)	"Hillcrest" is an unusual, representative exemplar of its type within its local area and the Woollahra LGA, being important not only for its rarity, but also for its related illustration of the course and pattern of development of local history, relative integrity and authenticity, and relationship with its setting. The retention of this capacity to demonstrate its unusual nature and design, as well as its place in local history, makes the building distinctive within the municipality. "Hillcrest" is considered to meet the thresholds for Local Significance within the Woollahra LGA, against Criterion (g). It is not considered to demonstrate a State level of significance against this criterion.
Integrity	The exterior form of "Hillcrest" is essentially intact, with legible changes having been made in the concrete entry bridge and the parking 'carport', with impacts on the original palisade fence. At basement level, interpretable additions have been made to the NE and NW corners. Its roof cladding has been changed, but its roof form remains.
	The curtilage of the building has been altered through subdivision on its harbour side and its setting reduced by the subsequent development of those sites, but the building's side setbacks and their garden space have been retained, and they support key enduring aspects of its presentation and character. Their spaciousness and planting make the property distinctive in its now developed context. The building retains some view lines to the harbour, and can still be seen from the harbour.
	Internally, through its conversion the building has lost some of its interior integrity, but the floor plans of its principal levels are still readily understood, and their significance supported by retained spaces and architectural detail of interest. Its bathrooms and kitchen fit-outs are of various periods, consistent with its evolving use.
	In short, the relative integrity of "Hillcrest" both supports and emphasises the understanding of its fabric and development history. It could be enhanced by future works.

	HERITAGE LISTINGS
Heritage listing/s	nil
	Ott to
	Statutory
	"Hillcrest" is not identified as a local heritage item, nor is it located in a Heritage Conservation Area, on Schedule 5 of the Woollahra Local Environmental Plan 2014 (LEP 2014).
	"Hillcrest" is not identified as a heritage item on the NSW State Heritage Register (SHR).
	Non- statutory
	"Hillcrest" is not listed on the NSW National Trust Register.

INFORMATION SOURCES					
	Include conservation and/or management plans and other heritage studies.				
Туре	Author/Client	Title	Year	Repository	
Heritage Significance Assessment	Robert A Moore Pty Ltd Architects and Heritage Consultants for Woollahra Council	"Hillcrest", 780-786 New South Head Road, Rose Bay ; Heritage Significance Assessment—Draft Report October 2020	2020	Woollahra Council	
	Refer Bibliography attached				

	RECOMMENDATIONS
Recommendations	The assessment of the heritage significance of "Hillcrest", comprising the house, its interiors, and garden setting, concludes that the property as a whole meets the threshold of LOCAL heritage significance and should be listed as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014. The property is not considered to be of State heritage significance, or likely to be so found.
	The heritage significance assessment concluded that the property meets the threshold for heritage listing on historical, associational, and aesthetic values, and that it is rare, representative of a type of dwelling – the "marine villa" - once fashionable and important in the development of Sydney's harbourside lands and later, suburbs. Such houses are uncommon on a local level. Further research and analysis may also confirm that social, research and rarity values are present – but no testing has been conducted to date. The history of the building and its setting, the physical fabric of its construction, combined with the documentary evidence found thus far, together illuminate its construction, development, and its heritage significance.
	As a large property in a densely occupied, redeveloping part of Sydney, it has come under pressure for redevelopment. Unless its significance is protected by heritage listing and/or development controls, such pressure will continue to arise. The care and ongoing use of the property will require sensitive consideration of its identified values and their consequences in the planning of a strategy for its deserved conservation. The Heritage Significance Assessment provides the necessary basis on which to plan appropriate heritage outcomes. In due course, a Conservation Management Document is to be prepared for the site to guide its ongoing conservation and any future adaptive reuse.

SOURCE OF THIS INFORMATION						
Name of study or report	—Heritage Significance Assessment—Draft Report February 2018	Year of s	•	2020		
Item number in study or report	N/A					
Author of study or report						
Inspected by	Inspected by Robert Moore (Robert A Moore Pty Ltd), Kristy Wellfare (Woollahra Municipal Council)					
NSW Heritage Manual guidelines used? Yes No			No 🗌			
This form completed by	Robert Allan Moore Robert A Moore Architects and Heritage Consultants	Date November 2020				

i http://irishwattle.blogspot.com/2010/04/spotlight-on-samuel-breakwell.html

ii http://adb.anu.edu.au/biography/dumaresq-william-john-2239

iii Shipping Arrivals, The Empire, 10 December 1868, p2

iv The Woes of Woollahra, Evening News, 14 August 1889, p.3

V Sydney Morning Herald, 28 June 1890, p.15

vi 778-780 Local History File, Woollahra Library Local Studies collection

vii Sydney Morning Herald, 4 November 1911, p27

viii Sydney Morning Herald, 23 October 1920, p17

ix Certificate of Title: Vol 949 Folio 246

^{*} Woollahra Municipal Council Development Application search

Image caption	Enlargement of c.1948 aerial photo showing the twin-gabled roof form of "Hillcrest" in centre, with the former mansion "Tivoli", developed into Kambala School, at lower right.				
Image year	c.1948	Image by	SLNSW-Milton Keys Collection Item 32	Image copyright holder	SLNSW

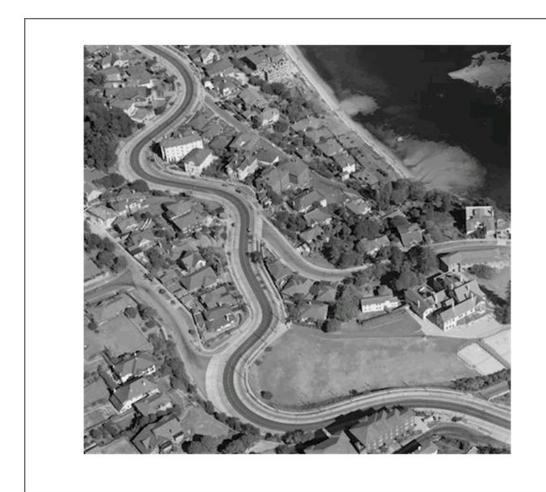


Image caption	"Hillcrest" w	rith its front double g	able clearly visible in cer	ntre background	
Image year	c.1959	Image by	Woollahra Local Studies Collection	Image copyright holder	WLSC

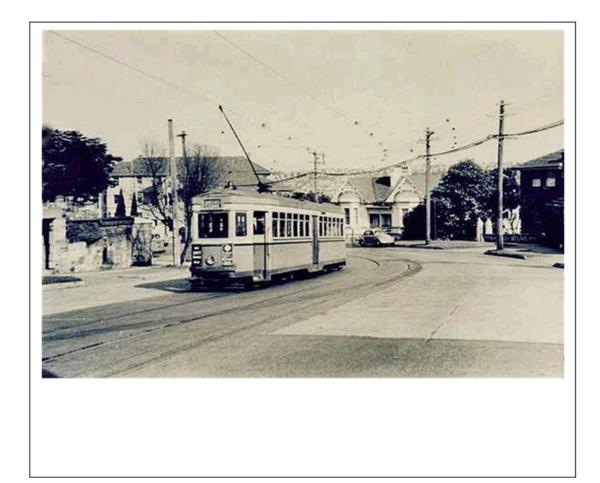


Image caption	A 1905 subdivision	A 1905 subdivision plan of the "Tivoli" Estate, Rose Bay, showing "Hillcrest" as the two							
	separate dwellings	separate dwellings "Dalkey" and "Bianopa" built on Lots 17 and 18. The plan shows it was							
	one of the earliest	one of the earliest buildings constructed on the "Tivoli" Estate, taking full advantage of views							
	over Rose Bay and	the harbour.							
Image year	1905	Image by	State Library of	Image copyright	SLNSW				
	NSW holder								

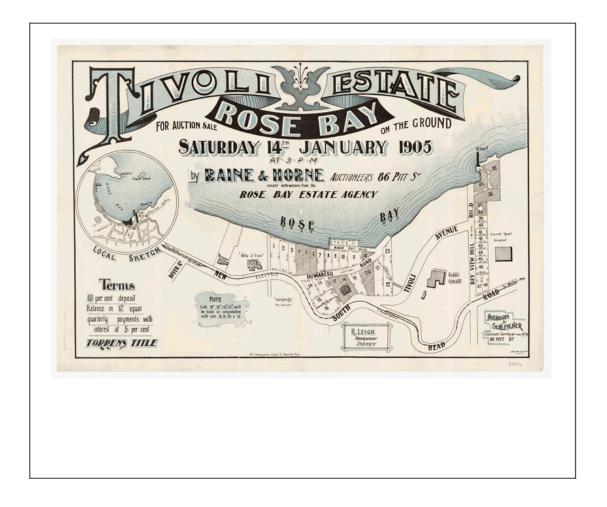


Image caption	The Building Application plan for the conversion of the basement areas of "Hillcrest" into two							
	individual flats. The two dwellings forming the building had been converted into four flats							
	c1920 and the con	c 1920 and the complex renamed "Hillcrest". (Source: Woollahra Municipal Council)						
Image year	1923	Image by	Woollahra	Image copyright	WMC			
	Municipal holder							
			Council					

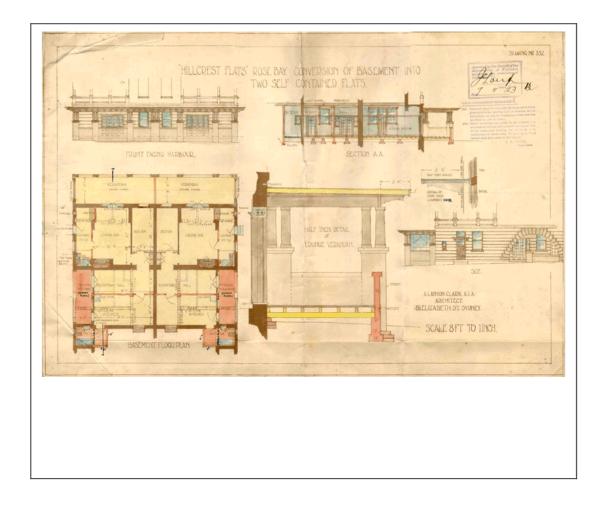


Image caption	"Hillcrest" Entry B	"Hillcrest" Entry Bridge to the top floor Flats 1 and 2						
Image year	2020	Image by	Robert Allan Moore	Image copyright holder	Robert Allan Moore			



Image caption		"Hillcrest": view of SE corner with former entry porch at right, and entry bridge to the top floor flats at left. Note moulded string courses, balusters and supporting eaves consoles.						
Image year	2020	Image by	Robert Allan Moore	Image copyright holder	Robert Allan Moore			

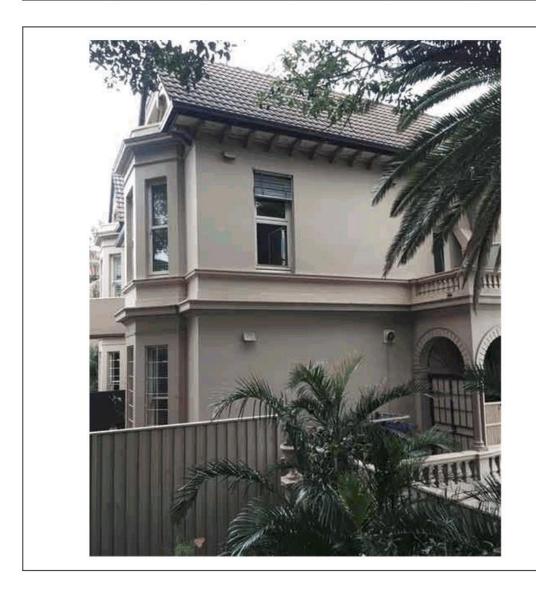


Image caption		"Hillcrest": view of from NW corner of the harbour-facing elevation, with arcaded balconies to former main level, corner balconies at the top floor, and new openings to basement.						
Image year	2020	Image by	Robert Allan Moore	Image copyright holder	Robert Allan Moore			

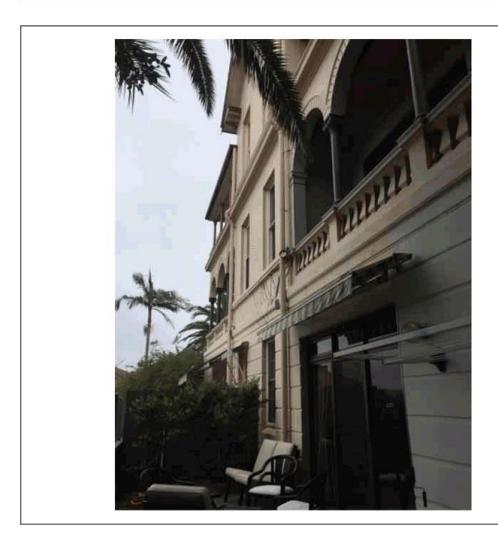


Image caption		"Hillcrest": view of the SW side and the entry porch at the former main level; the roof of the basement conservatory addition is visible at left.						
Image year	2020	Image by	Robert Allan Moore	Image copyright holder	Robert Allan Moore			

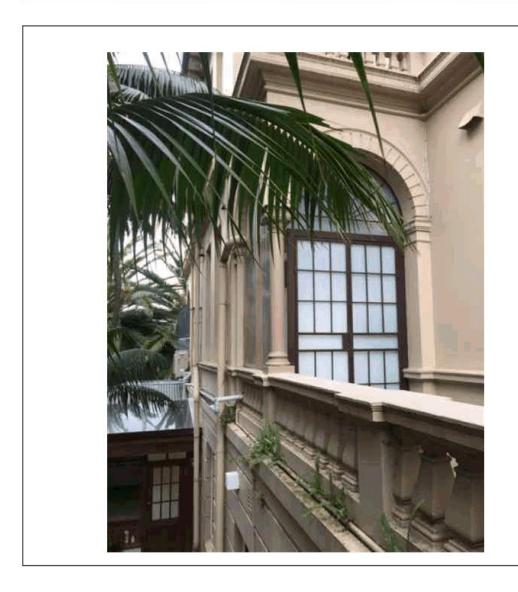


Image caption "Hillcrest": view of the front palisade iron fence towards the eastern gate piers, v formerly gave access via stone stairs descending to the main level of the house					
Image year	2020	Image by	Robert Allan Moore	Image copyright holder	Robert Allan Moore

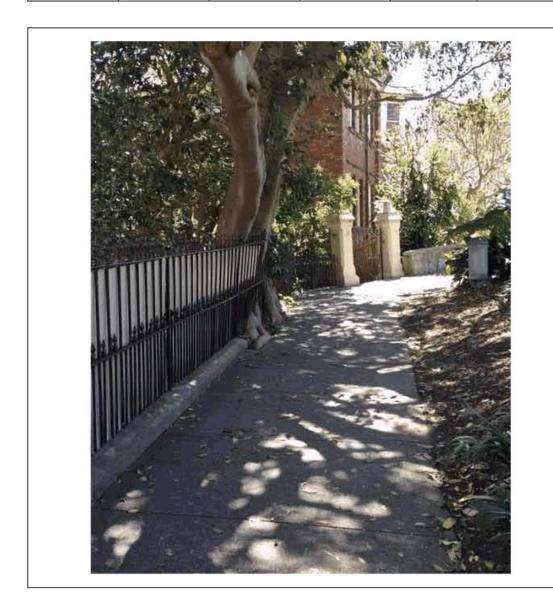


Image caption		"Hillcrest": view of former main hall with arched entry from porch; staircase removed and bathrooms installed within spaces boxed out into the former hall					
Image year	2020	Image by	Robert Allan Moore	Image copyright holder	Robert Allan Moore		



Image caption	"Hillcrest": a former bedroom, now sitting room of an apartment at the top level; kitchen is within former dressing room; original chimney piece survives.						
Image year	2020	Image by	Robert Allan Moore	Image copyright holder	Robert Allan Moore		

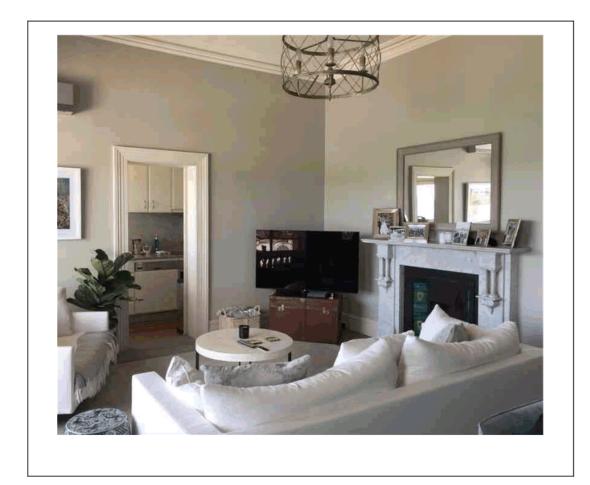
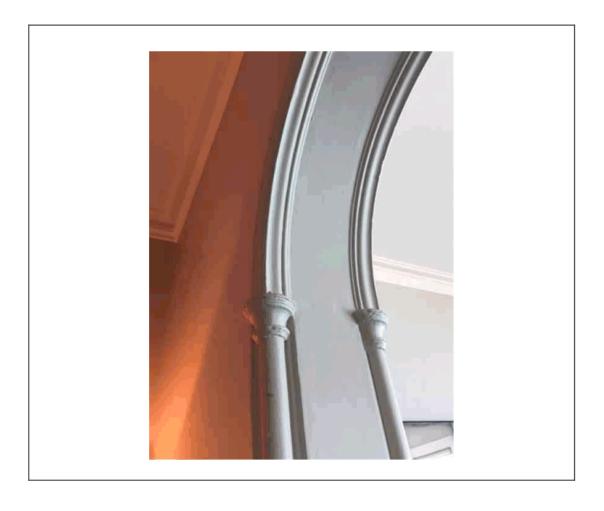


Image caption		"Hillcrest": detail of intricate staff moulds in the Aesthetic taste, in the hallway of the former bedrooms, upper level.					
Image year	2020	Image by	Robert Allan Moore	Image copyright holder	Robert Allan Moore		





Environmental Planning Committee



Agenda

Monday 2 November 2020 6.00pm

Meeting to be held using conferencing technology (refer to details over page)

Woollahra Municipal Council

Environmental Planning Committee Agenda

2 November 2020

Item No: R2 Recommendation to Council

Subject: PLANNING PROPOSAL - HERITAGE LISTING OF HILLCREST,

780-786 NEW SOUTH HEAD ROAD, ROSE BAY

Author: Kristy Wellfare, Strategic Heritage Officer
Approvers: Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 20/183695

Reason for Report: To present the heritage significance assessment prepared by Robert A

Moore Pty Ltd for Hillcrest at 780-786 New South Head Road, Rose Bay. To recommend that Council resolves to prepare a planning proposal to list Hillcrest, including interiors and gardens at 780-786 New South Head Road, Rose Bay as a heritage item in Schedule 5 of the Woollahra Local

Environmental Plan 2014.

Recommendation:

- A. THAT a planning proposal be prepared to list Hillcrest, including interiors and gardens, at 780-786 New South Head Road, Rose Bay 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

On 3 February 2020 a development application DA19/2020/1 was lodged with Council for the demolition of the three storey residential flat building at 780-786 New South Head Road, Rose Bay, known as Hillcrest.

Council's Heritage Officer considered the demolition proposed by the DA, and provided a preliminary assessment of the heritage significance of the building under the seven criteria identified in the NSW Heritage Manual. Based on the information available, the building was considered to have potential to meet the threshold for local significance under the historic, aesthetic, rarity and representative criteria.

On 4 June 2020 the Woollahra Local Planning Panel (Woollahra LPP), consistent with the staff recommendation, resolved to refuse development application DA19/2020/1 on the basis of heritage grounds and a lack of adequate information.

Subsequent to the refusal of the development application for demolition, an Interim Heritage Order (IHO) was issued for the site under Section 25 of the *Heritage Act 1977*.

2. The Site

The building consists of a three storey late Victorian era semi-detached dwelling pair with Federation Queen Anne influences. It was converted into a residential flat building in the 1920s and currently accommodates six dwellings over three levels (see **Figure 1**).

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The site is legally described as Strata Plan 30455, which stands on Lot C in DP 177878 (see **Figure 2**). The site is a shallow rectangular shape, with a street frontage of 17.86m to New South Head Road, and depth of between 31.065m and 32.315m (see **Figure 3**). The site formerly comprised two allotments that extended from New South Head Road through to Dumaresq Road, known as Lots 17 and 18 in the Tivoli Estate. However, these allotments were subdivided off and now accommodate residential flat buildings at 7 and 9 Dumaresq Road.

The site and adjoining sites addressing New South Head Road are zoned R3 Medium Density Residential under the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). Neighbouring sites to the rear, fronting Dumaresq Road, are zoned R2 – Low Density Residential. The site and neighbouring sites are not listed as items of environmental heritage under Schedule 5 of the Woollahra LEP 2014 nor are they located within a heritage conservation area.



Figure 1: Hillcrest as viewed from the footpath on New South Head Road. (Source: realestate.com.au, 2018)

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Figure 2: Locality map, with site highlighted in red. (Source: Woollahra MAPS, 2020)



Figure 3: Aerial photo of the subject site in 2018. The subject site is highlighted in red. (Source: Woollahra MAPS)

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3. The Interim Heritage Order

In considering DA19/2020/1, Council's Heritage Officer had provided a preliminary assessment that the building had potential to meet the threshold for local significance under the historic, aesthetic, rarity and representative criteria.

On 4 June 2020 the Woollahra LPP resolved to refuse DA19/2020/1 on the basis of heritage grounds and a lack of adequate information.

Under a Ministerial Order, the *Authorisation for Local Councils to make Interim Heritage Orders*, published in the Government Gazette on 12 July 2013 and under a sub-delegation to the Director of Planning they may, on behalf of Council, make an IHO. An IHO can be made if, among other things, the following pre-conditions are in place:

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

Given DA19/2020/1 proposed the demolition of the structures on the site, and that the site is potentially of local heritage significance, the Director of Planning formed the opinion that the above circumstances were in place. Subsequently, the Director of Planning authorised the making of an IHO. The IHO was issued under section 25 of the *Heritage Act 1977* (IHO No. LC-5) and was published in the NSW Government Gazette No. 151 of 10 July 2020, p. 3569-3570.

The Order will remain in place for an initial period of six months which gives Council the opportunity to fully assess the heritage significance of the building and identify whether the building should be listed as a State and/or local heritage item. If within these six months Council resolves to proceed with the listing of the item, the order remains in place for an additional six months.

Under section 57 of the *Heritage Act 1977*, when an IHO applies to a place or building a person must not, among other things, demolish, damage or carry out development except in pursuance of an approval granted by the approval body, i.e. Council.

4. Consultation:

On 28 September 2020, Council staff sent letters to the owners and occupiers of each of the units as well as the strata managers. This letter informed the owners/occupiers of the following:

- the issuing of the IHO,
- that Council had engaged a heritage consultant to prepare a heritage assessment and
- a request for internal access to the units.

Three of the six apartments permitted access to Council's staff and Mr Moore, and site visits were carried out on 7 and 9 October 2020.

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It is noted that Council staff received communication on 13 October 2020 from a representative of the company listed as the applicant for DA2020/19. This communication sought to facilitate access for the consultant team to the remaining three units at Hillcrest. However, a mutually convenient time could not be settled for these inspections within the project deadlines.

5. 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 *Robert A Moore Pty Ltd*. 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. To be assessed for State significance an item will meet more than one of the seven heritage criteria at a State level, or if an item satisfies only one of the criteria, the item is of such particular significance to NSW that it should be listed.

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A copy of the assessment prepared by Robert A. Moore Pty Ltd dated October 2020, which includes the assessment against all criteria, is attached as *Annexure 1*.

Table 1 below provides a summary of the assessment of the heritage significance of Hillcrest, including interiors and garden, 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).	~	X
(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).	~	х
(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).	✓	X
(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.	May have potential	х
(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).	May have potential	х
(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 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.)	•	X

The heritage significance assessment concludes that, after assessment against the NSW Heritage Assessment Criteria, "Hillcrest" must be considered an Item of Local Heritage Significance, both worthy and appropriate for inclusion as such upon Schedule 5 of the Woollahra LEP. Its historic and aesthetic importance, together with its associational values in the local context, merit its inclusion, and are supported by the retained integrity of the building and its interiors, notwithstanding the alterations made internally in its conversion from semi-detached houses to apartments. The retention of its original front and side setbacks, and the gardens therein, support in particular its historic and aesthetic values, and contribute to its landmark and streetscape importance.

In Woollahra, it is a "milestone" building illustrating important phases in the development of its locality and the municipality in general. With further investigation, it may prove to have a degree of

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social significance, against Criterion (d), and a scientific/investigative value emanating from its potential capacity to sustain enquiry about its history, design, and type of building.

Its qualities are not however, considered to merit its consideration, or nomination to the NSW state government, as an item of State significance.

Continuing documentary research into the building's development at a key period within Woollahra may enhance the understanding of its comprehensive significance, and its capacity to demonstrate what can already be appreciated through its story. (Robert A Moore Pty Ltd, "Hillcrest", 780-786 New South Head Road, Rose Bay Heritage Significance Assessment, pp. 20-21)

The following statement of significance was provided for "Hillcrest":

"Hillcrest", No.780-786 New South Head Road, Rose Bay, which is the residential flat building built c.1890 as a pair of semi-detached dwellings originally known as "Dalkey" and "Bionopa", and converted to six flats in the early 1900s, is of Local heritage significance within the Municipality of Woollahra for its historic, aesthetic, and associative values, particularly within the Rose Bay locality. Within its Locality and LGA context it also demonstrates a rarity of its type, design, and developmental history and context, supported by its relative integrity.

Built by the prominent businessman and local alderman Morrice Alexander Black, the building was the first to be built in the subdivided lands that had been part of Black's Tivoli Estate. Adopting an urban form — semi-detached dwellings — usually seen in more developed city and urban streets, the building took advantage of its harbourside site to present as a prestigious "marine villa" in complementary gardens like its earlier grand neighbours. However, in the context of increasingly closer subdivision and greater densities, with purpose-designed flat buildings becoming the first-builds on surrounding lots, the two aesthetically designed, Victorian Italianate semi-detached houses became four and later, six flats - sold and successively owned by investors.

Renamed "Hillcrest", the building remains significantly intact despite its adaptive re-use, and retains key dimensions and qualities of its original spacious garden setting, to maintain its historic and aesthetic contextual significance. "Hillcrest" contributes distinctively to the locality in which it is a landmark and an interpretable milestone of evolving development. (Robert A Moore Pty Ltd, "Hillcrest", 780-786 New South Head Road, Rose Bay Heritage Significance Assessment, p 21)

The heritage significance assessment recommends the listing of Hillcrest, including interiors and gardens as a local heritage item in Schedule 5 of Woollahra LEP 2014. The report concluded that Hillcrest does not meet the threshold for State heritage listing.

6. Recommendations of the Assessment of Heritage Significance report

The Heritage Significance Assessment undertaken for the site by Robert Moore provided recommendations for listing a future management as follows:

"Hillcrest" meets the threshold for listing within Woollahra as a Local Heritage Item, included within the LEP Schedule 5. Its significance extends to and includes its present curtilage - which despite loss of some of its site to the north of the building, and the existing intrusive car parking solution - importantly supports the building's aesthetic and historic significance, and its ongoing conservation and use. Its interiors, although modified, support its understanding and are also significant, and should be included within its heritage listing. The inclusion of its curtilage and

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interiors within the listing will facilitate the continuing management of change within these aspects of the property, readily compatible with a listed status.

As shown by the recent DA for demolition, and the current Interim Heritage Order, the building is under pressure due to the desirability and potential for redevelopment of its site, pending action to establish its importance and protection through heritage listing. Once protected through listing, which this assessment recommends, the care, ongoing use and potentials of the property can be properly planned for in a Conservation Management Plan.

It is recommended that "Hillcrest" No. 780-786 New South Head Road, Rose Bay, be added to the Heritage Schedule of the Woollahra LEP as an item of Local Heritage Significance, noting that the listing extends to and includes its interiors and garden setting. (Robert A Moore Pty Ltd, "Hillcrest", 780-786 New South Head Road, Rose Bay Heritage Significance Assessment, p.22)

The Heritage Significance Assessment recommended that Hillcrest and its interiors and gardens at 780-786 New South Head Road, Rose Bay, be added to the Heritage Schedule of the Woollahra LEP as an item of Local heritage significance and that its ongoing care, use and potential future development be planned for in a Conservation Management Plan.

7. Woollahra Local Planning Panel advice

Section 2.19 of the *Environmental Planning and Assessment Act 1979* 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 Hillcrest, including interiors and gardens at 780-786 New South Head Road, Rose Bay 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.

8. Next steps

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

- Prepare a planning proposal under section 3.33 of the Act to list Hillcrest, including interiors and gardens, 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 LLP to the Environmental Planning Committee.

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9. Conclusion

The heritage significance of Hillcrest at 780-786 New South Head Road, Rose Bay, has been assessed by heritage consultant Robert Moore of *Robert A Moore Pty Ltd* in accordance with the NSW Heritage guidelines. The assessment concludes that Hillcrest, including interiors and gardens, has local heritage significance and it should be listed in Schedule 5 of the Woollahra LEP 2014.

It is therefore recommended that Hillcrest, including interiors and gardens, at 780-786 New South Head Road, Rose Bay is listed as a local heritage item in Schedule 5 of the Woollahra LEP 2014.

To facilitate the listing, a planning proposal should be prepared to amend Schedule 5 of the Woollahra LEP 2014 by adding Hillcrest, including interiors and gardens, at 780-786 New South Head Road, Rose Bay to the list of heritage items. The planning proposal should be referred to the Woollahra LPP for advice.

Annexures

- 1. "Hillcrest" Heritage Significance Assessment 27 October 2020 I
- 2. "Hillcrest" Heritage Significance Assessment Appendix 2 Selected Photographs 🖟 🖺

Woollahra Municipal Council

Woollahra Local Planning Panel (Public Meeting) Agenda

17 December 2020

Item No: D1

Subject: PLANNING PROPOSAL - HILLCREST - 780-786 NEW SOUTH

HEAD ROAD, ROSE BAY

Author: Kristy Wellfare, Strategic Heritage Officer
Approvers: Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 20/228997

Reason for Report: To seek the advice of the Woollahra Local Planning Panel in relation to a

planning proposal to list "Hillcrest" at 780-786 New South Head Road, Rose Bay, and its interiors and gardens, as a local heritage item in

Woollahra Local Environmental Plan 2014

Recommendation:

THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to list the residential flat building "Hillcrest" at 780-786 New South Head Road, Rose Bay, and its interiors and gardens, as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.

1. Reason for report to the Woollahra Local Planning Panel

This report seeks the advice of the Woollahra Local Planning Panel (Woollahra LPP) on the listing of the residential flat building known as Hillcrest, its interiors and garden setting at 780-786 New South Head Road, Rose Bay as a local heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014).

On 27 September 2018, the Minister for Planning issued a Local Planning Panel Direction – Planning Proposals:

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

In this case, the planning proposal is required to be referred to the Woollahra LPP because the General Manager has not made a determination in regard to items 1 (a), (b) or (c), above.

2. Background:

On 3 February 2020, a development application [DA19/2020/1] was lodged with Council for the demolition of the three storey residential flat building at 780-786 New South Head Road, Rose Bay, known as Hillcrest.

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Council's Heritage Officer considered the demolition proposed, and provided a preliminary assessment of the heritage significance of the building under the seven criteria identified in the NSW Heritage Manual. Based on the information available, the building was considered to have potential to meet the threshold for local significance under the historic, aesthetic, rarity and representative criteria.

On 4 June 2020, the Woollahra LPP resolved to refuse development application DA19/2020/1 on the basis of heritage grounds and a lack of adequate information, which was consistent with the staff recommendation.

The Interim Heritage Order

Under a Ministerial Order, the *Authorisation for Local Councils to make Interim Heritage Orders*, published in the Government Gazette on 12 July 2013 and under a sub-delegation to the Director of Planning they may, on behalf of Council, make an interim heritage order (IHO). An IHO can be made if, among other things, the following pre-conditions are in place:

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

Given DA19/2020/1 proposed the demolition of the structures on the site, and that the site is potentially of local heritage significance, the [former] Director of Planning formed the opinion that the above circumstances were in place. Subsequently, the [former] Director of Planning authorised the making of an IHO. The IHO was made under section 25 of the *Heritage Act 1977* (IHO No. LC-5) and was published in the NSW Government Gazette No. 151 of 10 July 2020, p. 3569-3570.

The Order was to remain in place for an initial period of six months which gives Council the opportunity to fully assess the heritage significance of the building and identify whether the building should be listed as a State and/or local heritage item. If within these six months Council resolves to proceed with the listing of the item, the order remains in place for an additional six months.

Under section 57 of the *Heritage Act 1977*, when an IHO applies to a place or building a person must not, among other things, demolish, damage or carry out development except in pursuance of an approval granted by the approval body, i.e. Council.

In light of the IHO, Council commissioned Robert Allan Moore, Heritage Architect and Consultant of Robert A Moore Pty Ltd to undertake an independent assessment of the heritage significance of the site and provide recommendations as to whether the building fulfilled the criteria for heritage listing at either a local or a State level. The assessment by Mr Moore indicated that the site fulfilled five (5) of the seven (7) criteria for listing at a local level see **Annexure 2**. An inventory sheet has been drafted for the site which is at **Annexure 3**.

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On 2 November 2020, the matter was presented to the Environmental Planning Committee (**Annexure 4**) with a recommendation to include Hillcrest, including its interiors and its garden setting in Schedule 5 of the Woollahra LEP 2014. At the meeting of 23 November 2020 Council resolved:

- A THAT a planning proposal be prepared to list Hillcrest, including interiors and gardens, at 780-786 New South Head Road, Rose Bay 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.
- D THAT the alleged unauthorised fence adjoining 9 Dumaresq Road, Rose Bay be referred to Council's Compliance department for investigation.

Council's resolution of 23 November 2020 to proceed with the listing of the item invokes the additional six months of the Order and as such the IHO now lapses on 10 July 2021.

3. The Site

The building consists of a three storey, late Victorian era, semi-detached dwelling pair with Federation Queen Anne influences (see **Figure 1**). It was converted into a residential flat building in the 1920s and currently accommodates six dwellings over three levels. The building is placed on the site within an established landscape setting and these gardens contribute to the significance of the site. The site's landscape setting in the curtilage of the item is apparent in **Figure 7**.



Figure 1: Hillcrest, as viewed from the southern side of the New South Head Road frontage.

Source: WMC Officer, 2020

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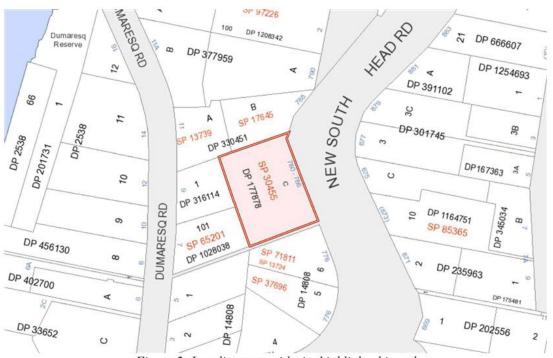


Figure 2: Locality map, with site highlighted in red. (Source: Woollahra MAPS, 2020)



Figure 3: Aerial photo of the subject site in 2018. The subject site is highlighted in red. (Source: Woollahra MAPS)

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The site is legally described as Strata Plan 30455, which stands on Lot C in DP 177878 (see **Figure 2**). The site is a shallow rectangular shape, with a street frontage of 17.86m to New South Head Road, and depth of between 31.065m and 32.315m (see **Figure 3**). The site formerly comprised two allotments that extended from New South Head Road through to Dumaresq Road, known as Lots 17 and 18 in the Tivoli Estate. However, these allotments were subdivided off and now accommodate residential flat buildings at 7 and 9 Dumaresq Road (see **Figure 7**).

The site and adjoining sites addressing New South Head Road are zoned R3 Medium Density Residential under the Woollahra LEP 2014. Neighbouring sites to the rear, fronting Dumaresq Road, are zoned R2 Low Density Residential. The site and neighbouring sites are not listed as items of environmental heritage under Schedule 5 of the Woollahra LEP 2014 nor are they located within a heritage conservation area.

The site is located in an established residential area, with a mix of single dwellings and residential flat buildings of varying ages and styles. Development on adjoining sites consists of an interwar residential flat building to the north at 788 New South Head Road (see **Figure 5**), and an interwar Spanish mission residential flat building to the south of the site at 778 New South Head Road (see **Figure 6**). Development to the east of the site fronting Dumaresq Street consists of an interwar Mediterranean style building at 9 Dumaresq Road and a contemporary (c.1990s) three storey residential flat building at 7 Dumaresq Road (see **Figure 7**).



Figure 5: Inter-war residential flat building at 788 New South Head Road, Rose Bay. (Source: Google Street View)

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Figure 6: Inter-war Spanish mission residential flat building, "San Romolo", 778 New South Head Road, Rose Bay. (Source: Google Street View)



Figure 7: Oblique aerial view of Hillcrest from rear (identified with an arrow), with Dumaresq Road properties in the foreground. (Source: Google Maps. Annotation: WMC officer)

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4. Assessment of heritage significance

The assessment of heritage significance was undertaken in accordance with the document titled Assessing heritage significance, published by the NSW Heritage Office in 2001. 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 (or a class of the local area's)

- · cultural or natural places, or
- cultural or natural environments,
- · 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. To be assessed for State significance an item will meet more than one of the seven heritage criteria at a State level, or if an item satisfies only one of the criteria, the item is of such particular significance to NSW that it should be listed. A copy of the Heritage Significance Assessment Report undertaken for the site by Robert Moore, Architect and Heritage Consultant, is attached at **Annexure 2**, with the Draft Heritage Inventory Sheet attached at **Annexure 3**.

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Table 1 below provides a summary of the assessment of the heritage significance of "Hillcrest" at 780-786 New South Head Road, Rose Bay, against the seven criteria, at the local and State levels, and demonstrates that the site meets five of the seven criteria for local listing, with potential to fulfil the two additional criterion.

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	May fulfil 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)	May fulfil 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)	✓	*
(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.	~	×

The heritage significance assessment provides the following statement of significance:

"Hillcrest", No.780-786 New South Head Road, Rose Bay, is the residential flat building built c.1890 as a pair of semi-detached dwellings originally known as "Dalkey" and "Bionopa", and converted to six flats in the early 1900s. It is of Local heritage significance within the Municipality of Woollahra for its historic, aesthetic, and associative values, particularly within the Rose Bay locality. Within its locality and LGA context it also demonstrates a rarity of its type, design, and developmental history and context, supported by its relative integrity.

Built by the prominent businessman and local alderman Morrice Alexander Black, the building was the first to be built in the lands subdivided in 1889 from Black's "Tivoli" Estate . Adopting an urban form of semi-detached dwellings, usually seen in more closely developed city and urban streets, the building took advantage of its harbourside site to present as a prestigious "marine villa" set in complementary gardens like its earlier grand but distant neighbours. However, in the context of increasingly closer subdivision and greater densities, with purpose-designed flat

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buildings becoming the first-builds on surrounding lots, the two aesthetically designed, Victorian Italianate semi-detached houses became four and later, six flats - sold and successively owned by investors.

Renamed "Hillcrest", the building remains significantly intact despite its adaptive re-use, and retains key dimensions and qualities of its original spacious garden setting, to maintain its historic and aesthetic contextual significance. "Hillcrest" contributes distinctively to the locality in which it is a landmark and an interpretable milestone of evolving development. (Robert A Moore Pty Ltd, "Hillcrest", 780-786 New South Head Road, Rose Bay Heritage Significance Assessment, p 21)

The heritage significance assessment recommends the listing of Hillcrest, including interiors and gardens as a local heritage item in Schedule 5 of Woollahra LEP 2014. The report concludes that Hillcrest does not meet the threshold for State heritage listing.

5. Consultation:

Consultation with the land owner and their representatives commenced during the process of accessing the site for the purposes of preparing the heritage significance assessment report, and will continue throughout the process.

On 28 September 2020, Council staff sent letters to the owners and occupiers of each of the units as well as the strata managers. This letter informed the owners/occupiers of the following:

- the issuing of the IHO,
- that Council had engaged a heritage consultant to prepare a heritage assessment and
- a request for internal access to the units.

Three of the six apartments permitted access to Council's staff and Mr Moore, and site visits were carried out on 7 and 9 October 2020.

It is noted that Council staff received communication on 13 October 2020 from a representative of the company listed as the applicant for DA2020/19. This communication sought to facilitate access for the consultant team to the remaining three units at Hillcrest. However, a mutually convenient time could not be settled for these inspections within the project deadlines.

In progressing the planning proposal, consultation with the owners will be undertaken consistent with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000*.

6. Planning proposal

Consistent with Council's resolution of 23 November 2020, a planning proposal has been prepared to list the residential flat building known as "Hillcrest", including its interiors and garden setting as a heritage item in the Woollahra LEP 2014 (see **Annexure 1**).

6.1. Planning proposal structure

The planning proposal has been prepared in accordance with section 3.33 of the Act and the two documents prepared by the NSW Department of Planning and Environment titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018).

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The planning proposal satisfies the requirements of section 3.33 of the EP&A Act as it includes:

- A statement of the objectives or intended outcome of the amendment to Woollahra LEP 2014.
- An explanation of the provisions that are to be included in the amendment to Woollahra LEP 2014.
- The justification for the objectives, outcomes and provisions and the process for their implementation.
- Details of the community consultation that is to be undertaken.

6.2. Objective of amendment to Woollahra LEP 2014

The objective of the amendment to Woollahra LEP 2014 is to recognise the heritage significance of Hillcrest, including interiors and gardens, at 780-786 New South Head Road, Rose Bay, as a heritage item and provide it with statutory heritage protection. Heritage listing will provide ongoing protection and recognition of the heritage significance of the site.

6.3. Explanation of provisions

The planning proposal outlines the following amendments to Woollahra LEP 2014:

- Insert a listing for "Hillcrest", including interiors and gardens, in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage). The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP.
- Amend the Heritage Map (Sheet HER_005 to identify a heritage item on the site at 780-786 New South Head Road, Rose Bay.

6.4. Relationship to strategic planning framework

The planning proposal has strategic and site specific merit. The planning proposal is consistent with the relevant objectives of *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the actions of the *Eastern City District Plan* (2018) (refer to section 6.2 of the planning proposal).

The planning proposal is consistent with the Council's Community Strategic Plan titled *Our Woollahra 2030: Our community, our place, our plan.* Notably, the planning proposal meets the following strategy within Goal 4 (Well-planned neighbourhood) under the theme Quality places and spaces.

• 4.3 Protect local heritage, including significant architecture and the natural environment.

The planning proposal is also consistent with the *Woollahra Local Strategic Planning Statement* (approved by Council 24 February 2020). In particular, the planning proposal is consistent with Planning Priority 5 under the theme of Liveability: *Planning Priority 5 Conserving our rich and diverse heritage*

The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State environmental planning policies (refer to **Schedule 1** of the planning proposal).

The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2** of the planning proposal).

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7. Conclusion

This report seeks the advice of the Woollahra LPP on a planning proposal to list "Hillcrest", including interiors and gardens at 780-786 New South Head Road, Rose Bay, as a local heritage item in the Woollahra LEP 2014.

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

- A statement of the objectives or intended outcome of the amendment to Woollahra LEP 2014.
- An explanation of the provisions that are to be included in the amendment to Woollahra LEP 2014.
- The justification for the objectives, outcomes and provisions and the process for their implementation.
- Details of the community consultation that is to be undertaken.

We recommend that the Woollahra LPP advise Council to proceed with the planning proposal at **Annexure 1** to list Hillcrest (including interiors and gardens) at 780-786 New South Head Road, Rose Bay, as a local heritage item in the Woollahra LEP 2014.

Annexures

- 1. Planning proposal Heritage Listing Hillcrest 780-786 New South Head Road, Rose Bay I
- 2. Hillcrest Heritage Significance Assessment 27 October 2020 (Updated 4 December 2020) Updated 4 December 2020) Upda
- 3. Heritage Inventory Sheet Hillcrest 780-786 New South Head Road, Rose Bay 😃
- 4. Environmental Planning Committee Agenda 2 November 2020 Hillcrest Item R2 (Annexures removed) 1

Item No: R3 Recommendation to Council

Subject: REQUEST FOR A PLANNING PROPOSAL FOR 203-233 NEW

SOUTH HEAD ROAD, EDGECLIFF

Author: Deeksha Nathani, Strategic Planner

Approvers: Kelly McKellar, Team Leader Strategic Planning

Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 20/234778

Reason for Report: To report on a request for a planning proposal for 203-233 New South

Head Road, Edgecliff which seeks to amend the maximum Height of Buildings and Floor Space Ratio standards in the Woollahra Local

Environmental Plan 2014.

To recommend that Council does not support the request for a planning

proposal for 203-233 New South Head Road, Edgecliff.

Recommendation:

A. THAT Council resolves not to support the request for a planning proposal for 203-233 New South Head Road, Edgecliff, which seeks to amend the *Woollahra Local Environmental Plan 2014* in the following manner:

- i. Increase the maximum Height of Buildings standard from part 6 metres/part 26 metres to RL 195 metres AHD.
- ii. Increase the maximum Floor Space Ratio (FSR) standard from 2.5:1 to 9:1.
- iii. Introduce a minimum Non-Residential FSR of 3:1.
- B. THAT Council notify the Applicant that it does not support the request for a planning proposal for the following reasons:
 - i. The request is inconsistent with the objectives and planning priorities of the *Greater Sydney Region Plan, Eastern City District Plan, Woollahra Local Strategic Planning Statement 2020* and *Woollahra 2030: Community Strategic Plan* as it:
 - does not sufficiently address future infrastructure and community needs that
 future development on the site would generate or how this key location will
 contribute to the needs of the centre and the surrounding area;
 - b. does not provide affordable housing;
 - c. is inconsistent with the scale and role of a local centre and the desired future character of the precinct; and
 - d. does not provide sufficient public benefit.
 - ii. The request is inconsistent with the objectives for Land Use Zone, Height of Buildings and FSR in the *Woollahra Local Environmental Plan 2014*.
 - iii. The requested Height of Buildings and FSR standards are inappropriate and would create a building envelope which has an excessive bulk and scale.
 - iv. The request is inconsistent with the desired future character as set out in the *Woollahra Development Control Plan 2015*.
 - v. The requested building envelope will result in adverse impacts on the local centre and the surrounding area with regard to streetscape, public domain, heritage, views, traffic, residential amenity, sustainability and prescribed airspace.
- C. THAT the Applicant is notified that Council does not support the request for a planning proposal in accordance with clause 10A of the *Environmental Planning and Assessment Regulation 2000*.

1. Introduction

A request for a planning proposal was submitted by Longhurst Property Group for 203-233 New South Head Road, Edgecliff (the subject site). The objective of the request is to increase the development potential of the subject site by amending the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) as follows:

- Increase the maximum Height of Buildings standard from part 6 metres/part 26 metres to reduced level (RL) 195 metres Australian Height Datum (AHD).
- Increase the maximum floor space ratio (FSR) standard from 2.5:1 to 9:1.
- Introduce a minimum non-residential FSR of 3:1. (Note: this FSR is included in the calculation of the total 9:1 FSR for the site.)

An indicative development concept was submitted with the request to illustrate what could be constructed in accordance with the proposed standards. It comprises a 45 storey mixed use building containing commercial, office, retail, medical/well-being, and residential uses.

This report provides Council staff's assessment of the request for Council's consideration.

2. The subject site and local context

The subject site is known as 203-233 New South Head Road, Edgecliff (Lot 203 DP 1113922 and Lot 5 DP 243380) and has an area of 4,910m². It is located above the Eastern Suburbs Railway tunnel and adjacent to Edgecliff Railway Station.

Visually prominent, the subject site is located at the top of the rise of New South Head Road to the east of Rushcutters Bay, near the top of the Edgecliff ridge line. The subject site is part of the Edgecliff Commercial Centre (ECC) and is located on the south-eastern side of the intersection of New South Head Road and New McLean Street (see **Figures 1** and **2**). The New South Head Road frontage is approximate 70m and there are two secondary frontages to New McLean Street.

The subject site is currently occupied by the Edgecliff Centre, a seven storey building containing ground level retail with offices above. Pedestrian access is via multiple entrances on New South Head Road, one entrance on the north-western corner of New McLean Street and the arcade of the adjoining building (Eastpoint, 235-287 New South Head Road, Edgecliff). Vehicular access is via New McLean Street and there is an additional loading dock at the south-eastern corner of the site.

There are six mature Tallowwood trees on the footpath to the north of the subject site fronting New South Head Road. This landscaping at the site's frontage, combined with the landscaping to the east and west of the site, creates an important and highly visible marker for the local area.

The site is zoned B2 Local Centre under the Woollahra LEP 2014 and is located in the ECC, which is zoned B2 Local Centre and B4 Mixed Use. The transport interchange establishes the ECC as a key local hub connecting residents and businesses with the Sydney CBD and eastern suburbs area.

Surrounding development ranges from one to 16 storeys in height and comprises a mix of commercial, retail and residential uses. An exception to this built form is the 32 storey Ranelagh building, located 100m north of the subject site, which is considered intrusive development².

² The Ranelagh Building is identified as intrusive development in character statements contained in the *Woollahra Development Control Plan 2015*.



Figure 1: Site location (red outline)



Figure 2: Aerial view of the subject site facing West (outlined in red)

3. Background

On 24 July 2020, a planning proposal pre-application consultation meeting was held between Council staff, the developer and the developer's representatives. After the meeting, in a letter dated 26 August 2020 (see **Annexure 1**) it was advised that Council staff would not support the proposal because the proposed increase in both maximum building height and FSR controls are significant in relation to the site and its context and would create a building envelope which is excessive in height and bulk.

On 6 November 2020, the Applicant submitted a request for a planning proposal. The submitted proposal is seeking an identical height and FSR to the pre- application proposal. Council staff requested additional information in a letter dated 20 November 2020.

On 26 November 2020, the Applicant submitted additional information and, on 8 December 2020, the request for a planning proposal was lodged when Council staff receipted payment.

A list of the package of information submitted by the Applicant is in **Annexure 3** and the documents are available on Council's website:

https://www.woollahra.nsw.gov.au/building_and_development/development_rules/previous_and_proposed_exhibitions/planning-proposal-request-for-203-233-new-south-head-road,-edgecliff

For the purpose of reporting this planning proposal request to the Environmental Planning Committee (EPC), staff have only attached the Planning Proposal Report prepared by Ethos Urban dated 26 November 2020 (see **Annexure 2**).

4. The request for a planning proposal

As identified in the report by Ethos Urban at **Annexure 2**, the intended effect of the request for a planning proposal is to facilitate redevelopment of the subject site for a 45 storey mixed use development. The proposal seeks the following changes to the Woollahra LEP 2014:

LEP standard	Existing	Request
Height of Buildings	Part 6 metres and part 26 metres	RL 195 metres AHD
FSR	2.5:1	9:1*
Non-residential FSR	n/a	3.1*

Table 1: Existing and requested Woollahra LEP 2014 provisions

The Applicant submitted an indicative development concept of the potential built form designed by FJMT Architects to illustrate what could be constructed under the requested planning provisions. The proposed 45 storey mixed use development comprises:

- A total GFA of approximately 44,190m² (5,414m² office, 7,143m² retail, 3,092 m² medical/well-being, and 28,541m² residential)
- 232-268 apartments with a mix of studios (21), 1 bedroom units (85), 2 bedroom units (102) and 3 bedroom units (60)
- Eight levels of basement parking with capacity for 301 car spaces (184 residential, 117 non-residential), 387 bicycles (268 residential, 119 non-residential) and 20 motorcycles accessed via New McLean Street
- A street wall height of 38.5 metres (7 storeys) along New South Head Road and an entrance plaza and covered atrium
- A 152.5m² community centre at the podium level
- Public open space at the same level as the existing bus interchange on the adjoining site
- Wayfinding improvements to the Edgecliff Railway Station.

^{*} the non-residential FSR is also included in the calculation for the total FSR of 9:1.

Figures 3 to 6 below show the indicative development concept submitted by the Applicant.



Figure 3: Existing street view facing East from the intersection of New South Head Road, Mona Road and Glenmore Road (source: Google maps 2021)



Figure 4: Artist's impression of indicative development concept facing East from the intersection of New South Head Road, Mona Road and Glenmore Road (Source: FJMT 2020)

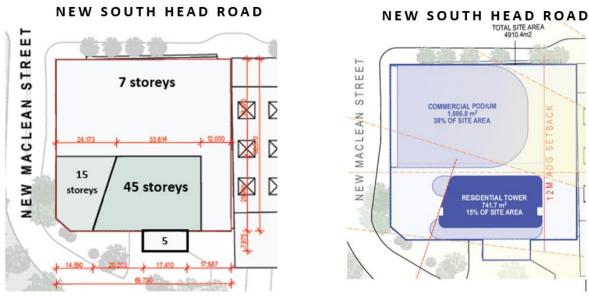


Figure 5: Plans of indicative development concept identifying distribution of storeys (left) and land uses (right) across the subject site (Source: FJMT 2020)

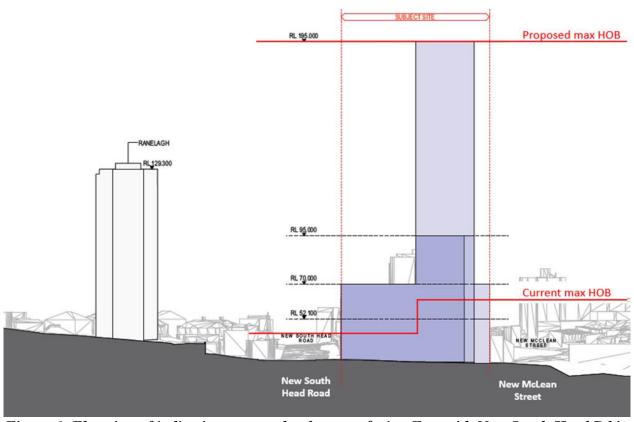


Figure 6: Elevation of indicative concept development facing East with New South Head Rd in the middle showing current and proposed maximum Height of Buildings (HOB)

(Source: FJMT modified by Council staff)

4.1. Draft Development Control Plan (DCP)

A draft DCP has not been submitted with the planning proposal request. However, it is noted that the planning proposal report prepared by Ethos Urban (see **Annexure 2**) identifies that should the proposal proceed the Applicant will prepare a draft DCP in collaboration with Council staff before public exhibition.

4.2. Consultation with stakeholders

It is noted that the pre-application consultation response letter (see **Annexure 1**) requested the Applicant consult with stakeholders and that consultation with the following has not occurred:

- Surrounding property owners
- Council's Property and Project and Community Services staff
- Roads and Maritime Services (RMS)
- Commonwealth Government (regarding controlled airspace approvals).

5. Assessment of the request for a planning proposal

Council staff have undertaken an assessment of the request for a planning proposal in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant NSW Department of Planning, Industry and Environment guidelines.

It is acknowledged that the subject site's location in the ECC and adjacent to the transport interchange provides opportunities for increased density. However, staff do not support the request submitted by the Applicant. It will permit development of excessive bulk and scale and the request has not demonstrated sufficient strategic and site-specific merit as discussed below.

5.1. Greater Sydney Region Plan and Eastern City District Plan

The Greater Sydney Region Plan: A Metropolis of Three Cities (2018) (Region Plan) establishes a 40-year vision and objectives for Greater Sydney to provide direction for future development. The Eastern City District Plan (2018) (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. This site-specific planning proposal request does not align with a number of objectives and planning priorities of the Region Plan and District Plan, including the following:

5.1.1 Infrastructure and collaboration

Objective 2: Infrastructure aligns with forecast growth in the Region Plan emphasises place-based planning, in collaboration with the State government, local government and industry, to ensure infrastructure for centres is co-designed and co-delivered with growth and that development contributes to infrastructure investment. The District Plan also stresses the importance of place-based planning to ensure development contributes to and is supported by infrastructure and services that meet community needs now and in the future, in the following:

- Planning Priority E1 Planning for a city supported by infrastructure, and
- Planning Priority E2 Working through collaboration.

Whilst Council staff support retaining the mixed-use zoning and introducing a minimum non-residential FSR, this site-specific planning proposal request is not a result of any collaborative process or a strategy for the ECC. Furthermore, the request does not consider the development potential of other sites in the ECC or the critical role of the centre in community life. It is noted that the site's location next to the railway station and bus interchange makes the site an important feature in the centre and its role in servicing the local community.

Demand for infrastructure, including transport, social and green infrastructure cannot be properly assessed in isolation and without considering the ECC and surrounding area. Poorly coordinated development can lead to land use conflict or amenity impacts that may inhibit surrounding development potential. It is considered that the request has not adequately demonstrated how it will contribute to the function of the centre and meeting community needs and therefore it is not consistent with objectives and planning priorities for infrastructure and collaboration.

It is also noted that Council is preparing a *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy* (Edgecliff Strategy) to provide a clear framework to guide development in the ECC. The Strategy will consider generated demand and community needs now and in the future.

5.1.2 Housing supply, diversity and affordability

The Region and District Plans identify that new housing supply, including diverse and affordable housing, is required in the right locations to meet community needs now and in the future:

- Objective 10: Greater housing supply of the Region Plan identifies that additional housing is needed in the right locations and should be delivered with proposed new infrastructure. The District Plan sets a housing target of 300 new dwellings by 2021 for the Woollahra LGA.
- Objective 11: Housing is more diverse and affordable of the Region Plan and Planning Priority E5 'Providing housing supply, choice and affordability with access to jobs, services and public transport of the District Plan identify that there is unmet need for diverse housing of different types, sizes and price points to help improve affordability. The Region Plan suggests 5-10% of new residential floor space is affordable rental housing.

This site-specific request pre-empts a strategy for sequencing development with infrastructure investment in the ECC precinct and risks impacting other sites. Additionally, while the indicative development concept includes a range of apartment sizes, the planning proposal request does not provide any information on affordable housing. Therefore, the planning proposal request is considered to be inconsistent with Objectives 10 and 11 of the Region Plan and Planning Priority E5 of the District Plan.

5.1.3 Centre hierarchy

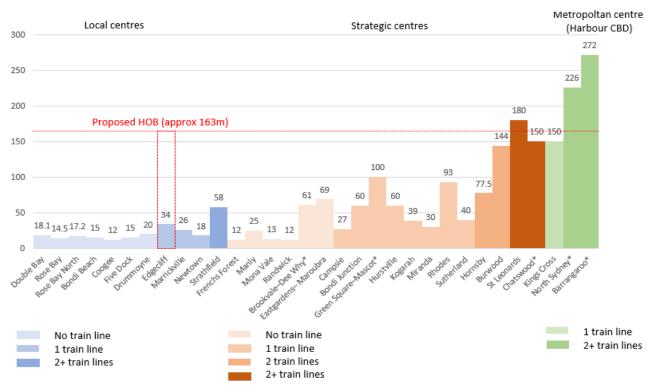
Objective 22: Investment and business activity in centres of the Region Plan establishes a three-level hierarchy of centres—metropolitan, strategic and local centres—reflecting their role in the overall economic geography of Greater Sydney. Across Greater Sydney, the Plan identifies three metropolitan centres, 34 strategic centres and approximately 1,300 local centres. This Region Plan identified that the hierarchy influences the built form density and heights of a centre:

"... a hierarchy within the classification of local centres should be informed by a place-based strategic planning process at a council level including an assessment of how, broadly, the proposed hierarchy influences decision-making for commercial, retail and other uses" (p.120)

The ECC is identified as a local centre and is characterised by local jobs and services for the local catchment in contrast to strategic or metropolitan centres which attract regional and international investment respectively. The nearest strategic centre is Bondi Junction and the nearest metropolitan centre is the Sydney CBD, which includes King's Cross.

Figure 7 below compares the development that could be constructed in accordance with the requested maximum Height of Buildings standard with permissible Height of Buildings in other local and strategic centres across Greater Sydney. It shows that, generally, strategic centres that cater to more train lines have taller buildings. The Sydney CBD has the tallest HOB standard consistent with the intent of the centres hierarchy and other objectives of the Region Plan.

To-date, all buildings constructed above 150 metres in Greater Sydney are located in metropolitan and strategic centres, including the Sydney CBD, Parramatta CBD, Chatswood, North Sydney, and St Leonards. None are in local centres (Source: The Skyscraper Center. Council on Tall Buildings and Urban Habitat, 13 May 2020).



*RL level converted to metres by measuring ground elevation from NSW Digital Twin (https://nsw.digitaltwin.terria.io/)

Figure 7: Comparison of maximum Height of Buildings (HOB) in metres with centre hierarchy (Graph prepared by Council staff based on data from NSW Planning Portal).

Comparing the planning proposal request with other centres reveals that the requested height is taller than the maximum HOB in all local centres and most strategic centres (see **Figure 7**). Specifically, the requested maximum HOB (RL 195m AHD) for the subject site would translate to an approximate height of 163metres above the existing ground level which is:

- more than double the highest building in the Strathfield centre which has three train lines,
- taller than strategic centres including Burwood, Chatswood, Green Square, Rhodes, Bondi Junction and Eastgardens, and
- comparable to St Leonards (strategic centre) and Kings Cross (part of the Sydney CBD metropolitan centre).

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Given its location adjacent to the Edgecliff Railway Station, the subject site has the opportunity to accommodate a greater density and height as compared to the current applicable controls. However, the proposed density and height on this site is excessive and not consistent with the planned hierarchy for centres.

5.1.4 Public benefit

The Region Plan's *Objective 31: Public open space is accessible, protected and enhanced* states that where density increases, urban renewal should begin with a plan to deliver new, improved and accessible open spaces to meet the needs of the growing community. This is reflected in the District Plan's *Planning Priority E3 – Providing services and social infrastructure to meet people's changing needs* which stresses the importance of place-based planning ensures development and population growth is accompanied by the appropriate delivery of new or improved public open spaces and a range of community facilities and services to support the forecasted population.

The Applicant submitted a Social Impact Assessment prepared by Cred Consulting forecasting that future development constructed to the scale facilitated by the request could accommodate approximately 462 people when complete, including people over 60 years old, young workers (25-34 years old), and lone person households.

A development of this size would generate demand for several types of community services and facilities to meet the needs of the proposed increase in workers and residents, including:

- Child care, education, outside school hours care and early childhood health services
- Services for seniors and universal access
- Community services such as libraries, cultural and multi-use community centres
- Recreation and open space.

It is noted that the indicative development concept includes an entrance plaza along New South Head Road, a covered atrium, above-ground public open space connecting to the existing bus interchange, podium level planting, seating and 152.5m² community centre.

As shown in **Figures 8** and **9** the public plaza which primarily serves as an entrance to development and the proposed open space on the level of the bus interchange is limited, not readily accessible or necessarily subject to passive surveillance, and overlooks a bus terminal. These spaces do little for young children or youth to engage in active play as there are no play elements. Additionally, the podium level public open space will not be visible from the street level and may pose safety and accessibility challenges.



Figure 8: Artist's impression of ground floor entrance plaza facing South from New South Head Road: building façade shown in an transparent material (Source: FJMT)



Figure 9: Artist's impression of public open space at the podium level facing South West (Source: FJMT)

Open space needs to be usable, functional and easily accessible to the wider community – and ideally located with highly visible ground level access.

Furthermore, the planning proposal request does not address the Woollahra Community Facilities Study (adopted 29 September 2020). The Study identifies the ECC as a key opportunity for delivery of new and integrated community facilities. It notes that:

Future uplift and development in this location over time will increase the pressure on local community facilities (page 70).

Development uplift of the scale proposed must consider increasing, upgrading or otherwise improving the provision and capacity of significant open space and facilities. Trumper Park, Rushcutters Bay Park, Yarranabbe Park and other small pocket parks in close proximity of the subject site would be highly used by residents of a development on the site. Contributions relating to improvement to these areas should also be considered.

Staff are of the opinion that the amount and type of social infrastructure identified in the indicative development concept is insufficient to serve the future population on this site and the ECC, especially considering the prominence of the site and the high footfall due to the site being located adjacent to the Edgecliff Railway Station.

5.2. Woollahra Local Strategic Planning Statement 2020

The Woollahra Local Strategic Planning Statement (LSPS) 2020 sets out a 20-year land use vision and planning priorities to help ensure the Woollahra LGA continues to be a great place to live, work, play and visit.

The planning proposal request is inconsistent with the vision in the Woollahra LSPS and number of planning priorities, including:

- Planning Priority 2: Planning for a community supported by infrastructure that fosters health, creativity, cultural activities and a social connections
- Planning Priority 3: Working in collaboration with our community, government, businesses and organisations.
- Planning Priority 4: Supporting diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes
- *Planning Priority 5: Conserving our rich and diverse heritage.*
- Planning Priority 6: Placemaking supports and maintains the local character of our neighbourhoods and villages, whilst creating great places for people.
- Planning Priority 8: Collaborating to achieve great placemaking outcomes in our local centres which are hubs for jobs, shopping, dining, entertainment and community activities.

Key areas of inconsistency concern local character and provision of public open space and community facilities. These matters are discussed in **Sections 5.4 to 5.11** of this report.

5.3. Woollahra 2030, Council's Community Strategic Plan

Woollahra 2030, Council's Community Strategic Plan, identifies the strategic direction and integrated planning framework for the Woollahra LGA.

It identifies five themes that summarise what the community values, namely community wellbeing, quality places and spaces, a healthy environment, local prosperity and community leadership and participation. Each theme sets key goals for Council to facilitate and deliver in partnership with community and other government agencies.

The site-specific planning proposal request is not the result of a strategic plan for the centre and does not reflect the desired future character of the centre or satisfactorily respond to surrounding heritage. Additionally, the proposed infrastructure does not include affordable housing or provide adequate community infrastructure for all ages and abilities to meet community needs.

Therefore, it is considered that the request is inconsistent with the following goals:

- Goal 1: A connected, harmonious and engaged community for all ages and abilities
- Goal 2: A supported, enabled and resilient community
- Goal 3: A creative and vibrant community
- Goal 4: Well planned neighbourhoods
- Goal 5: Liveable places
- Goal 10: Working together

5.4. Woollahra LEP 2014

The Woollahra LEP 2014 sets out objectives for development across the LGA and contains the existing development standards for the subject site.

The request is not seeking to change the existing zoning B2 Local Centre. However, the planning proposal request is inconsistent with the objectives of the zone, particularly the following:

- To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood

5.4.1 Height of Buildings

The planning proposal request is inconsistent with the following Height of Buildings (HOB) objectives set out in Clause 4.3 of the Woollahra LEP 2014:

- (a) to establish building heights that are consistent with the desired future character of the neighbourhood,
- (b) to establish a transition in scale between zones to protect local amenity,
- (c) to minimise the loss of solar access to existing buildings and open space,(d) to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,

The planning proposal request seeks an HOB of RL 195m AHD across the entire site whilst the indicative development concept locates the proposed 45-storey element on the southern end of the site. However, this is indicative only and does not guarantee placement of the tower on the site. The map provided shows that the HOB standard would apply across the site.

The subject site is in close proximity to the zone boundaries between the B2 Local Centre, B4 Mixed Use, R2 Low Density Residential and R3 Medium Density Residential zones. The site is also in a prominent location near the top of the Edgecliff ridge line. The surrounding built form context generally ranges from two to four storeys.

Given the significant HOB proposed there is potential for adverse impacts for the precinct in terms of built form character, public amenity and solar access, which could escalate depending on the placement of the tower element. Additionally, the requested HOB standard does not provide a transition to the surrounding area.

Staff also note that, as shown in **Figure 10**, there appears to be a discrepancy between the proposed HOB of RL 195m AHD and the submitted map which shows a height of 195m above ground level. If the planning proposal request was to proceed, the map would need to be corrected.

Whilst the indicative concept development provides a podium and tower of varying heights, this is not guaranteed by the requested amendment to the Woollahra LEP 2014. The request is seeking a HOB of RL 195 AHD across the site which would make it permissible for this height to be located anywhere on the site. This reduces transparency and certainty for our community and applicants regarding how development standards are applied.

The uncertainty of how a future development would distribute height across the site and the discrepancy in scale with the ECC and surrounding area are considered to be inconsistent with the HOB objectives in the Woollahra LEP 2014.

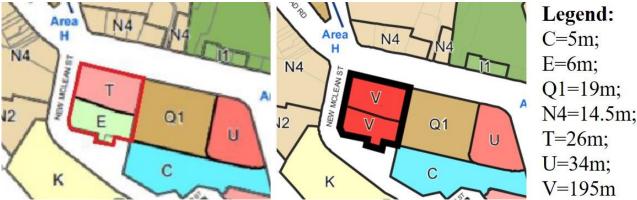


Figure 10: Existing and proposed HOB LEP map (Ethos Urban 2020)

5.4.2 Floor Space Ratio

The existing FSR standard is a maximum FSR of 2.5:1 and the planning proposal request seeks a maximum FSR of 9:1. This represents an increase of more than 260%.

It is noted that the proposed FSR is significantly higher than other FSR development standards in the Woollahra LGA and in surrounding centres in other LGAs. For example, the proposed FSR is:

- substantially greater than the current maximum FSR of 2.5:1 under the Woollahra LEP 2014
- greater than the maximum FSR of 8:1 permitted at Bondi Junction (*Waverley Local Environmental Plan 2012*) which a strategic centre under the Region Plan
- greater than the base FSR permitted under *Sydney Local Environmental Plan 2012* in the Sydney CBD, which is designated as a metropolitan centre in the Region Plan.

The FSR objective of clause 4.4 of Woollahra LEP 2014 for land in the Zone B2 Local Centre is:

(b) for buildings in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, and Zone B4 Mixed Use—to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale.

While the provision of a non-residential FSR is supported, the total amount of floor space that the request would permit is considered inappropriate. In combination with the proposed height, the requested FSR would permit development which would create excessive bulk and scale and not be compatible with the character of surrounding land. The request is considered to be inconsistent with the FSR objectives of the Woollahra LEP 2014.

5.5. Woollahra DCP 2015

5.5.1 Desired future character

Part D: Business Centres, Chapter D4 Edgecliff Centre of the Woollahra DCP 2015 describes the existing character and sets out the desired future character for the ECC precinct. Key features of the desired future character include:

- Reinforcing the ECC's role as the focus of retail and business activity and a convenient place for people to meet, work, shop and use services
- High quality urban environment and pedestrian amenity including human scale and active frontages on New South Head road and New McLean Street
- Provision of new and enhanced pedestrian links.

The ECC is characterised by medium rise buildings along New South Head Road and by low to medium density built form around the Paddington Heritage Conservation Area. Only a handful of buildings in the ECC are higher than seven storeys. It is noted that the planning proposal request is 63m taller than the Ranelagh building, which is considered out of context for the precinct, and 103m taller than the Eastpoint Tower located to the East of the site at 180 Ocean Street.

The ECC's excellent public transport access provides opportunities for increased residential, commercial, retail, medical, health and professional uses that will meet community needs. However, the requested maximum Height of Building of RL 195m AHD and FSR of 9:1 will result in an excessive bulk and scale that is significantly larger than the existing character of the area and is inconsistent with the desired future character and the role of Edgecliff as a local centre.

As already discussed, the request would facilitate development of a bulk and scale that is inconsistent with the desired future character of the Precinct and its context. Additionally, the indicative development concept does not provide active frontages or pedestrian access to New McLean Street (except for a fire escape)(see **Figure 11**). This is an undesirable outcome which will prevent active uses along this street such as outdoor dining and is inconsistent with the DCP desired future character statement.

Additionally, as shown in **Figure 12**, the pedestrian link identified in the request is not located on the subject site. It is considered that planning proposal request does not provide sufficient opportunities for pedestrian amenity or new pedestrian links.

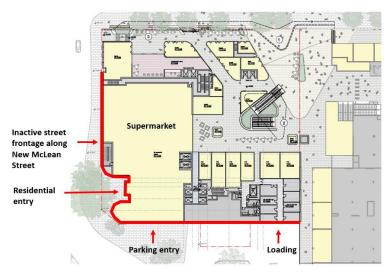


Figure 11: Ground floor plan of indicative development concept (Source: FJMT modified by Council staff)

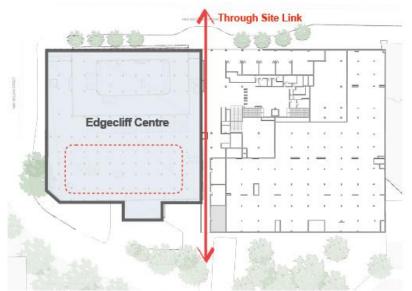


Figure 12: Concept plan showing through site link outside the subject site (Source: FJMT 2020)

5.5.2 Streetscape

Control C3 of Chapter D4 Section 4.2.3 of the Woollahra DCP 2015 requires the design of the lower part of a development's street facade on this site to relate to the scale of pedestrians. The existing predominant street wall height is two to four storeys, which promotes a human-scale.

The indicative development concept for a 45 storey building presents a street wall height of 15 storeys along New McLean Street and has insufficient upper storey setbacks. This creates a perception of a street wall height of 45 storeys along New McLean Street, which is detrimental to the character of the precinct, adjoining residential properties and the general pedestrian experience. Additionally, the indicative development concept has a seven storey street wall height along both New South Head Road and New McLean Street which is inconsistent with this provision. It is noted that the proposal is also inconsistent with the Future Character Study prepared by GMU and submitted as part of the planning proposal request which recommends a lower street wall height along New McLean Street in response to its finer-grain lot pattern.

5.6. Heritage

The subject site is not a listed heritage item in the Woollahra LEP 2014 nor is it located within a Heritage Conservation Area (HCA). However, the site is within the vicinity of many heritage items, including the Ascham School, and borders the Paddington and Woollahra HCAs (see **Figure 13**).

The excessive height requested would result in a permanent, visually dominating and intrusive element within the broader visual catchment of a large number of heritage and contributory items, including Trumper Park and Rushcutters Bay Park. The building bulk would also be visible from different vantage points in the Paddington HCA, and in some views will be the only visible built form of the ECC.

Furthermore, the proposal fails to demonstrate compliance with Part 5.10 *Heritage Conservation* of the Woollahra LEP 2014.



Figure 13: Heritage items in the vicinity, with site shown highlighted

The request has the potential to set an undesirable precedent for future high-rise development in the ECC, which would have a cumulative negative impact on the nearby HCAs. The street level design improvements arising from a future development application for the site do not outweigh these broad and adverse impacts.

5.7. View impacts

As discussed in the heritage analysis above, the planning proposal request results in a bulk and scale which will negatively impact views from Trumper Park and Rushcutters Bay Park. The building bulk is also visible from different vantage points in the Paddington HCA.

The Visual Impact Assessment report by RLA (September 2020) states that the request would result in 'high' view impacts on the predominantly low-scale vegetated skyline. This will impact on views from the HCAs, the surrounding area and some District level views. **Figures 14, 15** and **16** below show a montages of the indicative development concept as viewed from different locations in the LGA. The height and scale is visually dominant in these views.

The proposed building envelope would also potentially impact on views from the adjoining residential towers at 70 Ocean Street and 180 Ocean Street.

The request will result in a built form that will have significant impacts on the character of existing low-scale landscaped skyline, including views from HCAs and district level views. Council staff are of the opinion that the view impacts are excessive and will have a detrimental impact on the District and on local character.

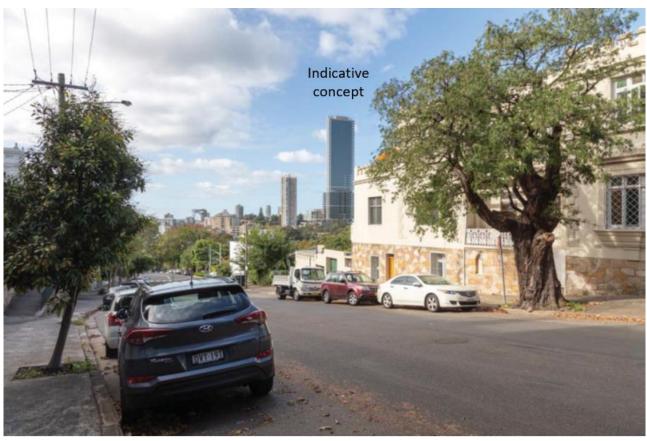


Figure 14: Montage of indicative development concept viewed from Cascade Street and Windsor Street, Paddington (Source: RLA and Visual Ideas 2020)



Figure 15: Montage of indicative development concept viewed from Hargrave and Elizabeth Street, Paddington (Source: RLA and Visual Ideas 2020)



Figure 16: Montage of indicative development concept viewed from Trumper Oval (Source: RLA and Visual Ideas 2020)

5.8. Traffic, access and parking

The Transport and Accessibility Impact Assessment prepared by PTC (September 2020), states that the proposed improvements to the intermodal transport connections will encourage employees, customers and visitors to rely on buses and trains. However, the only proposed intermodal transport improvements include a new entrance, wayfinding signage and escalators. These improvements are considered insufficient to encourage a modal shift.

The report further states that the indicative development concept will generate no additional trips in the morning peak period and lead to a reduction of trips on the weekday evening peak hour and Saturday peak hour. Given the scale of the proposed development and the proposed land uses, the basis for this argument is unclear.

The intersection of New McLean Street and New South Head Road is approaching or at capacity and Council has been working with Transport for NSW for several years to improve capacity at this intersection. The increase in residents and commercial tenants will likely increase the strain on this intersection. It is noted that consultation with the RMS has not taken place.

Additionally, the parking scheme for the indicative development concept does not comply with parking requirements under the Woollahra DCP 2015 with a shortfall of approximately 201 parking spaces. The proposal risks parking impacts on the street as future residents, owners, occupiers or staff members may need to participate in Council's parking permit scheme.

5.9. Residential amenity

The planning proposal request would permit development which is of an excessive bulk and scale which would fail to achieve the principles in *State Environment Planning Policy (SEPP) 65 - Design Quality of Residential Apartment Development*. In particular:

- Principle 1: Context and Neighbourhood Character—the requested planning provisions fail to respond to its context, adjacent sites, streetscape and neighbourhood.
- *Principle 2: Built Form and Scale* the requested planning provisions fail to achieve a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.
- *Principle 5: Landscape* —the requested planning provisions would result in a built form which would be unable to achieve integrated landscaping and built form on the site.

5.10. Sustainability

The Ecologically Sustainable Development (ESD) report prepared by Arup (June 2020) submitted as part of the planning proposal request does not provide details as to what sustainability elements would be incorporated into a future development, and instead states that such aspects 'will be considered' in the design phase. Additionally, the report does not mention using solar panels, local native plant species, canopy trees for shading or public Electric Vehicle (EV) charging in the parking areas which should be included in a development of this scale.

A development of this scale should strive towards a 'best practice' NABERS rating of a minimum of 6 stars for energy and 6 stars for water. However, the indicative development concept aims for a rating of 5 stars for energy and 4 stars for water. Meeting minimum BASIX standards for the residential component is not considered 'best practice'.

5.11. Prescribed airspace

A prescribed airspace control applies to the subject site and under the *Commonwealth Airports Act* 1996 and Airports (Protection of Airspace) Regulations 1996, development above a height of RL 156m AHD is a 'controlled activity' requiring Commonwealth Government approval. Commonwealth Government consultation and approval is required at the planning proposal stage by Ministerial Direction (Section 9.1) 3.5 Development near regulated airports and defence airfields. It is noted that this has not taken place.

6. Staff recommendation

In summary, Council staff are of the opinion that the request has not sufficiently demonstrated strategic and site specific merit. It is recommended that Council resolve not to support the proposal for the following reasons:

- i. The request is inconsistent with the objectives and planning priorities of the *Greater Sydney Region Plan, Eastern City District Plan, Woollahra Local Strategic Planning Statement 2020* and *Woollahra 2030: Community Strategic Plan* as it:
 - a. does not sufficiently address future infrastructure and community needs that future development on the site would generate or how this key location will contribute to the needs of the centre and the surrounding area;
 - b. does not provide affordable housing;
 - c. is inconsistent with the scale and role of a local centre and the desired future character of the precinct; and

- d. does not provide sufficient public benefit.
- ii. The planning proposal request is inconsistent with the objectives for Land Use Zone, Height of Buildings and FSR in the Woollahra LEP 2014.
- iii. The requested maximum Height of Buildings and FSR are inappropriate and would create a building envelope which has an excessive bulk and scale.
- iv. The request is inconsistent with the desired future character set out in the Woollahra DCP 2015.
- v. The requested building envelope will result in adverse impacts on the local centre and the surrounding area with regard to streetscape, public domain, heritage, views, traffic, residential amenity, sustainability and prescribed airspace.

7. Next steps

Should Council resolve not to support the request for a planning proposal, the next step is to notify the Applicant of its decision in accordance with clause 10A of *the Environmental Planning and Assessment Regulation 2000*.

However, if Council decides to support the request, the next step is for staff to prepare a planning proposal in accordance with the *Environmental Planning and Assessment Act 1979* and the relevant guidelines. In this scenario, staff may require additional information from the Applicant before the planning proposal can be prepared. As of 1 June 2018, Council must refer all planning proposals to the Woollahra Local Planning Panel for advice. This advice would then be reported to the EPC.

8. Conclusion

Council has received a request for a planning proposal for 203-233 New South Head Road, Edgecliff. The request seeks to facilitate a 45-storey mixed use development by amending the Woollahra LEP 2014 to:

- Increase the maximum Height of Buildings standard from part 6 metres/part 26 metres to RL 195 metres AHD.
- Increase the maximum FSR standard from 2.5:1 to 9:1.
- Introduce a minimum non-residential FSR standard of 3:1. (Note: this FSR is included in the calculation of the total 9:1 FSR for the site.)

Council staff have undertaken an assessment of the request for a planning proposal in accordance with section 3.33 of the EP&A Act and the relevant guidelines. In summary, Council staff are of the opinion that the request does not have strategic and site specific merit.

It is recommended that Council resolves not to support the request for a planning proposal.

Annexures

- 1. Pre-application consultation response dated 26 August 2020 🗓 🖺
- 2. Planning proposal report prepared by Ethos Urban dated 26 November 2020 Urban dated 26 November 2020
- 3. List of documents submitted with the planning proposal request for 203-233 New South Head Road Edgecliff U

Council Ref: Pre-application consultation 1/2020 [20/118289]

26 August 2020

Paolo Razza Longhurst Property Group Level 31 Governor Macquarie Tower 1 Farrer Place Sydney NSW 2000 Woollahra Municipal Council



Dear Mr Razza

Pre-application consultation response

Meeting No: 1/2020 Meeting date: 24 July 2020

Property: Edgecliff Centre site - 203-233 New South Head Road, Edgecliff

Applicant: Longhurst Property Group

Thank you for attending the meeting on 24 July 2020, to discuss your pre-application consultation for a request for a planning proposal at 203-233 New South Head Road, Edgecliff (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.

In summary, the pre-application submission seeks the following changes to the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014):

- Amendment to the maximum building height standard from 6m and 26m to RL 195m.
- Amendment to the maximum floor space ratio (FSR) standard from 2.5:1 to 9:1.

Council staff generally support reviewing the planning controls for this site. However, the proposed increase in both maximum building height and FSR controls are significant in relation to the site and its context and would create a building envelope which is excessive in height and bulk. Council staff consider that the proposed controls cannot be justified on either strategic or site-specific merits. Therefore, Council staff do not support the proposed height and FSR controls.

Further, Council has engaged a team of consultants to prepare an urban design study that will provide a clear and coordinated framework to guide future development of the Edgecliff Commercial Centre. We recommend that a request for a planning proposal be delayed under after the completion of this study.

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.

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

Redleaf Council Chambers 536 New South Head Road Double Bay NSW 2028 Correspondence to: 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 preapplication meeting and include the reference provided at the top of this letter.

I hope this service has been of use to you. Please contact Jorge Alvarez if you require any further assistance on (02) 9391 7073.

Yours sincerely

Chris Blatt

Chris Bluett

Manager, Strategic Planning

26 August 2020

PRE -APPLICATION CONSULTATION RESPONSE

Reference no.	Pre-application 1/2020
Reference no.	**
Address	Edgecliff Centre site - 203-233 New South Head Road, Edgecliff
Meeting date	24 July 2020
Pre-application officer	Jorge Alvarez, Senior Strategic Planning
Applicant	Longhurst Property Group
Present at meeting	Woollahra Council
	Allan Coker – Director Planning and Development
	Anne White – Team Leader Strategic Planning
	Jorge Alvarez – Senior Strategic Planner
	Applicant
	Paolo Razza – Longhurst Group
	Dimitri Roussakis – Longhurst Group
	Clare Swan – Ethos Urban
	James McBride – Ethos Urban

1 Information submitted

On 24 June 2020 the applicant submitted the following material for staff consideration:

- Completed pre-application consultation form dated 24 June 2020.
- Pre-lodgement planning proposal report prepared by Ethos Urban dated 24 June 2020.
- Urban Design Study and Drawings prepared by FJMT Studio dated April 2020.

2 The site and context

2.1 The site

The site is described as 203-233 New South Head Road, Edgecliff (the site). It is located on the south-eastern side of the intersection of New South Head Road and New McLean Street, Edgecliff.

The site:

- is developed with a building known as the 'Edgecliff Centre'
- is zoned B2 Local Centre under the Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014)
- is located in a business centre referred to as the Edgecliff Centre under Chapter D4 of the *Woollahra Development Control Plan 2015* (Woollahra DCP 2015), which aligns to the B2 Local Centre zone under the Woollahra LEP 2014
- borders land zoned B4 Mixed Use zone along New South Head Road from east of the site to Rushcutters Bay under the Woollahra LEP 2014
- borders a mixed use centre referred to as the Edgecliff Centre under Chapter D2 of the Woollahra DCP 2015, which aligns to the B4 Mixed Use zone under the Woollahra LEP 2014.

To avoid confusion between references to the building and the land use centres the following terms are used in this document:

• 'Edgecliff Centre' refers to the building on the site

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- Edgecliff Local Centre-refers to the land zoned B2 Local Centre under the Woollahra LEP 2014
- Edgecliff Mixed Use Centre refers to the land zoned B4 Mixed Use under the Woollahra LEP 2014
- Edgecliff Commercial Centre refers to the combined land zoned B2 Local Centre and B4 Mixed Use Centre under the Woollahra LEP 2014.

The site is legally described as:

- Lot 203 DP 1113922 and Lot 5 DP 243380, owned by Longhurst Investments No 1 Pty Ltd.
- Lot 2 DP 553702, owned by Rail Corporation New South Wales. This lot runs in an east-west direction across the site and applies to land below RL 27.51 (approximately the existing ground level) to an unlimited depth below. This lot lies below and beside the subterranean sections of Lot 203 DP1113922 and services the existing Eastern Suburbs railway line.

The site is irregular in shape with a site area of 4,910 sqm. It has the following frontages / boundaries (approximately):

- 70 metres along New South Head Road
- 64.25 metres along New Mclean Street (west)
- 62 metres along New Mclean Street (south)
- 68.6 metres to the neighbouring property at 235-285 New South Head Road.

The site has a moderate slope of approx. 1 in 12 from its north-east corner (approx. RL 33.5m) to its southern boundary (approx. RL 28m). The site is located on a visually prominent location at the top of the rise of New South Head Road from Rushcutters Bay, and near the top of the Edgecliff ridge line.

2.2 Existing development

The site is currently occupied by a mixed use building known as the 'Edgecliff Centre'. The building comprises a seven storey building dating from the 1970s that is occupied by a range of commercial premises including retail at the ground, street front level and office premises above.

2.3 Surrounding development

The site is located in the Edgecliff Commercial Centre along New South Head Road. The Commercial Centre contains a mix of commercial, and residential uses with a broad mix of heights, scales and built form. More specifically, the site is surrounded by the following development.

East

Directly adjoining the site to the east is a large mixed use development at 235-285 New South Head Road and 180 Ocean Street, zoned B2 Local Centre. The development incorporates:

- Eastpoint Shopping Centre, with a one to three storey frontage along New South Head Road
- Edgecliff Train Station below ground
- A bus interchange on the roof of the shopping centre
- 'Eastpoint', a 16 storey residential tower on the south-western corner of the New South Head Road and Ocean Street, with heavily landscaped, mature vegetation along both street frontages

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South

Development on the southern side of New McLean Street, opposite the site, consists of:

- Council-owned land adjoining the site between its southern boundary and New McLean Street, zoned B2 Local Centre. The land is subject to a number of right of way easements to allow vehicular access to the site's car park and loading docks and the 'Eastpoint' car park.
- The 'Cameron Court' residential flat buildings at 8-10 New McLean Street, zoned R3
 Medium Density Residential. The buildings are set amongst heavily landscaped, mature
 vegetation. The buildings are approximately three storeys in height fronting onto New
 McLean Street and approximately five storeys at the rear of the site.
- To the south of 'Cameron Court' lies the heavily vegetated slopes which form the northern boundary of Trumper Park. The park is zoned RE1 Public Recreation.
- To the east of 'Cameron Court' lie a number of two storey terraces are located along Cameron Street and Bowes Avenue, and are zoned R2 Low Density Residential.

North

Development on the northern side of New South Head Road, opposite the site, consists of:

- A number of mixed use and residential buildings ranging from two to four storeys, zoned B4 Mixed Use.
- The playground area of Ascham School, zoned SP2 Infrastructure (Educational Establishment).
- Further north, the 'Ranelagh' residential tower at 3 Darling Point Rd, Darling Point is located on a large landscaped lot. The tower is approximately 91m (32 storeys) in height and the site is zoned R3 Medium Density Residential.

West

Development on the western side of New McLean Street, opposite the site, consists of:

- Commercial development at 1 New McLean Street 'Edgecliff Mews' and mixed use commercial / residential development at 2 New McLean Street 'Edgecliff Court', both zoned B4 Mixed Use. Both buildings are built to the street frontage and are approximately two to four storeys in height to the street, and up to eight storeys at the rear.
- The 'Wimbledon' residential flat building at 4 New McLean Street, zoned R3 Medium
 Density Residential. The building is approximately four storeys in height to New McLean
 Street and up to six storeys at the rear, where the site fronts onto Glenmore Road.

2.4 Transport and access

The site benefits from convenient public transport access, being located adjacent to the Edgecliff railway and bus interchange. Trains and buses from this location connect to various locations in the Woollahra LGA, eastern suburbs, Bondi Junction, the Sydney CBD and the greater Sydney metropolitan area.

A taxi stand is located on New South Head directly to the north 'front' of the site. A kiss and ride stand is located on New McLean Street directly to the south 'rear' of the site.

The site is located on New South Head Road which is a major arterial route connecting the Sydney CBD to the Woollahra LGA and more broadly to the eastern suburbs. The site is also located approximately 120m from the major intersection of New South Head Road, Ocean Street (which is also a major arterial road), Ocean Avenue and Edgecliff Road.

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Vehicular access to a one level public car park within the site is available from a driveway on the west street frontage on New McLean Street. Egress from this car park is to the south on New McLean Street. Vehicular access to a tenant car park and loading docks is also available from the south on New McLean Street.

The main pedestrian access to the site is from New South Head Road.

2.5 Heritage

The site is located within the vicinity of a number of heritage items and heritage conservation areas listed in Woollahra LEP 2014, including:

- Item 238: 136 New South Head Road (opposite the site to the north) building and interiors
- Item 239: 188 New South Head Road (opposite the site to the north-east) Ascham school precinct
- Item 114: Concrete balustrade on Darling Point Road, near intersection with New South Head Road (opposite the site to the north)
- Heritage Conservation Area C8: Paddington Heritage Conservation Area (HCA) (opposite the site on New McLean Street to the south)
- Heritage Conservation Area C6: Mona Road HCA (approximately 200m to the north-west)
- Heritage Conservation Area C15: Woollahra HCA (approximately 250m to the south-east).

The site is located above the subterranean Eastern Suburbs Railway and Edgecliff Railway Station, both listed on the Sydney Trains Section 170* register.

*Note: Under Section 170 of the NSW Heritage Act 1977, all state government agencies must keep and administer a database of heritage assets called a Section 170 Heritage and Conservation Register.

3 Description of the planning proposal request

A request for a planning proposal would involve the following changes to the *Woollahra Local Environmental Plan 2014* (LEP):

- Amendment to the maximum building height standard from part 6m and 26m to RL 195m.
- Amendment to the maximum floor space ratio (FSR) standard from 2.5:1 to 9:1.

4 Council's strategic plans and studies

4.1 Woollahra 2030

Woollahra 2030, Council's Community Strategic Plan, identifies the strategic direction and integrated planning framework for the Woollahra Municipality. Council is committed to revitalising its centres, to deliver vibrant villages that provide local access to a range of shops and facilities.

A request for a planning proposal must demonstrate full compliance with relevant goals of the plan.

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4.2 Woollahra Local Strategic Planning Statement

The Woollahra Local Strategic Planning Statement (LSPS) sets out a 20-year land use vision and planning priorities that will support and guide Council's planning controls to help ensure the Woollahra LGA continues to be a great place to live, work, play and visit.

The LSPS identifies the following:

Edgecliff is the gateway that links Sydney's Eastern Suburbs and CBD along a vital transit corridor. It is based around a public train and bus interchange. Edgecliff is located in close proximity to Double Bay local centre, harbour-side parks and lifestyle destinations. It provides employment, local business services and retail. A planning review is currently underway for Edgecliff.

Should the applicant seek to lodge a request for a planning proposal, it must demonstrate full compliance with relevant themes and planning priorities of the LSPS.

4.3 Draft Woollahra Integrated Transport Strategy

The *Draft Woollahra Integrated Transport Strategy 2019* (Draft ITS) sets out a vision for a more accessible LGA where active, sustainable and efficient modes of transport are the most convenient choice for most trips. Council recognises the importance of having a transport strategy that reduces dependence on private vehicles by developing a system of viable, public and active transport alternatives.

The strategy sets out the key objectives, background analysis, challenges, opportunities, policies and actions with regard to four themes:

- Access, Mobility and Liveable Places: Supporting people in Woollahra to get around, regardless of age or ability.
- Public Transport: Working with the State Government to make public transport a more competitive alternative to car use.
- Active Transport: Making walking and cycling the most convenient option for most trips.
- Roads and Parking: Managing the road network to support all users and reducing traffic congestion, noise and speeding.

A request for a planning proposal must address the relevant objectives and themes in the Draft ITS, particularly in relation to the site's inclusion in the Edgecliff Local Centre, which is a transport node for rail, bus, vehicular, cycling and pedestrian movement.

4.4 The Edgecliff Commercial Centre Study

The Edgecliff Commercial Centre comprises land along New South Head Road generally from its intersection with New Beach Road to its intersection with Ocean Street and Ocean Avenue. This area has been the subject of a number of enquiries in recent times from developers seeking potential planning proposal requests. The enquiries have generally sought changes to height and FSR standards of the Woollahra LEP 2014 to facilitate buildings with a dominant residential use. However, developer initiated planning proposal requests are dealt with on an individual basis, resulting in a fragmented and uncoordinated approach to planning.

Council engaged a consultant team of SJB (planning and urban design), GTA (traffic) and JLL (economics) to prepare a planning an urban design study that will provide a clear and coordinated

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framework to guide future development of the area. This study will examine the structure of the Edgecliff Commercial Centre in terms of planning, urban design, traffic, economy, infrastructure, recreation and environment. The strategic review will ultimately identify a new vision and desired future character.

In light of the study that is currently underway, we recommend that the request for a planning proposal is not lodged until the planning control review for the whole of the Edgecliff Commercial Centre has been completed. A decision to proceed with this site-specific request could be seen to pre-empt strategic decisions which are yet to be made about future planning controls for the centre.

4.5 Opportunity site consultation

The site is one of 24 locations that Council consulted the community about in 2010 called 'opportunity sites'. Opportunity sites were locations identified by Council planning staff to potentially increase dwelling capacity and meet the housing targets set out by the NSW Government in the *Draft East Subregional Strategy (July 2007)*.

However, the opportunity site process did not lead to an amendment of planning controls for this site. Further consideration of the proposed planning control changes for the opportunity sites, including the site, and any suggested new sites has been deferred unless 'strong and supportable reasons' are provided.

A request to prepare a planning proposal for the site must not rely on the opportunity site rationale. Any request should provide a new justification for proposed planning control changes.

5 State legislation

5.1 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.

The directions align within the categories of:

- · Infrastructure and collaboration
- Liveability
- Productivity
- Sustainability

The Regional Plan includes objectives to create and support local employment opportunities, particularly in centres.

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

5.2 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

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to create and renew local centres by various methods, including creating and supporting local employment opportunities.

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

5.3 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 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.

We draw to your attention that these guidelines identify that a planning proposal must demonstrate the strategic merit and the site-specific merit of the proposed LEP amendments.

5.4 State Environmental Planning Policy 65: Design Quality of Residential Apartment Development (SEPP 65)

A request for a planning proposal must address the relevant matters in SEPP 65 and the associated Apartment Design Guide (ADG) including:

- Section 2E building depth.
- Objective 3F-1- Separation between dwellings to achieve a reasonable level of internal and external privacy.
- Objectives 4A-1 and 4B-3 to achieve a reasonable sunlight and cross ventilation.

5.5 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

A request for a planning proposal must address the relevant matters in *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*.

5.6 Future Transport 2056

Future Transport 2056 is a suite of strategies and plans for transport developed in NSW aligned with the GSC and Department of Planning, Industry and Environment's regional plans and Infrastructure NSW's State Infrastructure Strategy to provide an integrated vision for the state.

The *Greater Sydney Services and Infrastructure Plan* is the 40-year plan for transport in Sydney and supports Future Transport 2056 and the Regional Plan. The services and infrastructure plan establishes the specific outcomes transport customers in Greater Sydney can expect and identifies the policy, service and infrastructure initiatives to achieve these.

The focus of the plan is enabling people and goods to move safely, efficiently and reliably around Greater Sydney, including having access to their nearest centre within 30 minutes by public transport, 7 days a week. It is also envisaged that the transport system will support the liveability, productivity and sustainability of places on our transport networks. Achieving this will require more efficient modes of transport – public transport, shared transport and walking and cycling – to play a greater role.

A request for a planning proposal must address the relevant issues in the Future Transport 2056 and the *Greater Sydney Services and Infrastructure Plan*, particularly in relation to the site's inclusion in the Edgecliff local centre, which is a transport node for rail, bus, vehicular, cycling and pedestrian movement.

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6 Woollahra Local Environmental Plan 2014

6.1 Part 4.3: Height of buildings

The existing maximum building height that applies to the site under Woollahra LEP 2014 and the proposed height are:

Woollahra LEP 2014 - Height (m)	Proposed height (m)
Part 6m and 26m	RL 195m AHD

The existing controls on the site permit a split maximum building height of 6m and 26m. The preapplication submission seeks a maximum building height of RL 195m (Australian Height Datum) (AHD), which represents a building height of approximately 161.75 - 167m above ground level.

The building height objectives of clause 4.3 of Woollahra LEP 2014 are as follows:

- (a) to establish building heights that are consistent with the desired future character of the neighbourhood,
- (b) to establish a transition in scale between zones to protect local amenity,
- (c) to minimise the loss of solar access to existing buildings and open space,
- (d) to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,
- (e) to protect the amenity of the public domain by providing public views of the harbour and surrounding areas.

Consideration of the proposed building heights notes:

- The proximity of the site to the zone boundaries between the B2 Local Centre, B4 Mixed use, R2 Low Density Residential and R3 Medium Density Residential zones.
- The prominent location of the site near the top of the Edgecliff ridge line.
- · The surrounding built form context generally ranging from two to four storeys.

The proposed building height would permit development which would be inconsistent with the objectives identified above. In particular the controls would not:

- establish a transition in scale between zones to protect local amenity,
- minimise the loss of solar access to existing buildings and open space (including the dwellings in the Paddington HCA and the open space of Trumper Park),
- minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion.

Council staff do not support the proposed building height on the site. However, if a request for a planning proposal is submitted, it must fully justify the requested building height control. The request must respond to the objectives above, and provide appropriate justification with regard to matters such as the effect on prescribed airspace, bulk and scale, solar access, views, loss of privacy, overshadowing, visual intrusion and public amenity. Additional information about some of these issues is provided below. The request must also address whether a change in maximum building height may require associated changes to the Woollahra DCP 2015.

Prescribed airspace

A prescribed airspace control applies to the site. Under the Commonwealth *Airports Act 1996* and *Airports (Protection of Airspace) Regulations 1996*, the prescribed airspace for Sydney (Kingsford-Smith) Airport is defined by the 'Obstacle Limitation Surface' (OLS) (building height contour) map published by the Sydney Airport Corporation limited (SACL). The OLS map

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imposes a height contour of 156m AHD (RL) for the site. The proposed amendment to the building height control above the OLS height is considered a 'controlled activity' and is subject to Commonwealth Government approval.

Additionally, Commonwealth Government consultation and approval is required by the Ministerial direction (section 9.1) - 3.5 Development near regulated airports and defence airfields.

Building height control comparison

The proposed building height control represent a building height of approximately 161.75 - 167m above ground level. A comparison of the proposed building height to other approved building height controls show that the proposed control is:

- substantially greater than the current highest maximum building height of 34m permitted under the Woollahra LEP 2014
- substantially greater than the maximum building heights of 60m permitted under Waverley
 Local Environmental Plan 2012 at Bondi Junction, which is designated as a strategic
 centre in the Regional Plan and District Plan
- greater than the majority of maximum building heights permitted under Sydney Local Environmental Plan 2012 in the Sydney CBD, which is designated as a metropolitan centre in the Regional Plan and District Plan.

View sharing

A request for a planning proposal must address any view sharing impacts relating to surrounding properties. An assessment of these impacts must be based on the **maximum** building envelope created by the requested planning controls, not the building envelope of the concept building (although this may be included in addition to the maximum building envelope, for example, shown as "wire frame" superimposed on a photograph). The view sharing assessment must follow the four step process established in *Tenacity Consulting v Warringah (2004) NSWLEC 140* (paragraphs 23-33). The requirement for a view sharing assessment must not be taken to represent our support for the requested building height control, whether it be the height sought in your preapplication submission or another height.

The pre-application material included a preliminary view analysis of a limited number of surrounding properties. A request for a planning proposal must address view sharing impacts relating to all affected surrounding properties. The view assessment from surrounding properties should include, at a minimum:

- 'Eastpoint' tower at 180 Ocean Street, Edgecliff
- 'Oceanpoint' tower at 170 Ocean Street, Edgecliff
- 'Ranelagh' tower at 3 Darling Point Rd, Darling Point.

Solar access and overshadowing

A request for a planning proposal must address any solar access impacts on surrounding properties. An assessment of these impacts must be based on the **maximum** building envelope created by the requested planning controls, not the building envelope of the concept building (although the solar access and overshadowing impacts from the concept building may be included in addition to the maximum building envelope).

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6.2 Part 4.4: Floor space ratio

The existing FSR control that applies to the site under Woollahra LEP 2014 and the proposed FSR are:

Woollahra LEP 2014 - FSR	Proposed FSR
2.5:1	9:1

The existing controls on the site permit a maximum FSR of 2.5:1. The pre-application submission seeks a maximum FSR of 9:1. This represents an increase of more than 260% of the existing control on the site.

The objectives of clause 4.4 of Woollahra LEP 2014 include:

(b) for buildings in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, and Zone B4 Mixed Use—to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale.

Having considered the site and its context, the proposed FSR would permit development which would be inconsistent with the objectives identified above. In combination with the proposed height control, it would permit development which would

- create excessive bulk and scale
- not be compatible with the character of surrounding land.

FSR control comparison

A comparison of the proposed FSR with other FSR development standards in the Woollahra LGA and in major centres in other LGAs shows that the proposed control is:

- substantially greater than the current maximum FSR of 4:1 permitted under the Woollahra LEP 2014
- greater than the maximum building heights of 8:1 permitted under Waverley Local
 Environmental Plan 2012 at Bondi Junction, which designated as a strategic centre in the
 Regional Plan and District Plan
- greater than the base FSR permitted under Sydney Local Environmental Plan 2012 in the Sydney CBD, which is designated as a metropolitan centre in the Regional Plan and District Plan.

Non-residential FSR

Council is concerned about the erosion of non-residential floor space and employment opportunities on centres in the Woollahra LGA. This erosion will have a detrimental impact on the operation of the Edgecliff local centre within the context of the Eastern City District Plan (refer to section 4.2 below).

The long term benefits of providing non-residential floor space are:

- Future proofing/flexible land use opportunities
- Protection of employment opportunities
- Daytime foot traffic to support businesses such as retail uses,
- Encourage live/work opportunities
- Maintain and enhance day time vitality and vibrancy
- High-quality businesses and activities that attract people to the Edgecliff Commercial Centre
- Products and services for the needs of residents.

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To future proof the Centre's ability to maintain and provide non-residential floor space and employment, Council staff recommended the applicant seeks to provide a minimum non-residential FSR.

At a minimum, this means development should facilitate:

- Employment generating land uses.
- Active ground floor retail and business uses such as cafes, shops, hairdressers and restaurants.
- First floor non-residential uses, such as business, office, medical services and community
 uses.

Note: For the purposes of this approach car parking and serviced apartments are not included as non-residential floor space.

Council staff do not support the proposed FSR on the site. However, if a request for a planning proposal is submitted it must fully justify the requested FSR control for the site. This must include analysis of the impacts of increasing FSR from the existing controls to the requested control. The request must include an appropriate associated minimum non-residential FSR. The request must also address whether a change in maximum FSR may require associated changes to the Woollahra DCP 2015.

7 Woollahra Development Control Plan 2015

7.1 Chapters D4: Edgecliff Centre

The site is located in the Edgecliff Centre which is addressed in Part D: Business Centres, Chapter D4 Edgecliff Centre of Woollahra DCP 2015. Whilst the request for a planning proposal must have regard to the desired future character of the centre, it is recommended that the request for a planning proposal is delayed until the urban design study for the whole of the Edgecliff Commercial Centre is completed. It is anticipated that the study will create a new vision and desired future character for the Edgecliff Commercial Centre.

7.2 Chapter E1: Parking and Access

A request for a planning proposal must be accompanied by a traffic and transport report based on the **maximum** permitted development under the requested planning controls.

7.3 Chapter E3: Tree Management

A request for a planning proposal, regardless of the scale, must have regard to Council's desired future character objectives and controls relating to trees, specifically Chapter E3 Tree Management of Woollahra DCP 2015.

7.4 Chapter E4: Contaminated Land

A request for a planning proposal must consider any potential contamination of the site.

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8 Referral officers comments

8.1 Strategic Planning

For reporting purposes to the Department of Planning, Industry and Environment, the planning proposal must include a statement which, based on the maximum potential development as well as your indicative concept, identifies the:

- · Number and size of existing and proposed dwellings
- · Number of potential new residents
- Size of existing and new non-residential gross floor area in square metres
- · Number of existing and new jobs that will be accommodated in the non-residential area
- Number and type of existing and proposed car parking spaces.

8.2 Development control

Should a development application for the site be lodged prior to a change in the existing planning controls, it would be assessed under the existing controls that apply. The expectation is that an application must fully comply with the relevant development standards and controls. Any exceedances of the development standards would need to be fully justified by virtue of *Clause 4.6 Exceptions to development standards* in Woollahra LEP 2014.

8.3 Engineering Services

Council's Traffic and Transport Engineering staff have provided the following observations:

- The intersection of New McLean Street and New South Head Road is approaching or at capacity. Any planning proposal request for this site should address the traffic impacts on this intersection with measures to address how it resolves the existing traffic issues at this location.
- Given the potential scale of the development, there may be opportunities and need to upgrade the stormwater infrastructure in the area.
- Given the potential scale of the development, there may be opportunities and need to upgrade the public domain in New South Head Road and New McLean Street.
- As New South Head Road is a Classified Road, early consultation with the Roads and Maritime Services (RMS) is recommended.

A traffic impact statement identifying the **maximum** potential additional vehicle movements and traffic management strategy must be provided. The maximum potential car park and traffic movements must be based on calculations in accordance with Chapter E1 Parking and Access in Woollahra DCP 2015. This statement must address the implications of the likely development uplift arising from the requested new planning controls on existing traffic, parking and transport conditions surrounding the site and within any proposed parking areas. The statement must be produced by a suitably qualified and experienced traffic engineer in accordance with Chapter E1 Parking and Access in Woollahra DCP 2015.

8.4 Urban Design

The pre-application planning and urban design reports do not provide sufficient urban design analysis to support the proposed building height and FSR controls. A more comprehensive urban design analysis should be provided to demonstrate the suitability of the site for a development of the height, bulk and scale permitted by the proposed controls.

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Height analysis

An urban design analysis of the proposed height should demonstrate:

- An analysis of the proposed height control when compared to the skyline / city silhouette
 along the Eastern Suburbs Railway corridor. The analysis should consider the centre
 hierarchy from the Sydney CBD (Hyde Park) to Kings Cross (in a strategic location),
 Edgecliff as a local centre and the Double Bay Centre.
- The response of the proposed height control to the role of Edgecliff Local Centre as a Local Centre, including a comparative height analysis of local centres with a similar urban structure to Edgecliff.
- The relationship of the proposed controls to the local context and streetscape. How the scale and height of the proposed podium, with a limited built form articulation, is appropriate for this location in the Edgecliff Commercial Centre.

Streetscape

A streetscape analysis of the proposed controls must consider the following:

- The existing fine-grain streetscape with vertical articulation and 3-4 storey street wall height
- The predominant maximum height control of 14.7m and existing 4 storey street wall height of the Edgecliff mixed use centre along the New South Head Road.

The scale and height of the proposed podium of the development concept, with a limited built form articulation is not considered appropriate for the streetscape character of this corridor. A streetscape analysis should be provided to demonstrate the consistency / suitability of the proposed 6-7 storey street wall height.

Public domain

A public domain analysis of the proposed controls must consider the following:

- The Edgecliff local centre and Edgecliff mixed use centre along New South Head Road
 has limited pedestrian-oriented public domain area. The proposed conceptual ground level
 entrance plaza onto New South Head Road offers internalised spaces with limited
 interaction with and contribution to the public domain. The space is not at a size that
 performs as a public plaza. A more accessible and open plaza area concept should be
 considered.
- The proposed concept must consider the creation of active frontages facing New McLean Street to enhance the public domain, streetscape and public safety. Activation of New McLean Street should consider a ground level setback on the western frontage of the site to allow for the creation of an open plaza / forecourt area for outdoor dining.
- Through-site links proposed as part of a development concept should connect with the
 existing pedestrian link to Trumper Park from New McLean Street and the existing
 pedestrian link to Cameron Street and the Paddington HCA to New McLean Street, to
 improve the permeability of the site.

8.5 Heritage

The site is located within the vicinity of a number of heritage items and heritage conservation areas listed in Woollahra LEP 2014, including:

- Item 238: 136 New South Head Road (opposite the site to the north) building and interiors
- Item 239: 188 New South Head Road (opposite the site to the north-east) Ascham school precinct

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- Item 114: Concrete balustrade on Darling Point Road, near intersection with New South Head Road (opposite the site to the north)
- Heritage Conservation Area C8: Paddington HCA (opposite the site on New McLean Street to the south)
- Heritage Conservation Area C6: Mona Road HCA (approximately 200m to the north-west)
- Heritage Conservation Area C15: Woollahra HCA (approximately 250m to the south-east).

The site is located above the subterranean Eastern Suburbs Railway and Edgecliff Railway Station, both listed on the Sydney Trains Section 170 register.

A request for a planning proposal must include a robust analysis of the heritage impacts of the requested controls and potential development. This must be submitted to allow a complete heritage assessment.

Based on the information provided, the height, bulk and scale of the potential development arising from the proposed planning controls would result in a permanent, visually dominating, intrusive element within the broader visual catchment of a large portion of the Woollahra LGA. The proposed controls also have the potential to set an undesirable precedent for future high-rise development in the Edgecliff Commercial Centre which could have a cumulative negative impact on the nearby heritage conservation areas in terms of heritage and other amenity impacts.

The documentation provided indicates that views will be impacted from as far as Rushcutters Bay Park, which is an item of State heritage significance [SHR 2041], Double Bay, and beyond. The size and height of the proposed development concept is such that its visual impacts will extend well beyond the site and the Edgecliff local centre. This extended impact of the proposal would alter views to, from and within local and State heritage items particularly Rushcutters Bay Park, and the Paddington, Mona Road and Woollahra HCAs This extended impact must be fully considered in the heritage impact statement submitted with a planning proposal request. Given the height and visibility of the proposal, its potential visual impacts should also be considered on a broader catchment than the nearby heritage items and HCAs.

The site adjoins the subterranean Eastern Suburbs Railway and Edgecliff Railway Station, both listed on the Sydney Trains Section 170 register. The potential impact of proposed controls and any potential future development must be fully considered in the heritage impact statement. This must include the impact on any redesign or remodelling of entrances or platforms of the Edgecliff Railway Station, or the excavation for additional basement car parking levels adjacent to the Eastern Suburbs Railway tunnel. It is recommended that the applicant liaise with Sydney Trains heritage specialists prior to finalising any planning proposal request.

8.6 Open Space and Trees

The conceptual 'Sky Plaza' open space area proposed is very limited and overlooks a bus terminal. Located three to four storeys above ground level it would be limited to people who live, work or arrive to the precinct and not be easily accessible for the wider community. It would not be an appealing place to sit or recreate. The space does little for young children or the youth to engage in active play as there are no play elements. Planning controls to allow a development of this scale should consider the inclusion of major open space requirements with provisions for state of the art equipment and themes. Trumper Park, Rushcutters Bay Park and Yarranabbe Park would be highly used by residents in this area and should be a focus of funding improvements by way of the development.

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A request for a planning proposal, regardless of the scale, must have regard to Council's desired future character objectives and controls relating to trees, specifically Chapter E3 Tree Management of Woollahra DCP 2015. The applicant must engage an arboricultural consultant early in the planning phase to determine the retention value of all of the existing trees and vegetation, especially along New South Head Road. Setbacks for tree planting and landscape can be identified and used to guide the constraints and opportunities analysis of the site and inform building envelope controls.

8.7 Community services

The *Woollahra Community Facilities Study* (November 2019) identifies the need for a multipurpose facility in the Western Catchment of the Woollahra LGA. The study recommends that the facility should be a minimum of 2,000 - 2,500sqm in size and be adaptable in size for increased demand over time. Page 65 of the study states:

Strategic Opportunities for Delivery

8.2.3 Provide a new integrated multipurpose facility in the Western Catchment

A primary and pressing issue revealed through the community needs analysis is the forecast gap in provision in the Western Catchment, which is linked with the uncertainty over the future of the arrangement for the provision of a library in the City of Sydney-owned Paddington Town Hall.

The provision of a new integrated multipurpose facility could be located within the Edgecliff Economic Corridor area in partnership with future developers (e.g. via a Voluntary Planning Agreement or joint venture). Future uplift and development in this location over time will increase the pressure on local community facilities and further strengthen the need for a new integrated multipurpose facility.

The site is located in the western catchment and if developed will increase the demand for local community facilities. The applicant should contact Council's Community Services staff to discuss the opportunities for a planning proposal request to incorporate the provision of local community facilities and / or the dedication of floor space for a facility. This may be considered within the voluntary planning agreement framework.

8.8 Property and projects

Council owns land adjoining the site between its southern boundary and New McLean Street. The land is subject to a number of right of way easements to allow vehicular access to the site and the 'Eastpoint' car park from New McLean Street.

The applicant must contact Council's Property and Projects staff to discuss the existing easements over the land, as well as the future use and potential development of this land.

8.9 Compliance

No comments at this time.

9 Voluntary planning agreement

The Woollahra Voluntary Planning Agreement Policy 2020 (VPA Policy) was adopted by Council on 10 February 2020. Under this policy, Council may consider entering into a planning agreement where there will be an opportunity or likely requirement for a development contribution, including requests for planning proposals seeking a change to Woollahra LEP 2014 to facilitate the carrying out of development.

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If approved, the proposed increase in height and FSR controls will substantially increase the development potential of the site and hence its land value. With this in mind, Council anticipates negotiating a planning agreement prepared in accordance with the VPA Policy, to share in this value uplift for the community's benefit. We emphasise, however, that the strategic merit of a planning proposal must be fully justified and the Council would need to support the requested changes.

Council prefers that negotiations for a planning agreement commence before the lodgement of a request for a planning proposal. Further, the VPA Policy seeks to separate the role of Council as an asset manager and planning authority to ensure probity. In this regard, please contact the Director – Technical Services to discuss the requirements for a planning agreement.

10 Information required with a request to prepare a planning proposal

Should you submit a request for a planning proposal, the core documents listed in 9.1 below, are required. Additional documents may be required at the time a request to prepare a planning proposal is lodged.

10.1 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".
- Concept plans including elevations and sections illustrating the distribution of land use and building bulk.
- Results of any consultation with surrounding property owners.
- Disclosure statement (relating to political donations and gifts).
- Survey plan.
- Studies, investigations and reports supporting the requested changes and relating to the
 maximum requested building height / FSR envelope, as well as the concept plan envelope,
 including:
 - Planning report justifying the requested amendments to the height and FSR controls, including the following information:
 - Number and size of existing and proposed dwellings
 - Number of potential new residents
 - Size of existing and new commercial gross floor area
 - Number of existing and new jobs that will be accommodated in the commercial area
 - Number and type of existing and proposed car parking spaces.
 - Photomontage and site photographs
 - 3D Model in the format required by Attachment 9: 3D Digital Model Technical Requirement of Council's DA Guide.
 - View analysis
 - o Shadow diagrams in plan and elevation
 - Traffic and parking assessment
 - Urban design analysis (including streetscape study and figure-ground study)
 - Heritage impact statement
 - Arboricultural report
 - Geotechnical investigation
 - Acoustic assessment
 - Wind impact assessment

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 A statement addressing the issues of 'controlled activity' and 'prescribed airspace' under the Commonwealth Airports Act 1996 and Airports (Protection of Airspace) Regulations 1996 and Ministerial direction (section 9.1) - 3.5 Development near regulated airports and defence airfields.

Notes:

- Images must show the **maximum** building height / FSR envelope of the proposal, as well as the concept plan envelope may include, for example, a "wire frame" superimposed on a photograph or another image.
- Further reports, studies or documentation may be required once the request has been submitted.

11 Fees

This planning proposal request is considered to be a major planning proposal. According to Council's 2020/21 Fees and Charges the cost for stages 1 and 2 are:

Major planning proposal

Stage 1 Up to gateway determination	\$41,770 (GST exempt)	All steps up to and including submission of planning proposal to Department of Planning & Environment for gateway determination if endorsed by Council. May include changes to Woollahra DCP 2015.
Stage 2 Post gateway determination	\$24,930 (GST exempt)	All steps up to publication of the amending LEP subject to Council support. May include changes to Woollahra DCP 2015.

Note: 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.

12 Next steps

Should you choose to lodge a planning proposal request, we prefer that you lodge the application together with supporting studies and information in person at Council's Customer Service Centre, Redleaf, 536 New South Head Road, Double Bay.

Fees are NOT payable upon lodgement of a request. Council staff will review the request and supporting documentation to ensure all the required information has been provided to allow a full assessment of the request. We will contact you if we require additional information. Once we are satisfied that all the required information has been provided an invoice will be issued to the applicant.

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Once all required documentation and payment is received we will commence the detailed assessment of the request. Further information may be required by us once this detailed assessment commences. The planning proposal request will then be 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.

13 Conclusion

The pre-application submission seeks the following changes to the Woollahra LEP 2014:

- Amendment to the maximum building height standard from part 6m and 26m to RL 195m.
- Amendment to the maximum floor space ratio (FSR) standard from 2.5:1 to 9:1.

As identified above, Council staff generally support reviewing the planning controls for this site. However, the proposed increase in both maximum building height and FSR controls are significant in relation to the site and its context and would create a building envelope which would permit development of an excessive height and bulk. Council staff consider that the proposed controls cannot be justified on either strategic or site-specific merits. Therefore, Council staff do not support the proposed height and FSR controls.

However, if a request for a planning proposal is lodged with Council, it must fully justify the changes being sought to the building height and FSR controls and include an appropriate associated minimum non-residential FSR control. The request must also provide all the documentation identified in the 'information required with a request to prepare a planning proposal' section must be provided to permit a full assessment of the request.

14 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.
- If a request to prepare a planning proposal is received by Council, nothing contained in a preapplication response binds Council staff, the elected Council members, or other bodies beyond Council in any way.

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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 this service has been of use to you. Please contact Jorge Alvarez if you require any further assistance on (02) 9391 7073.

Jorge Alvarez

Senior Strategic Planner

Chris Bluett

Manager - Strategic Planning

Chris Bleet

ETHOS URBAN

Planning Proposal

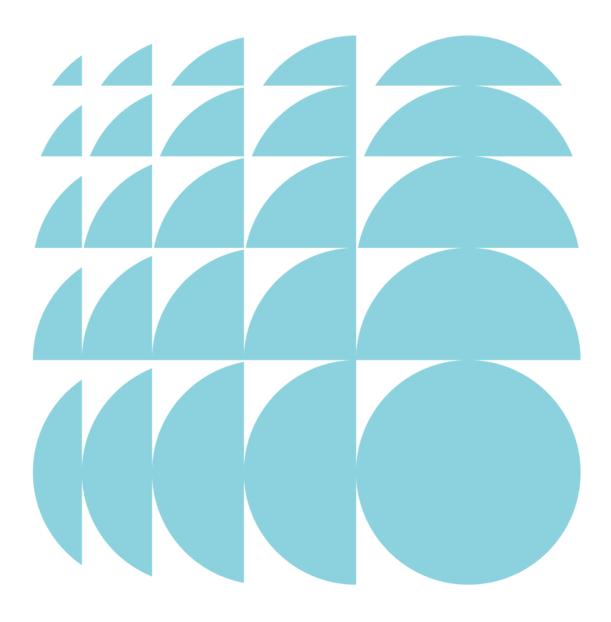
202 - 233 New South Head Road, Edgecliff

Amendments to the Woollahra Local Environmental Plan 2014

Height of Buildings and Floor Space Ratio development standards

Submitted to Woollahra Municipal Council On behalf of Longhurst Group

26 November 2020 | 2190968



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VERSION NO.	DATE OF ISSUE	REVISION BY	APPROVED BY
A	14 09 20	CD / AA	CS

05 11 20 26 11 20 JMC AA Ethos Urban Pty Ltd ABN 13 615 087 931. www.ethosurban.com 173 Sussex Street, Sydney NSW 2000 161 2 9956 6952

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CS

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D Response to Pre-application Comments

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E Strategic and Urban Design Study

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I Traffic and Transport Assessment

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Arup

L Wind Assessment

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M Acoustic Review

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Executive Summary

Purpose of this Report

This Planning Proposal is submitted to Woollahra Municipal Council to request an amendment to the Woollahra Local Environmental Plan 2014 (Woollahra LEP) for land at 202-233 New South Head Road, Edgecliff (the site). The purpose of this Planning Proposal is to introduce new maximum building height and maximum floor space controls for the site.

The Planning Proposal will facilitate the renewal of the site for a mixed-use development comprising a retail, commercial, medical/wellbeing podium with a residential building that will create a vibrant place for the town centre of Edgecliff. The proposal includes the opportunity to include significant ground plane and public domain improvements, including upgrades to the pedestrian entrances to the adjoining Edgecliff Railway Station, improved intermodal connectivity between the Edgecliff Bus Interchange and the Edgecliff Station, publicly accessible open green spaces and the inclusion of a civic ground floor plaza.

The building will reach RL 195 (being approximately 161-167m above ground level), with 44,190 sqm of floor space. The project is forecast to generate approximately 863 direct jobs during construction and provide for a total of 692 jobs in operation.

The Planning Proposal is prepared in accordance with Section 3.33 of the Environmental Planning & Assessment Act 1979, and describes the site, the proposed amendments to the Woollahra LEP and provides an environmental assessment of the proposed height and FSR controls, building envelope and indicative scheme, consistent with the strategic direction of the Edgecliff Centre.

Overview of the Planning Proposal

The objective of this Planning Proposal is to seek to following amendments to the Woollahra LEP:

- Height Amend the applicable height limit from part 6m and 26m to RL 195m;
- Floor Space Ratio Amend the applicable Floor Space Ratio (FSR) standard from 2.5:1 to 9:1;
- Inclusion of a minimum non-residential FSR of 3:1.

The Planning Proposal is supported by a range of specialist inputs to appropriately address all technical requirements required before LEP Gateway, and to confirm that the site is suitable for the future vision sought.

Background

Woollahra Council conducted an Opportunity sites study dated June 2010 which identified 24 opportunity sites within the Woollahra LGA. The purpose of the study was to identify sites capable of accommodating an increased dwelling capacity in order to meet the housing targets set out by the NSW Government in the draft Subregional Strategy in 2010. The study identified Edgecliff Centre as an opportunity site for the following key reasons:

- Increasing density at Edgecliff Centre is consistent with the well-established best planning practice of increasing development potential in centres to promote more sustainable and public transport orientated development.
- A single opportunity site with capacity to support a higher dwelling yield to meet 40% of the housing target and in turn protect lower density residential areas and/or conservation areas from significant change.
- Urban design testing (including overshadowing and view analysis) revealed that the site is capable of accommodating increased height and floor space ratio.

Accordingly, the study recommended an increase in building height to 17 storeys and an increase in floor space ratio to 6.05:1. The study estimated a residential yield of 400 dwellings for the site. The study also highlighted that the existing urban form does not have good amenity, has poor accessibility to transport areas that are in need of upgrading, and that the function of the shopping centre could be greatly improved. While the study was not further progressed, it is prudent to recognise that the site was identified for substantial renewal some 10 years ago given its

key attributes which support renewal of a sustainable and transit-orientated development and renewal of the Edgecliff town centre more broadly. Council have also recently indicated as part of the Pre Application Planning Proposal process that Council support reviewing the planning controls for this site.

The Site

The site is legally described as Lot 203 in DP1113922 and is owned by Longhurst Investments No. 1 Pty Ltd (Longhurst). The site is irregular in shape with a site area of 4,910 sqm and is currently occupied by the Edgecliff Centre. The centre comprises of a single seven storey building constructed circa 1970s that is occupied by a range of commercial premises including retail at the lower levels and offices premises above.

The existing building is significantly outdated and is in need of urgent rejuvenation. The existing shopping centre is anchored by a supermarket and specialty retail with a total of approximately 3,154 sqm of retail gross lettable area. Whilst the current centre plays an important role in providing local residents and workers with convenient access to retail facilities, it is insufficient to cater to the projected growth of the region and to service modern tenant or shopper requirements which is evident by the current higher than average vacancies

The Planning Proposal will allow the site to reach its strategic potential and deliver a desirable mix of land uses in a highly accessible location. The site benefits from immediate and direct connectivity to the transport interchange of Edgecliff, which offers significant transport capacity in the local area and offers fast connections to the CBD and wider catchment, including a future connection to the West Metro.

Site Context

The subject site is located in the Edgecliff local centre. The Edgecliff local centre is co-located with the Edgecliff Rail Station, which is part of the Eastern Suburbs Line. The Edgecliff Centre is located just over 2km form the eastern edge of the Sydney CBD (measured from Hyde Park).

Edgecliff Centre is located on New South Head Road, directly west of the Edgecliff Station and Bus Interchange. Edgecliff Station being the second station out of the CBD after Kings Cross Station, is in close proximity to existing schools, a shopping centre, public open spaces, hospitals and medical centres.

The Edgecliff local centre is situated within and at the eastern boundary of a landscape area that stretches from Hyde Park to Edgecliff that has a distinct presence of slender, taller towers. These taller towers are aligned in two main linear corridors. The east-west corridor is aligned with William Street and its extension Old South Head Road, and a complementary north-south spine stretching from the end of Darling Point to the Edgecliff Centre. Taller buildings in these spines are dominated by point towers dating from the 1960s to 1990s that have heights of up to 30 storeys. Given these attributes, Edgecliff Centre is different to the remainder of the Woollahra LGA, which in general has a more suburban character and lower building heights. This is also recognised by the Woollahra Local Strategic Planning Statement (LSPS) that identifies Edgecliff as the gateway between the eastern suburbs and the CBD.

Vision

Longhurst has a vision on delivering a high-quality renewal project which will strengthen Edgecliff as the town centre and a gateway that links Sydney's Eastern Suburbs and the Sydney CBD.

The project represents a step-change in the evolution of the Edgecliff Centre as a pre-eminent Local Centre which importantly can deliver on Council's objective of increasing the role of Edgecliff Centre as a key transport interchange (under the LSPS). It also aligns with the State's current strategy of increasing density around existing and planned infrastructure to grow high-value jobs, provide better access to homes and employment, and create liveable and sustainable centres.

This Planning Proposal establishes the planning framework to deliver on this vision for a high-quality, transit orientated development, which will:

Provide a world class transport interchange and destination at ground level and podium, by leveraging off the site's scale and length of frontage to provide a completely new and invigorated street level outcome, supporting fine-grain activation and permeability;

- Provide open green space and a suite of uses which will galvanise the site as a destination, rather than merely a transport interchange, incorporating fine-grain retail, medical and wellbeing, professional services and leisure and open green space:
- Be of the highest standard of architectural, urban and landscape design, and provide a recognisable and highquality contribution to the Eastern Suburbs, reinforcing the status of Edgecliff as the Gateway between Central Sydney and the Eastern Suburbs; and
- Deliver a mixture of residential, commercial, retail and medical/well-being floor space to support more efficient access to jobs, services, and homes and contribute to the Greater Sydney Commission's goal of the '30 minute

The project makes the most of the scarce land available in the Edgecliff Centre to deliver employment, retail, medical/wellbeing and residential floor space. It unlocks latent, highly optimal and unconstrained land capable of delivering a mixture of uses and public benefits whilst minimising environmental impacts and not compromising the amenity of the surrounding streets, parks and valued public spaces.

The adjoining Edgecliff Transport Interchange is formed within a stratum ownership arrangement which makes it a highly constrained site to facilitate meaningful improvements or overall redevelopment. In developing the vision for the Edgecliff Centre, the proposal has sought to enable the regeneration of this interchange in a purposeful way to offer significant benefits in improvement of inter-modal connection, station legibility and overall customer experience. The redevelopment of the Edgecliff Centre seeks to provide these improvements within its boundary, utilising land and floor space for improvements to key public infrastructure and the realisation of a town centre.

The Proposal

The amendments to the Woollahra LEP include:

- Increase the maximum FSR on the site from 2.5:1 to 9:1. Within the proposed 9:1 FSR, 3:1 will be dedicated (by way of site-specific provision) to non-residential, employment-generating floor space. It is noted that the residential FSR of 6:1 is similar in magnitude to the FSR recommended in the Woollahra Opportunity Site study and that the additional FSR in this proposal (3:1) is for employment-generating land uses.
- Increase the maximum height on the site from part 26m and 6m to RL 195 (being a height above ground level of approximately 161m).

The proposed amendments in an envelope form was subject to detailed design and environmental impact testing including (but not limited to) urban design testing and visual impact analysis. The indicative design within the preferred envelope can accommodate:

- A 45-storey mixed-use building with a total GFA of 44,190 sqm (FSR of 9:1);
- Eight basement levels with capacity for 301 car spaces;
- Revitalisation and enhancement of the existing intermodal and transport interchange within the site;
- Introduction of potential public community space (subject to further consultation with Council) and a publicly accessible green space at podium level; and
- Public domain improvements at ground level, including a civic plaza.

As the name suggests, the indicative design is indicative only. It has been prepared for the purpose of demonstrating that the proposed building envelope can deliver a viable scheme which complies with the proposed amended planning controls and can fit inside the proposed envelope.

Design Principles

The Planning Proposal and Indicative Development Concept prepared by award-winning Architects FJMT has taken into consideration the development context of the site and its surrounds in order to produce the following key design principles:

- Extend existing street wall and height planes. Any extensions to the street wall height should be sympathetic to the existing street wall. Any extensions above this should be an extension of existing height planes established by Eastpoint tower to the east of the site.
- A new podium and slimmer tower typology is introduced, including a tower element that occupies only 15% of
 the site area, is setback from the main road, aligning with the existing higher density residential typologies in the
 vicinity of the site.
- View sharing considerations. Existing views from the residential developments east of the site towards the Sydney CBD and the Harbour Bridge have been considered in the envelope design to respond to view sharing principles.
- Sun access to Trumper Park Oval. The western setback and the angled articulation of the western façade ensures the Oval is not subject to overshadowing from 10:00am mid-winter.
- Site access reconfiguration. The reconfiguration of site access points and extension of activate frontages to support activation on a greater number of frontages.
- Improved integration and permeability to the Edgecliff Railway Station and bus interchange to support a more direct, accessible, and pleasant user experience.

Transport and Green Infrastructure

Edgecliff Centre is approaching the end of its functional life, with degraded internal and external infrastructure contributing to a visual profile that is tired, uninspiring and dysfunctional. The renewal of Edgecliff Centre will involve significant private investment in State and Regional infrastructure in order to provide a world class built form outcome that will deliver improved amenity for the site, including more natural light, greenery and enhanced connectivity to transport infrastructure.

Transport Infrastructure

A fundamental objective of the renewal of the Edgecliff Centre has been to capitalise on the proximate location to the Edgecliff Transport Interchange by providing direct vertical connectivity and enhancing the relationship between the railway station and bus interchange.

The renewal will include provision of a generous 38m wide entryway along New South Head Road, which creates an expansive public plaza at the ground-plane. The proposed entryway will create a well-defined focal point to the transport interchange which in turn creates a place function at the entrance for commuters, shoppers and community members to meet and congregate. Unlike the existing non-descript access point at New South Head Road, the proposed primary access point will be emphasised through appropriate signage and architectural design, providing a clear and intuitive entrance to the transport interchange enhanced by natural light and space.

The proposal also incorporates improvements to the through-site link that connects the primary entrance along New South Head Road to New McLean Street at the rear, therefore affording the site with enhanced pedestrian permeability. In order to deliver the through-site link, parts of the walls separating the Edgecliff Centre site from the adjacent train station access in the East Point Shopping Centre development will be removed. In turn, this fosters unimpeded active movement through the site and provides connections from the residential areas from the north to green spaces such as Trumper Park to the south.

In addition, the site includes a direct connection to the bus interchange from the new development by incorporating vertical connections through a series of escalators. This additional connection to the bus interchange reduces reliance on the non-descript stairs in the Eastpoint Shopping Centre to access bus platforms and provides better integration between the bus interchange and train station. It also provides visual access from the street, by way of large signage and a large atrium indicating that the entry leads to the bus interchange.

Green Infrastructure

The proposal includes the addition of new publicly accessible open green space that will include community spaces and a multi-functional open space adjacent to the bus interchange on the podium level. The park will provide opportunities to gather and congregate within the space directly accessible to and from public transport infrastructure providing an extension to the public realm. Features may include naturally rolling hills across two levels, canopy trees and planting, gardens, hard and soft landscaping, bicycle parking, open spaces for seating, leisure and retreat and varying place making initiatives.

Strategic Justification

The Edgecliff Centre Strategic and Urban Design Study prepared by Ethos Urban provides a strategic planning and urban design analysis to demonstrate that the renewal of the site (under this Planning Proposal) has sufficient strategic merit to proceed to a gateway determination. The study reveals that the role of Edgecliff and Double Bay as a centre is by its features and is potentially able to be elevated higher on the centre's hierarchy given locational attributes and high accessibility to key transport infrastructure. The study finds that:

- Under the Greater Sydney Region Plan, Edgecliff is designated as a Local Centre. This type of centre plays an important role in providing access to goods and services close to where people live. Increasing the level of residential development within walking distance of centres with a supermarket is a desirable liveability outcome.
- The Future Transport 2056 Plan identifies the importance of transport interchanges as places which will have a high level of accessibility as service frequencies and travel times are improved. On this basis, the Greater Sydney Region Plan states that there will be potential for interchanges specifically to deliver mixed-use, walkable, cycle friendly centres and neighbourhoods and that Council's need to consider local conditions through place based planning that provides for centres around interchanges to grow and evolve over time and potentially become strategic centres
- Under the Greater Sydney Region Plan. Bondi Junction is the only Strategic Centre for the northern parts of the Eastern District. Edgecliff is the next level down in the hierarchy and is identified as a Local Centre. It however is larger in footprint and scale than most other local centres and has a number of attributes that suggest it already or has the potential to function as a form of Strategic Centre for that part of the Eastern District closer to the Sydney CBD (Edgecliff is just over 2km from the eastern edge of the Sydney CBD).
- For example, the District Plan notes that centres with a supermarket (Edgecliff contains two) qualify as larger local centres. Support for an elevated role is reinforced by the Woollahra LSPS which designates the centre as a 'key local centre'.
- Under the previous metropolitan plan, Edgecliff and Double Bay combined were designated as a Town Centre, which confers greater significance than that of a local centre. It is conceivable that with the right planning interventions, Edgecliff and Double Bay can be guided to evolve as a more coherent single centre comprising two distinct but related parts. The take up on this rare, larger unconstrained site, directly adjacent to transport infrastructure, supports the further evolution of Edgecliff to cater for a greater proportion of future residents and jobs without interfering with the character of Double Bay.

From a strategic planning perspective, the renewal of Edgecliff Centre aligns with the overall strategic planning framework and satisfies the strategic and site-specific merit test.

Does the proposal have strategic merit?

The proposal is considered to have strategic merit. This is because it is consistent with the applicable strategic planning framework set by the State and by Council. Specifically, the Planning Proposal will facilitate development which:

- Maximises existing infrastructure (the Edgecliff Railway Station) and provides more efficient access to housing, jobs and services to an existing transport hub. It also reduces reliance on vehicle usage and increases daily critical mass to support the viability of goods and services on the site and within the broader Edgecliff Centre;
- Integrated land use and transport creates walkable 30 minute cites. The Planning Proposal provides additional capacity in a location that is in close proximity to jobs, transport, services, and open space, in accordance with the '30 minute city';
- Contributes to the 0-5-year housing target for Woollahra and the housing projections by the GSC up to 2026, and the attainment of the overall housing target for the district which in turn will protect existing lower density residential areas from substantial change; and
- Protects commercial and employment floor space to support the increased role of Edgecliff as a key transport interchange and Centre.

Does the proposal have site-specific merit?

The proposal is considered to demonstrate site-specific merit because:

- It has been subject to a broader environmental assessment. In particular, it has been determined that the
 existing infrastructure and services on the site (with augmentation) will be capable of supporting the future
 redevelopment of the site. The proposal also incorporates significant regional infrastructure improvements in
 terms of the transport upgrades proposed; and
- It has considered environmental values such as views, overshadowing, traffic generation and other impacts as
 demonstrated in this report, and has been determined to result in an acceptable environmental impact.

The site thereby provides a unique opportunity to deliver significant improvements to the connectivity of the existing intermodal transport connection. This opportunity unlocks the potential for a place based planning approach to the site to accommodate additional employment generating uses, allied medical/wellbeing uses, a diversity of housing product and open space in a highly accessible location. Edgecliff is located within 3km of the Sydney CBD and has been identified in the Woollahra LSPS as the gateway that links Sydney's Eastern Suburbs and CBD along a vital transit corridor.

Social and Economic Benefits

The proposal will deliver significant social and economic benefits to the local community as well as broader flow-on benefits within the Sydney metropolitan area.

From an economic perspective, the proposal will support the local economy through the creation of new housing, employment and business opportunities. The project will stimulate local investment and position Edgecliff as a contemporary, activated and well-connected destination that provides a range of essential services and amenities for the community, supporting essential local economic viability, diversity and future growth.

From a social perspective, the amenity and accessibility improvements the proposal will deliver at this critical transport interchange, along with its mix of services, amenities and opportunities for recreation and socialising will serve to strengthen local liveability, community wellbeing and resilience in multiple, tangible ways.

Environmental Assessment

The Planning Proposal provides an environmental assessment of the proposed envelope and an indicative proposal (concept scheme) built to the proposed height and FSR control, providing a summary of the detailed environmental investigations undertaken.

It includes:

- detailed architectural design study;
- · strategic and urban design study;
- visual impact assessment;
- · traffic and transport assessment;
- rail impact assessment;
- social impact assessment;
- · heritage impact assessment;
- wind assessment;
- · acoustic and vibration assessment;
- ESD strategy;
- airspace assessment;
- · flooding and stormwater assessment;
- · contamination / environmental assessment; and
- · geotechnical desk study.

Public Benefit

This Planning Proposal report demonstrates the significant public benefit created by the proposal. Whilst the proposal relates to the site, the benefits of the proposal will extend beyond the site's boundaries, importantly contributing to the reinvigoration of the existing bus interchange and railway station, and contributing overall to the reinvigoration of the Edgecliff town centre.

Notable public benefits include:

- A new address and upgraded entry experience linking New South Head Road to the Edgecliff Railway Station and bus interchange which will improve the legibility and permeability of the interchange.
- A new internal circulation and intermodal connection to provide legible and easily accessible pedestrian links through the site to the railway station and adjoining bus interchange.
- Creation of place through new public spaces and landscaping to establish a more attractive destination and town centre. This includes:
 - Attractive fine-grain retail laneway fronting New South Head Road;
 - A new ground floor open plaza and shared public square with further fine-grain retail;
 - New public forum integrating the site to the adjoining bus interchange with a new publicly accessible open space, retail, professional services and medical and well-being uses; and
 - Inclusion of a new through-site link to enhance pedestrian permeability to accommodate a connection between residents to the north and Trumper Park.
- The co-location of residential uses with retail, medical/well-being and commercial uses will support transitorientated development and contribute to the creation of a walkable centre that provides homes in proximity to employment.
- Support dwelling supply on a strategically positioned site that will enable housing targets to be met while
 protecting the character of existing residential areas from drastic change. The dwelling supply will also increase
 the diversity and availability of housing to meet particular demand among higher than average local population
 of older people, allowing them to downsize and 'age in place' in their much loved LGA.
- Facilitate a mix of uses, including highly accessible health/medical and wellbeing uses that will increase the
 provision of much needed services necessary to support the growing and changing demographic of the
 population and support ageing in place.
- · Provide the opportunity to create no net increase in traffic movements when compared to current conditions.
- Provide improvements in local amenity and services to the local community and provide better access to these
 renewed services for the wider community (due to the site's location to transport and the proposed intermodal
 upgrades).
- Provide the opportunity to improve safe pedestrian crossing across New South Head Road (particularly for students to and from Ascham School).
- Provide the opportunity to improve the pedestrian experience and safety between this strategic site and key
 public spaces at Trumper Oval and Rushcutters Bay.

Pre Lodgement Consultation and Project Response

This Planning Proposal has been the subject of pre-lodgement consultation with Council and addresses the formal pre-application comments issued by Council on 26 August 2020. Overall, Council have indicated there is general support for a review of the planning controls applicable to the site, but the controls proposed would create development taller and of a scale greater than anticipated.

This issue is addressed in detail within this report and the supporting appendices. The appropriateness of the density put forward is well-founded and is resultant of meticulous design, testing and analysis having regard to the constraints surrounding the site (including in particular view sharing and overshadowing), as well as the physical characteristics of the site (which has no planning constraints), its context to existing transport infrastructure and the overall environmental capacity for an unencumbered site to deliver transit oriented development and density.

In particular:

- The envelope podium comprises three distinct elements (the street wall, the lower podium, and the upper
 podium) which are a deliberate contextual response to the prevailing street frontage heights and heights of
 surrounding development along New South Head Road. The street wall height is intended to align with the
 adjoining Eastpoint frontage heights and the podium heights replicate the existing building heights of 170 and
 180 Ocean Avenue.
- The tower element is well setback from the New South Head Road frontage which is consistent with the existing higher density residential typologies in the area whereby buildings are set back from the main street.
- . The tower is of a taller, slimmer and narrow form. This is deliberate to:
 - ensure the creation of a taller slimmer tower meaning a skinnier shadow which creates a faster moving shadow for residents to the south, reducing the extent/length of time of shadow caused by the proposal;
 - ensure no overshadowing to Trumper Park Oval between 10:00am and 2:00pm in mid-winter in accordance with the Woollahra Development Control Plan 2015; and
 - effectively consider view sharing principles to the Sydney CBD and Harbour for the existing residential buildings, particularly at 170 and 180 Ocean Avenue. This is also supported by the position of the tower and its proportions on the site. It is positioned on the southern end of the site at an angle and in order to minimise its elevation length in the western view.
- The bulk and scale proposed does not affect surrounding residential receivers from achieving appropriate
 residential amenity in accordance with the Apartment Design Guide.
- The site is the only remaining large and unconstrained portion of land in the Edgecliff Centre corridor. It also sits
 above and adjacent to the only transport interchange in Woollahra, in a setting which has a very different
 character to the remainder of the LGA and which is capable of accommodating density without impinging on
 lower density residential and/or conservation areas.
- The unconstrained nature of the site represents an opportunity to deliver density without affecting the
 established residential character of the remainder of the LGA and can create a genuine transit orientated
 development.

Overall, the proposal represents a fundamental shift away from the setting of a generic fixed FSR and height control for town centre LEP maps, which is in isolation of site and locality-specific environmental context and impacts. The site specific consideration of the density that can be accommodated on the site, recognises the unconstrained nature of the site, being a large and unrestricted lot in the heart of Edgecliff above the Edgecliff Railway Station and directly adjoining the Edgecliff bus interchange. It also responds to the environmental capacity of the site in terms of overshadowing, traffic generation and other environmental impacts. This has then derived an appropriate height and FSR for the site.

Conclusion

The proposed amendments to the Woollahra LEP will allow the site to reach its strategic potential and contribute significantly to the local public domain and provide broader regional benefits in terms of the transport upgrades proposed. The site benefits from immediate and direct connectivity to Edgecliff Station and Edgecliff Bus Interchange which offers significant uplift in transport capacity in the local area and offers fast connections to a wider catchment.

To this end, the Planning Proposal and the indicative development concept for the site fosters the principles of transit-orientated development, whilst generating significant benefits and opportunities for Woollahra LGA and the Edgecliff town centre.

Accordingly, considering the proposal and the overall strategic nature of the site and justification provided in addressing planning issues, the Planning Proposal is considered to have strategic merit. This Planning Proposal also demonstrates that the density proposed can be appropriately accommodated on the site while also minimising environmental impacts and not compromising the amenity of surrounding residential receivers, heritage and valued public spaces. This supports the site-specific merit of the Planning Proposal.

For these reasons and the ones set out below, we have no hesitation in recommending this Planning Proposal for Gateway Determination.

- · The proposal is by and large consistent with the overall strategic planning framework for the site;
- The development concept is fully aligned with Transit Oriented Development in that the planning proposal will
 facilitate the rejuvenation of Edgecliff, creating a vibrant mixed use town centre as the gateway to the Eastern
 City District;
- Provision of employment-generating floor space to accommodate a variety of uses including specialty retail and community, leisure, and medical/well-being facilities, to create additional job opportunities to meet the employment targets for the Eastern City District;
- Provision of housing within immediately adjacent to the Edgecliff station and in close proximity to the largest employment area being the Sydney CBD;
- Provision of housing that meets a demographic need in terms of downsizing and ageing in place in a higher accessible and desirable location;
- The proposal will deliver significant economic benefits to the locality and broader region, including the creation
 of 2,600 jobs across the broader supply chain and an industry value-added of \$66m to regional domestic
 product which will contribute to meeting the demand for retail floorspace without compromising to the viability of
 surrounding centres; and
- The proposal will deliver a range of social benefits including new public open space, new community spaces, new highly accessible curated medical/wellbeing offering and significant upgrades to the existing Edgecliff Station entry and intermodal connections to the adjoining bus interchange and new pedestrianised public domain spaces.

1.0 Introduction

This Planning Proposal Report is submitted to Woollahra Municipal Council (Council) in relation to proposed amendments to the *Woollahra Local Environmental Plan 2014* (Woollahra LEP) for land at 203-233 New South Head Road, Edgecliff (commonly known as the Edgecliff Centre (the site)). Ethos Urban has prepared this Planning Proposal Report on behalf of Longhurst Investments No. 1 Pty Ltd (Longhurst).

The purpose of the Planning Proposal is to amend the existing Height of Buildings and Floor Space Ratio (FSR) development standards applicable for the site, in order to facilitate a fully integrated, mixed-use transit-orientated development for the site.

It is intended to accommodate the renewal of Edgecliff Centre for a mixed-use transit orientated development comprising retail, medical/well-being and office uses and a residential building up to a height of RL 195 (161-167m), with an overall Gross Floor Area (**GFA**) of approximately 44,190sqm. The proposal will create a vibrant place for the centre of Edgecliff as well as leveraging and improving the existing public transport infrastructure which is a key objective of the Planning Proposal.

The proposal will include opportunities for significant ground plane and public domain improvements, including upgrade of the pedestrian entrances to the adjoining Edgecliff Station, improved intermodal connectivity between the bus interchange and the rail station, community spaces, civic plaza and publicly accessible open green spaces. An indicative development concept has been prepared by FJMT with guidance from a multifaceted consultant team including Ethos Urban, ARUP, Aurecon, GMU, Curio, Cred Consulting and Richard Lamb and Associates.

Specifically, the Planning Proposal seeks to increase the Height of Buildings development standard applicable to the site from part 6m and 26m to RL195, and increase the maximum FSR from 2.5:1 to 9:1. The FSR proposed will include a minimum 3:1 of non-residential floor space component. Amendments to the Woollahra Development Control Plan 2015 (Woollahra DCP) will be required to support this outcome.

As required by Section 3.33 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**), this Planning Proposal will include:

- · a statement of the objectives or intended outcomes of the proposed instrument;
- · an explanation of the provisions that are to be included in the proposed instrument;
- the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 9.1 of the EP&A Act); and
- details of existing and proposed community consultation.

This Planning Proposal Report describes the site, the proposed amendments to the Woollahra LEP and DCP and provides an environmental assessment of the proposed height and FSR controls, building envelope and indicative concept design. The report should be read in conjunction with the Design Report prepared by FJMT (**Appendix A**) and the accompanying specialist consultant reports (refer to Table of Contents).

The Planning Proposal has been prepared with regard to 'A guide to preparing planning proposals' published by the Department of Planning, Industry and Environment (**DPIE**). It also includes a response to the formal comments issued by Council during pre-lodgement consultation with Council. Refer to **Appendix D**.

1.1 Vision and Background

The site has been considered an opportunity site for over a decade (given it has already been identified by Council as an Opportunity Site as far back as 2010). The site provides a large, consolidated area for renewal and is strategically positioned above an existing rail corridor and adjacent to a bus interchange.

The existing connectivity and interface to Edgecliff Station and Edgecliff Bus Interchange is poorly connected and is overdue for vast improvement. This is despite recent TfNSW investment in lift / DDA upgrades to the platform and station interface. However, due to the current ownership structure there is a limited ability to make large-scale improvements on the station site itself.

The Edgecliff Centre site thereby provides a unique opportunity to deliver significant enhancements to the connectivity of the existing intermodal transport connection and improve the interchange's ability to provide a modernised and delightful customer experience. This opportunity unlocks the potential for a place-based and transit orientated planning approach to the site to accommodate additional employment-generating uses, allied medical/well-being uses, a diversity of housing product and open space in a highly accessible location. Edgecliff is located within 3km of the Sydney CBD and has been identified in the Woollahra LSPS as the gateway that links Sydney's Eastern Suburbs and CBD along a vital transit corridor.

A mixed-use development that harnesses the site's prime location above Edgecliff Railway Station and adjacent to the Edgecliff Bus Interchange to deliver substantial employment and residential floor space, as well as public domain additions, can raise the status of Edgecliff as a centre. The Woollahra LSPS identifies Edgecliff and Double Bay as key local centres.

This Planning Proposal establishes the planning framework to deliver on this vision for a pre-eminent mixed-use transit orientated development in Edgecliff, which will:

- Provide a world class transport interchange and destination at ground level, by leveraging off the site's scale
 and length of frontage to provide a completely new and invigorated street level outcome, supporting fine-grain
 activation and pedestrian permeability;
- Provide open space which will galvanise the site as a destination, rather than merely a transport interchange, incorporating fine-grain retail, plaza areas and open green space;
- Be of the highest standard of architectural, urban and landscape design, and provide a recognisable and highquality contribution to the Eastern Suburbs skyline, reinforcing the status of Edgecliff as the Gateway between Central Sydney and the Eastern Suburbs; and
- Deliver a mixture of residential, commercial, retail and medical/well-being floor space to support more efficient access to jobs, services, and home.

1.2 Pre-lodgement Consultation with Council

A pre-lodgement meeting was held with Council on 24 July 2020. The formal pre-application comments are provided at **Appendix C**. Each comment has been addressed throughout this report and within a response matrix at **Appendix D**.

Council have indicated there is general support for a review of the planning controls applicable to the site, but the controls proposed would create development taller and of a scale greater than anticipated. The appropriateness of the density put forward in this Planning Proposal is therefore justified in greater detail in this document, is well-founded and is the result of meticulous design, testing and analysis having regard to the constraints surrounding the site (including in particular view sharing and overshadowing), as well as the physical characteristics of the site, as well as considering its context and proximity to existing transport infrastructure.

2.0 Site Context and Description

2.1 Site Context

The site is located at 203-233 New South Head Road, Edgecliff within the Woollahra Local Government Area (**LGA**). Edgecliff is a suburb and local centre situated in the eastern suburbs of Sydney, positioned three kilometres east of the Sydney CBD (refer to **Figure 1**). Surrounding local centres bounding the suburb include Darling Point to the north, Double Bay to the east, Paddington to the south and Rushcutters Bay to the west.

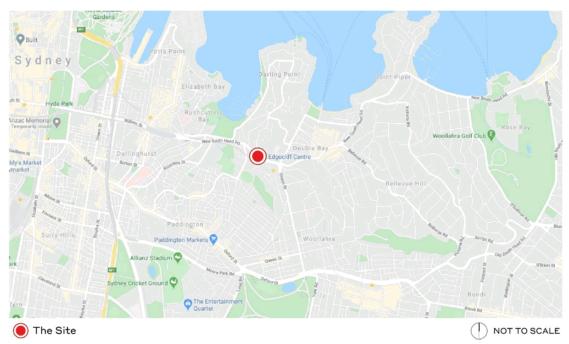


Figure 1 – Site context
Source: Google Maps & Ethos Urban

2.2 Site Description

The site is legally described as Lot 203 in DP1113922 and Lot 5 DP243380 and is owned by Longhurst Investments No. 1 Pty Ltd. The site is irregular in shape with a site area of 4,910 sqm. It has the following frontages (approximately):

- 70 metres along New South Head Road;
- 62.1 metres along New Mclean Street (south); and
- 64.25 metres along New Mclean Street (west).

The northern portion of the site contains a below ground easement to service the existing Eastern Suburbs railway line, with an unlimited depth and a height limited to RL 27.455 (which is existing ground level). A Survey Plan accompanies the Planning Proposal at **Appendix B**. Aerial photos of the site are provided at **Figure 2**.





Figure 2 – Site Aerial Source: Nearmaps & Ethos Urban

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2.3 Existing Development

The site is currently occupied by the Edgecliff Centre. The centre comprises a single seven storey building dating from the 1970s that is occupied by a range of commercial premises including retail at the ground, street front level and offices premises above. The existing development is shown in **Figure 3** to **Figure 6**.

The site is positioned adjacent to two train station entries, with one situated to the east of the site's northern frontage at New South Head Road and the other to the east of the site's southern frontage at New McLean Street. Both these train station entrances relative to the site are illustrated in **Figure 5** and **Figure 6** below. The bus interchange adjoins the site and is situated above the Eastpoint Shopping Centre development. The site does not include any direct vertical connections to the railway below or the bus interchange above.



Figure 3 – Edgecliff Centre, viewed from north west



Figure 4 - Edgecliff Centre, viewed from the north



Figure 5 – Edgecliff railway station entrance adjoining the site to the east on New South Head Road



Figure 6 – Rear of the site adjoining the entrance to Edgecliff railway

2.4 Surrounding Development

The site is located in the Edgecliff local centre which broadly contains a mix of commercial, retail, entertainment, and residential uses. This is within a broad built form typology which ranges from one to over thirty-nine storeys which creates a varied hierarchy of height and density. More specifically, the site is surrounded by the following development.

2.4.1 To the North

On the northern edge of New South Head Road, opposite the site, there are a number of mixed use and residential developments of a medium density, ranging from two to four storeys. Further north, on Darling Point Road, there are some high-density residential developments including the 32 storey Ranelagh development, located 100m north of the site and 51 Darling Point Road, which is 14 storeys and situated 300m north of the site.



Figure 7 – New South Head Road facing east, showing development to the north including Ranelagh



Figure 8 – Development directly north of the site on the opposite side of New South Head Road

2.4.2 To the South

To the immediate south of the site, development is predominantly characterised as higher density residential. These developments along the southern edge of New McLean Street are part three and part four storey residential flat building developments (see **Figure 9** and **Figure 10**). Further south, on Cameron Street and Bowes Avenue, development is typically of a two-storey terrace typology.



Figure 9 – Part three and part four storey residential flat building development directly south west of the site on New McLean Street



Figure 10 – Part three and part four storey residential flat building development directly south of the site on New McLean Street

2.4.3 To the East

Directly adjoining the site to the east is the Eastpoint Shopping Centre development which is located above the Edgecliff railway station and comprises a two-storey frontage along New South Head Road. Further to the east, at the junction of New South Head Road and Ocean Street and on Ocean Street, are Eastpoint Tower and Oceanpoint 170, respectively 16 storeys and eight storeys.



Figure 11 – Eastpoint Shopping Centre, which adjoins the site to the east



Figure 12 – Eastpoint Tower, looking west from Ocean Street

2.4.4 To the West

Immediately west of the site, on the opposite edge of New McLean Street, development is characterised as mixed use and this continues further west along New South Head Road. The density of these developments' ranges from two to ten storeys and is generally mixed use.





Figure 13 – Mixed use developments on the western side of New McLean Street, directly opposite the site

Figure 14 – Ten storey mixed use development on New South Head Road to the west of the site

More broadly, development along the Darling Point Peninsula is varied with a sporadic array of medium and high density developments (refer to **Figure 15**).

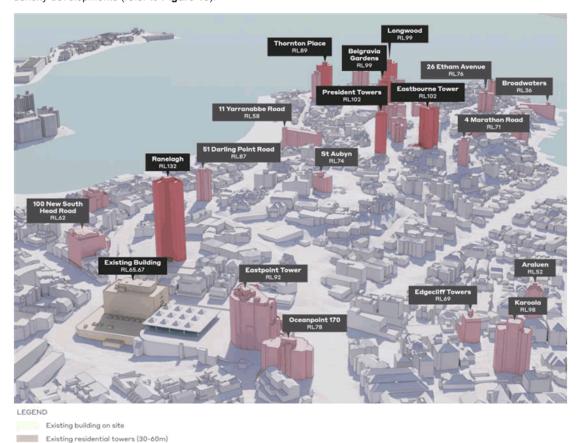


Figure 15 – Surrounding development along the Darling Point Peninsula Source: Ethos Urban

2.5 Transport and Access

Existing residential towers (60m and above)

The site benefits from convenient public transport, being located adjacent to the Edgecliff railway and bus interchange. This connects the site with direct railway services to the Sutherland Shire and the Sydney CBD. The bus services at the bus interchange provide important connections to the Sydney CBD, the Lower North Shore and the Eastern Suburbs. Key bus connections from the Edgecliff bus interchange include:

- · a five-minute connection to the Sydney CBD;
- · an eight-minute connection to Bondi Junction; and
- · a 10-minute connection to St Vincent's Hospital.

Vehicular access for public vehicles is provided to the west of the existing development via New McLean Street (see **Figure 16**), leading to one level of car parking. Egress for these vehicles is located at the south of the site on New McLean Street. Access to a tenant car park is also located to the south of the site, adjacent to the general car park exit and an additional loading vehicle entrances is located at the south-eastern corner of the site.

The majority of pedestrian entrances to Edgecliff Centre are located on New South Head Road, with one located on the north-western corner of New McLean Street.



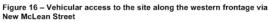




Figure 17 – Vehicular access to the site along the southern frontage of New McLean Street

2.6 Heritage

The site does not consist of any heritage significant items, nor is it within a heritage conservation area. However, it is located in the vicinity of the 'Paddington, including parts of Woollahra and Edgecliff heritage conservation area. This heritage conservation area is situated to the south of the site, on the opposite edge of New McLean Street. The closest heritage items are located on the northern edge of New South Head Road, directly opposite the site and include the following:

- 136 New South Head Road (opposite the site) building and interiors;
- 188 New South Head Road (opposite the site) Ascham school precinct; and
- · Darling Point Road, near intersection with New South Head Road Concrete balustrade.

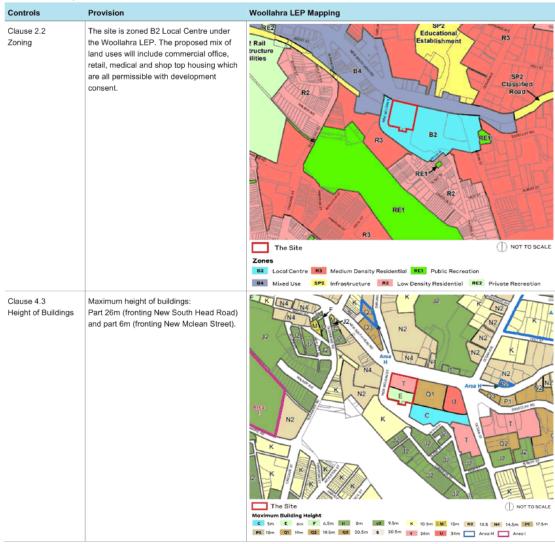
The site is also located above the subterranean Eastern Suburbs Railway and Edgecliff Railway Station which listed under Sydney's Trains Section 170 Register.

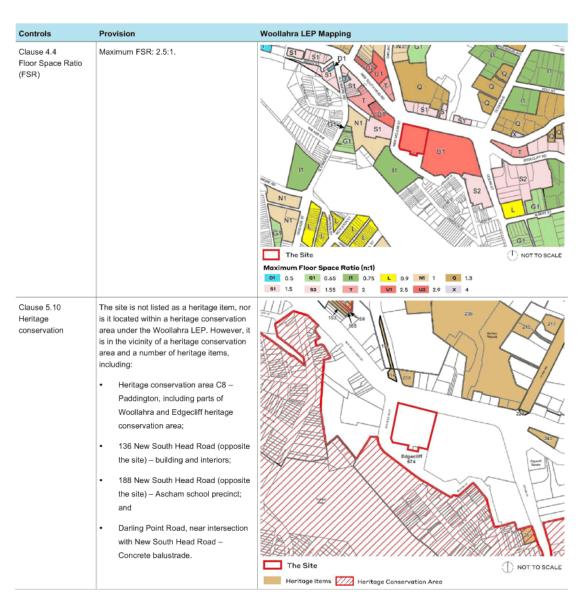
3.0 Current Statutory Planning Framework

3.1 Woollahra Local Environmental Plan 2014 (Woollahra LEP)

The Woollahra LEP is the principal environmental planning instrument applying to the site. Key provisions applicable to the site are identified in **Table 1**.

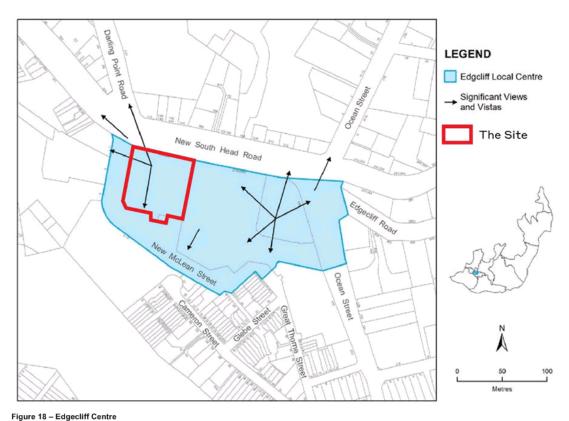
Table 1 – Summary of current Woollahra LEP Controls





3.2 Woollahra Development Control Plan 2014 (Woollahra DCP)

The Woollahra DCP builds upon the Woollahra LEP and provides more fine-grain design and development controls applicable to the site. The site is located on land within the Edgecliff Centre (Refer to **Figure 18**) which is subject to a precinct specific DCP (Chapter D4 of Part D).



Source: Chapter D4 (Edgecliff Centre) of Part D (Business Centres) of the Woollahra DCP

3.2.1 Desired future character for the Edgecliff Centre

The DCP envisages that the development within Edgecliff Centre is to contribute to the following desired future character:

- Reinforce the role of Edgecliff Centre as the focus of retail and business activity and continue to be convenient
 place for people to meet, work, shop and use services.
- The built form will promote an urban environment which meets high standards of visual quality and pedestrian amenity.
- Buildings will be up to eight storeys on New South Head Road and transition down to one to two storeys at New McLean Street frontage. At the corner of Ocean Street and New South Head Road buildings up to 10 storeys are permitted.
- New McLean Street will have an active street frontage and parking and servicing arrangements will be
 reconfigured to be less visually intrusive. The amenity will be improved by including streetscape works,
 landscaping and reducing the frontage dedicated to vehicle movements.
- Pedestrian links across the centre, and through the centre to the bus interchange and railway station, will be
 enhanced. The connections to the surrounding New South Road commercial corroder and nearby residential
 land will increase pedestrian activity and convenience. Where commercial development addresses a street,
 awnings will be provided at street level for weather protection.
- Given the excellent public transport access, the centre is ideally located for increased residential and commercial land uses. Retailing, medical and health related services and professional services will continue to cater for the needs of the local community.

3.2.2 Development controls

Key development controls applicable to the redevelopment of the site include the following.

- C1 The ground floor of the building on New South Head Road is setback 3m.
- C2 The building at 203-233 New South Head Road Addresses New McLean Street, is related to the scale of pedestrians and provides visual interest. This may be achieved by:
 - a) providing an active frontage to New McLean Street;
 - b) reconfiguring the parking and servicing arrangements so these do not dominate the streetscape; and
 - c) reducing the number and width of vehicle cross overs.
- C3 The design of the lower part of the street façade relates to the scale of pedestrians.
- C12 The permeability and connectivity of the centre is improved. For example, by providing north-south thoroughfares and improving links between the retailing spaces and the public transport facilities.
- C18 Development provides an active frontage to New South Head Road, New McLean Street and Arthur Street.
- C27 Solar access to the Trumper Park Oval is provided between the hours of 10am and 2pm on 21 June. Where existing overshadowing is greater than this, sunlight is not to be further reduced.

Assessment of these controls is provided in Section 6.

Indicative Development Concept 4.0

4.1 Vision

The vision for the site is to create a revitalised and vibrant transit-orientated development that enhances intermodal transport connectivity and legibility, provides essential services, increases the provision of housing close to transport and accommodates the provision of employment generating uses. The renewal will also provide essential retail, medical, health and wellbeing services, and has the potential to provide a new community space and a publicly accessible open green space and plaza areas that will benefit the broader community. This will enable the creation of a vibrant and rejuvenated town centre that fosters an attractive and accessible place to live, work and

The renewal provides a unique opportunity to make significant improvements to the public domain, transport infrastructure and provide new open space areas to develop a new mixed-use community that establishes a true focal point of activity for the centre of Edgecliff.

The new residential population will stimulate businesses and retail outlets in the centre of Edgecliff. Mixed uses along with modernised office space and allied medical/well-being uses will increase opportunities for residents to work locally and use local retail and leisure facilities. It is envisaged that the ground plane will accommodate uses such as dining and retail shopping facilities to promote activation in an open plaza type service offering, whilst facilitating an important connection for the inter-modal nature of the centre. It is anticipated that the space can be curated to enhance its ability to be a place to meet, congregate and connect with place-making initiatives for the community and town centre.

Redevelopment at the Edgecliff Centre offers the opportunity for the potential of public benefits such as a publicly accessible open green space and community space which will be integrated on the podium level of the bus interchange that will increase amenity for new residents, workers and commuters, and will foster the growth of a community choosing to stay and use the space and not simply commute. The inclusion of new pedestrian links will increase permeability and allow better activation and connectivity to key nodes within and surrounding the precinct.

The design of the indicative scheme for the site considers views from adjoining residential development and strategically locates the building form in a way that considers view sharing. The siting of the building form also protects solar access to Trumper Park during required DCP hours and seeks to minimise overshadowing impacts on adjoining residential properties.

The scale of the proposed built form comprises of a podium base and a slender tower that will define the transport interchange and town centre of Edgecliff. This is generally configured to concentrate density around the station and bus interchange in accordance with local and State strategic planning policies and to protect the amenity of existing natural features, public open space areas and the character of existing lower density residential areas.

4.2 **Urban Design Analysis**

An Urban Design Study prepared by Ethos Urban and a future desired character study prepared by GMU is submitted with the Planning Proposal and provides a contextual analysis of the site and surrounding area. Based on this, the following key considerations have informed the indicative development concept and Planning Proposal:

- Height around stations. The amenity and efficiencies associated with these public transport nodes supports buildings with greater heights and densities (refer to Figure 19).
- Heights along ridge roads. The site's along two main linear corridors which contain a number of taller tower forms which sit along ridge roads (William Street and New South Head Road, and Darling Point Road) (refer to Figure 20).
- Higher density clusters and activity centres. Throughout Sydney, activity centres have formed along ridge roads containing retail high streets and higher density clusters (refer to Figure 21).

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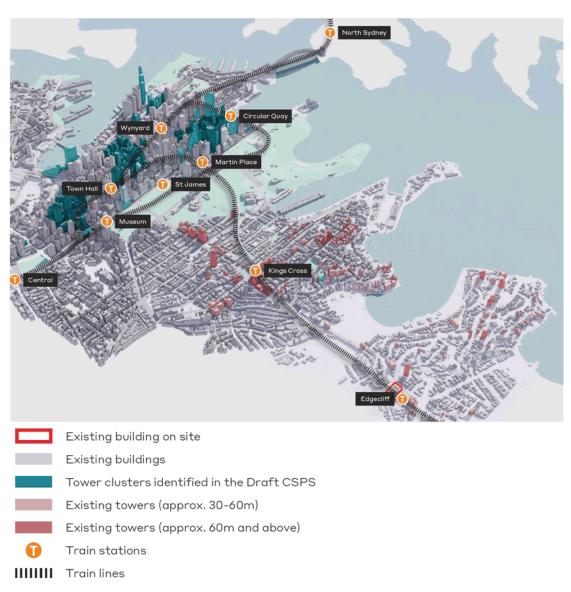


Figure 19 – Heights near train stations Source: Ethos Urban

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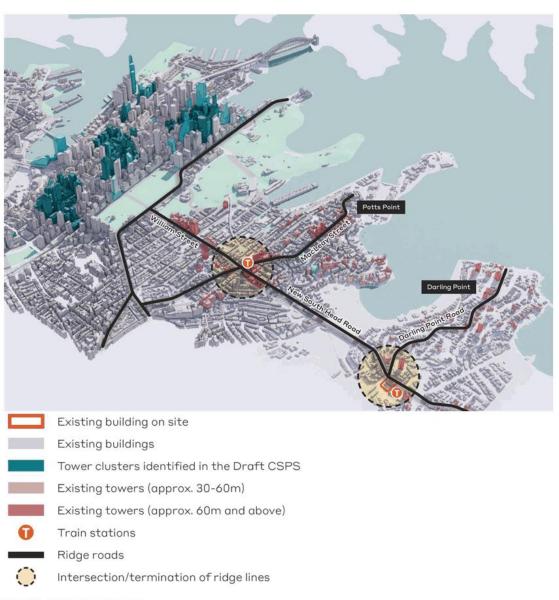


Figure 20 - Heights along ridge roads

Source: Ethos Urban

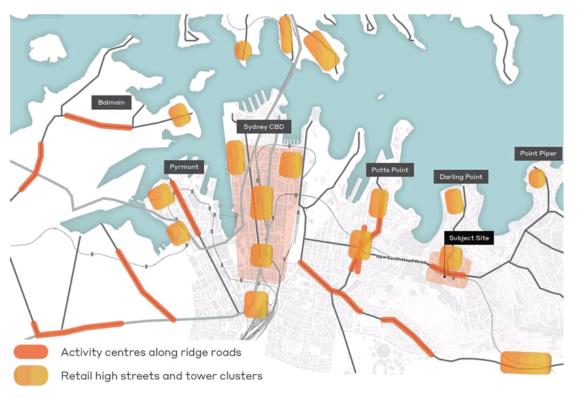


Figure 21 – Higher density clusters (identified in yellow) and activity centres (identified in orange)

Source: Ethos Urban

4.3 Design Principles

The Planning Proposal and Indicative Development Concept prepared by award-winning Architects FJMT has taken into consideration the development context of the site and its surrounds in order to produce the following key design principles:

- Extend existing street wall and height planes. Any extensions to the street wall height should be sympathetic to the existing street wall. Any extensions above this should be an extension of existing height planes established by Eastpoint tower to the east of the site.
- A new podium- and slimmer tower typology is introduced, including a tower element that is setback from the main road, aligning with the existing higher density residential typologies in the vicinity of the site.
- View sharing considerations. Existing views from the residential developments east of the site towards the Sydney CBD and the Harbour Bridge have been considered in the envelope design to respond to view sharing principles.

In addition to the above, the following design moves relating to the ground plane have also shaped the Planning Proposal and indicative scheme:

- Site access reconfiguration. The reconfiguration of site access points to support activation on a greater number
 of frontages (refer to Figure 22).
- Improved integration and permeability to the Edgecliff Railway Station and bus interchange to support a more direct, accessible, and pleasant user experience (refer to Figure 22).
- Extension of active frontages. Currently, only the New South Head Road frontage is active, with the southern
 and western frontages supporting predominantly vehicle access and loading (refer to Figure 23).

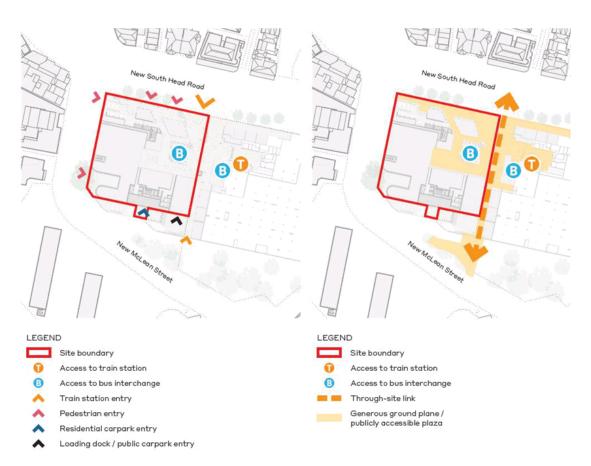


Figure 22 – Reconfigured site access and permeability

Source: Ethos Urban



Figure 23 – Proposed active frontages

Source: Ethos Urban

4.4 Options Analysis

This section describes the background design work undertaken as part of the preparation of the Planning Proposal.

4.4.1 Different schemes explored

FJMT was engaged by Longhurst to review the development potential of the site and investigate options to redevelop the site in line with its surrounding context as well as the intended outcome for the site under Council's Opportunity Study 2010. The following options were explored and assessed. Each is elaborated on below and in the Urban Design Report prepared by FJMT in **Appendix A**.

- Option 1 Compliant LEP scheme under the existing controls for the site;
- Option 2 Opportunity Site Study envelope;
- · Option 3 Single lower broader tower envelope; and
- Option 4 The proposed scheme (the subject of this Planning Proposal).

4.4.2 Site constraints and principles

In undertaking a review of the site's development potential, FJMT, Ethos Urban and GMU have identified the following site constraints and planning controls. Also identified are the built form principles which will support a built form outcome that is cohesive with its context.

- The proposed built form should be designed considering the principles of view sharing;
- · Slender tower form to cast fast moving shadows to maintain solar access to Trumper Park;
- Extension of existing street walls along New South Head Road;

- Introduction of a street frontage component which is similar in height to development fronting New South Head Road: and
- A tower element which is setback from New South Head Road in order to be consistent with existing higher density residential typologies in the area.

4.4.3 Option 1 - Compliant LEP scheme under the existing controls for the site

A complying LEP envelope under the existing controls for the site is shown in **Figure 24**. A complying LEP envelope fails to best respond to the rare, unencumbered size of the site and its location adjacent to public transport, and does not support the increasing role of Edgecliff as a key transport interchange in the Eastern District nor support the principles of transit orientated developments.

The part 6m and 26m height limit forces a sub-optimal design outcome (i.e. a short squat building with inappropriate proportions) and insufficient density in proximity to key transport infrastructure. The demolition of the existing building on the site to redevelop up to 26m would not be feasible and this would be exacerbated given the constraints associated with the below ground rail easement. This option is therefore not realistic or optimal.



Figure 24 – Option 1, building envelope under the current LEP controls on the site Source: FJMT

4.4.4 Option 2 – Woollahra Opportunity Site Study envelope

The Woollahra Council Opportunity Study Envelope tested a 53m height (17 storeys) and 6.05:1 FSR on the site. They study assumed the amalgamation of the site with the adjoining Eastpoint Centre (the adjoining site to the east). The outcome is shown in **Figure 25**. The envelope was included in a study of sites which Council identified as being capable of supporting additional density to meet the NSW Government's (then) housing targets, and comprised primarily residential uses with only minor retail for employment-generating floor space.

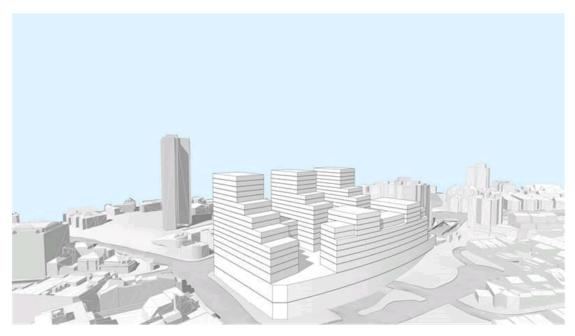


Figure 25 – Option 2 – Opportunity Site Study envelope (viewed from south-west)

The built form arrangement would make ADG compliance very difficult, if not impossible. The scheme would also fail to generate any feasible, modern, and efficient floor plates to support commercial development (which was not the predominant land use intended on the site under the scheme). The floor to floor heights (which are approximately 3.1m) would also be insufficient to meet the demands of retail and commercial development and would be insufficient for any loading requirements. Retail generally requires anywhere from 4.5 to 5m floor to floor heights and commercial generally requires 3.8m minimum floor to floor heights. On this basis, the Opportunity Site envelope would realistically be around a height of 72m if employment generating uses were factored in.

It is also noted that:

- The 17-storey street wall heights dominant the street front and supersede the general height pattern of existing street wall heights which front New South Head Road;
- The tower elements are not setback from New South Head Road which is inconsistent with the typologies in the
 area whereby tower elements are setback from the street. This results in a shear wall to the street that creates
 an undesirable pedestrian experience (and wind conditions) along New South Head Road;
- The envelope will have a significant impact on the views currently available to the residents of 170 and 180
 Ocean Avenue in terms of Sydney CBD and Harbour views (elaborated in Section 8.5); and
- The envelope causes a larger, slow moving shadow which would shadow Trumper Park at 10am on 21 June which is inconsistent with the DCP.

4.4.5 Option 3 - Lower broader tower form, above podium setback envelope

Option 3 is shown in **Figure 26**. It aims to achieve the target FSR of 9:1, which comprises approx. 6:1 residential and 3:1 non-residential. This amount of FSR can be accommodated on the site appropriately and is comparable to density around other centres in Sydney (refer to **Section 8.2**). This FSR also allows the residential FSR envisaged by the Opportunity Site Study but adds a substantial amount of employment generating FSR (3:1) for a true mixed use transit orientated development.

Note that this option:

- Provides a better outcome then Option 1. It provides a 7m above podium setback to the western boundary and 10m setback to the eastern boundary to support ADG compliance and reduce overshadowing to the west;
- · Provides a tower setback from New South Head Road to be compatible with the existing street wall;
- Supports enhanced view sharing (especially at the lower levels) for residents at 170 and 180 Ocean Avenue but will overshadow Trumper Park which is a significant public impact; and
- The form is broad and bulky at the base and tower element. This creates a more ill proportioned mass which
 would not allow sufficient articulation for a detailed building and extenuate the perceived bulk and scale of the
 building from the public domain.

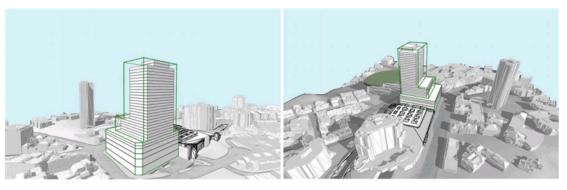


Figure 26 – Option 3 – lower broader tower form viewed from the south-west (left) and looking west along New South Head Road (right)

Source: FJMT

4.4.6 Proposed envelope scheme (the subject of this proposal)

The proposed envelope has been subject to testing by FJMT which has demonstrated it provides a better outcome compared to the other options identified in this section of the report. It also provides a better contextual response to the surrounding locality which highlights the suitability to accommodate a building form which supports an FSR of 9:1. This FSR allows the residential FSR envisaged by the Opportunity Site Study, but adds a substantial amount of employment generating FSR (3:1) for a true mixed use transit orientated development.

Within this envelope, an indicative scheme is shown to demonstrate how the LEP controls for the site (height and floor space) could foreseeably look. The planning proposal is an alternative pathway to facilitate the real and feasible construction of a transit-orientated, mixed use development up to a height of RL 195 on the site.

The proposed envelope is shown in **Figure 27**. How the form of the envelope compares to Option 2 and Option 3 is also depicted (refer to **Figure 28**). Although the proposed envelope is taller, the podium has been setback and reduced at the lower levels to better consider views to the Harbour and CBD for adjoining residents at 170 and 180 Ocean Avenue (refer to **Figure 29**). This mass has then been distributed upwards, into a slender tower which also reduces view loss impacts and creates a fast moving shadow for residents to the south, thereby reducing overshadowing impacts.

The building is also cut back on an angle on the western façade to ensure no overshadowing to Trumper Park between 10:00am and 2:00pm mid-winter in accordance with the DCP control (refer to **Figure 29**).

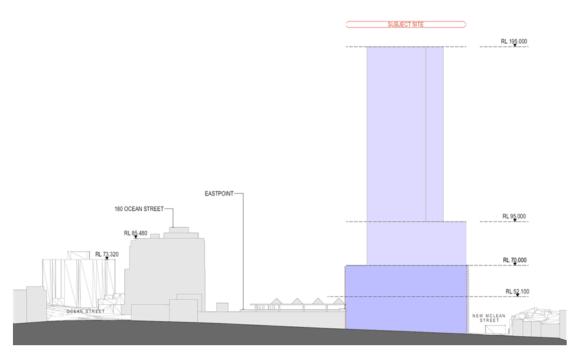


Figure 27 – Proposed envelope (north elevation) (envelope shaded purple) Source: FJMT

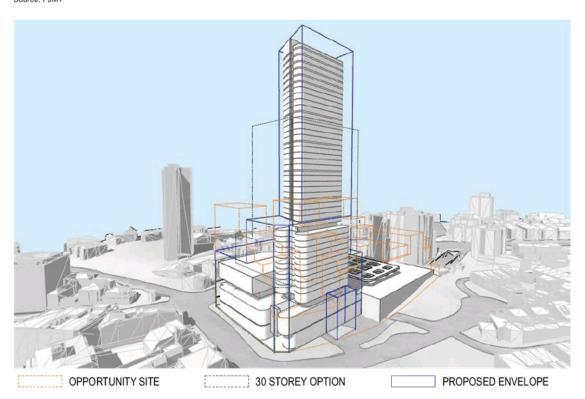


Figure 28 – Option 4 – Proposed envelope viewed from the south-west (top) and looking west along New South Head Road (bottom)

Source: FJMT

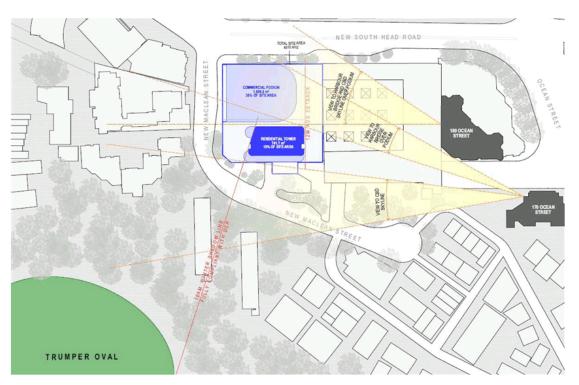


Figure 29 – Envelope and view analysis Source: FJMT

This envelope and scheme more broadly will provide:

- The delivery of a truly transit-orientated, mixed use development which responds to the site and context, with the broad benefits proposed inextricably linked to the LEP amendment sought;
- The retention and increase in the variety of employment-generating floor space on the site;
- An elegant but identifiable entrance into Edgecliff from the east and a more navigable and visible connection from the street to the railway station and bus interchange;
- The provision of larger, premium grade floor plates (1,500 sqm+ for the commercial component) which can be more flexible to the needs of business and future workspaces, and are more attractive to tenants;
- A podium which is more consistent with the existing street wall character of New South Head Road and height of surrounding development;
- A more refined and elegant tower element (which occupies only 15% of the site area) then that which could be achieved under the existing LEP controls or the Opportunity Site draft;
- Significant public benefit, including improvements to the public domain in the form of a through-site link, publicly
 accessible open green space. There are also significant improvements to the Transport Interchange in the form
 of connectivity, accessibility and experience with the railway station and bus interchange;

The built form metrics of the proposed envelope are as follows:

Podium:

- Street frontage height: 38.5m;
- Lower podium height: 24.01m; and
- · Upper podium height: 42.01m.

Overall Building:

Building height: 167m;Eastern setback: 12m;

Western setback: 12.45m – 24.17m; and
 Southern setback (road reserve): nil.

4.5 Indicative Concept / Development Outcome

In order to demonstrate that the proposed building envelope can deliver a feasible mixed-use development, FJMT has developed an indicative scheme (refer to **Appendix A**).

The Planning Proposal has been designed to be capable of accommodating public benefits including an activated through-site link, publicly accessible ground floor public plaza and open green spaces. There are also improved upgrades to the interconnectivity of the site to the railway station and bus interchange.

It should be noted that the indicative scheme is indicative only and has been prepared for the purpose of demonstrating that the proposed building envelope can deliver a viable scheme which complies with the proposed amended planning controls and can fit inside the proposed envelope.

The amendments to planning controls proposed in the Planning Proposal will support:

- · A 45 storey mixed use building comprising a total GFA of approximately 44,190 sqm;
- Eight levels of basement car parking with capacity for 301 vehicles, accessed from the south of the site via New McLean Street;
- · Revitalisation and enhancement of the existing intermodal and transport interchange within the site;
- Introduction of potential public community space (in consultation with Council) and open space at podium level;
 and
- Public domain and plaza area improvements at ground level.

A numerical summary of the concept development scheme is provided in Table 2.

Table 2 – Summary of indicative concept scheme key development parameters

Component	Development Concept
Site area	4,910 sqm
GFA	44,190 sqm, comprising: 5,414 sqm of commercial office; 7,143 sqm of retail; 3,092 sqm of medical / well-being; and 28,541 sqm of residential (with 232-268 residential apartments).
FSR	9:1, comprising: 3:1 employment FSR (retail, commercial, medical, wellbeing); and 6:1 residential FSR.
Maximum overall height	RL 192.68 (161.75m) to RL 195 (167m)
Street frontage height	RL 60.98
Residential apartments	232 - 268
Car parking spaces	301, comprising: 117 retail spaces; 184 residential spaces.
Bicycle spaces	387 • 268 residential spaces; and

Component	Development Concept	
	119 non-residential spaces.	
Motorcycle spaces	20	

4.6 Transport Interchange

The site benefits from being located in the immediate vicinity of the Edgecliff transport interchange, with the main Eastern Suburbs Line located beneath the site and the Edgecliff bus interchange which is situated at the top of the Eastpoint Shopping Centre adjoining the site.

There are currently two transport interchange entrances, both accessible from Eastpoint Shopping Centre, including a primary entrance at New South Head Road and a secondary entrance from the rear at New McLean Street. The primary entrance to the transport interchange via Eastpoint Shopping Centre along New South Head Road is narrow and non-descript, acting more as a backdoor entrance than a main access point to a key transport interchange.

The adjoining Edgecliff Transport Interchange is formed within a stratum ownership arrangement which makes it a highly constrained site to facilitate meaningful improvements. In developing the vision for the Edgecliff Centre, the proposal has sought to enable the regeneration of this interchange in a purposeful way to offer significant benefits in improvement of inter-modal connection, station legibility and overall customer experience. The redevelopment of the Edgecliff Centre seeks to provide these improvements within its boundary utilising their own land and floor space for significant improvement to key public infrastructure and the realisation of a town centre.

The design of the proposal directly responds to the proximate location to these key transport interchanges by providing direct vertical connections to the railway station below and the bus interchange above.

The scheme can facilitate the introduction of a 38m wide entryway along New South Head Road, which extends into a public plaza. This will soften the interface of the site and Transport Interchange from the busy six-lane New South Head Road, improve the site permeability, creating a highly legible entrance to the interchange, host the intermodal connection and create a place to congregate, mingle and meet. Unlike the existing, non-descript access point at New South Head Road, the proposed access point will be emphasised through appropriate signage and architectural design, providing a clear and intuitive opening to the transport interchange (refer to **Figure 30**). The extent of the enlarged entryway along New South Head Road is illustrated in **Figure 31**.



Figure 30 – Indicative proposed entrance to the transport interchange along New South Head Road Source: FJMT



Figure 31 – Ground floor plan identifying the transport interchange entrance and through-site link Source: FJMT & Ethos Urban

The proposal also enhances the through-site link that connects from this primary entrance along New South Head Road to New McLean Street at the rear, therefore affording the site with enhanced permeability (see **Figure 31**). In order to enhance the through-site link, parts of the walls separating the Edgecliff Centre site from the adjacent train station concourse will be removed. In turn, this fosters unimpeded active movement through the site and provides connections from the residential areas in the north to green spaces such as Trumper Park to the south.

In addition, the site includes a direct connection to the bus interchange from the new development by incorporating an open atrium. This additional connection to the bus interchange reduces reliance on the non-descript stairs in the Eastpoint Shopping Centre to access bus platforms and provides better integration and visual connection between the bus interchange and train station. It also provides visual access from the street, by way of large signage indicating that the entry leads to the bus interchange.

4.7 Access and parking

4.7.1 Vehicle Access

The indicative scheme incorporates eight levels of basement car parking. There will be two combined vehicle access and egress points to the south of the site, one for the residential basement car park (accommodating up to 184 car spaces) and the other for the commercial loading dock (accommodating up to three medium rigid vehicles) and commercial car park (accommodating up to 117 car spaces). The two upper basement levels will be dedicated to commercial uses and the bottom six basement levels will be dedicated to residential uses.

All vehicular entry and egress points for the proposal have been located within the road reserve which will act as a transition and buffer for all vehicular movements. This will result in only a single cross over at the pedestrian foot path improving the conditions for pedestrian movements.

The loading dock will likely be located on Basement Level 2, near the entry ramp to the commercial car park. No vehicular access will be provided to the western frontage along New McLean Street. This will culminate in a net reduction of two vehicular access and egress points, which will improve the traffic conditions (compared to current conditions) within close proximity to New South Head Road and New McLean Street interchange.

4.7.2 Pedestrian Access

The proposal retains the existing pedestrian points of entry and will provide an additional pedestrian access point at the south-western corner of the development via New McLean Street. This will allow for greater permeability and facilitate an active pedestrian environment. No points of pedestrian entry are located at the southern side of the development through the road reserve.

4.8 Green Infrastructure and Landscaped Outcomes

The proposal along with the indicative scheme includes the opportunity for a high-quality landscaped environment, which significantly ameliorates the existing harsh site environment. The primary frontage along New South Head Road is to be improved by a new arrival experience in the form of a 38m wide entryway to the transport interchange. This will be accompanied by a public plaza which will provide an improved pedestrian experience and allow for a more permeable ground plane and podium with placemaking opportunities to enhance the experience for the community. There will also be attractive fine-grain laneway retail that fronts New South Head Road and invites pedestrians to travel through the site, contributing to an active retail experience.

The proposal will also include the delivery of publicly accessible open green space above the mixed-use podium structure that fronts New South Head Road (see **Figure 33**). This will significantly enhance the public domain by providing landscaping features that adorn the development, while increasing the open space that is offered at ground level and on the rooftop of the mixed-use podium.

As shown in **Figure 34**, the podium beneath the residential tower will be surrounded by trees and the peak of the podium will be lined with planting to the north. Opportunities for further activation such as active uses and placemaking initiatives will be investigated throughout the detailed design process

The northern edges of Level 2 and the Level 2 Mezzanine will be lined with an abundance of landscaping features. A new circulation route is to be provided to connect to the bus interchange that adjoins the site to the east, and the bus interchange interface will be improved with a publicly accessible open green space which interacts with the proposed development with enhanced landscaping.

This proposal offers a unique opportunity to provide a meaningful and accessible open green space within a constrained urban setting utilising the public nature of the bus terminal creating an extension of the existing public domain into a multi-functional public realm destination, encouraging active use and not just commuting.

The bus interchange will be improved with a landscape buffer placed around the edge of the site, as demonstrated in **Figure 32**.

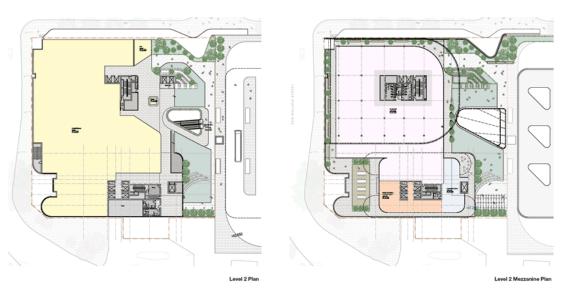


Figure 32 – Indicative scheme with landscape elements - Level 2 (left) and level 2 mezzanine (right) Source: FJMT



Figure 33 – Landscape buffer at the bus interchange Source: FJMT



Figure 34 – Sky plaza and publicly accessible open space (indicative scheme)

Source: FJMT

5.0 Part 1 – Objectives and Intended Outcomes

The intent of the Planning Proposal is to amend the height and floor space controls applicable to the site to allow additional height and floor space on the site.

The objectives and intended outcomes are to:

- Capitalise on the unrestrained ownership structure of the site and its position immediately adjacent to the
 existing railway station and bus interchange, to facilitate a great opportunity for additional employment,
 medical/wellness, retail and residential floor space.
- Promote the more efficient use of land from a single site by allowing greater height and density within an established Centre, to promote a sustainable public transport-orientated development.
- Provide improved pedestrian permeability and inter-modal connectivity from the site with the existing belowground Edgecliff railway station and vertically with the bus interchange.
- Provide a greater contribution to the locality by providing a truly mixed-use development which can provide uses (such as retail, commercial and medical/well-being) to support the immediate, day-to-day needs of residents in an accessible location.
- Provide an improved urban design and pedestrian permeable outcome at ground level with good street activation, especially fronting New South Head Road.
- · Facilitate place making on the site through the provision of varied land uses and spaces for public enjoyment.
- Concentrate density where it is considered most appropriate (i.e. within a centre, close to a railway station)
 while supporting the preservation of existing surrounding lower density residential areas in the LGA.
- Support the continuation and enhancement of non-residential floor space in the Centre.
- Allow existing Woollahra residents to enjoy the benefits stemming from the co-location of medical and wellbeing services and transport to support 'ageing in place' where residents are able to access local services

without the need for broader travel outside the LGA. The intent is to provide medical and well-being services which can broaden the diversity and continuum of local care available in Woollahra.

6.0 Part 2 - Explanation of Provisions

6.1 Land Use Zoning

The Planning Proposal will not amend the existing B2 Local Centre zone. The indicative development concept proposes a mix of land uses that will include commercial office, retail, medical and shop top housing, all of which are permissible with development consent under the B2 Local Centre zone.

6.2 Development Standards

The Planning Proposal incorporates the following amendments to the LEP for the site (refer to Table 3).

Table 3 – Summary of proposed amendments to Woollahra LEP

LEP Provision	Existing	Proposed
Building Height	6m and 26m	RL 195
Floor Space Ratio	2.5:1	9:1
Introduction of a minimum non-residential floor space provision		Dedication of 3:1 (out of the total proposed 9:1) FSR for non-residential land uses only.

The objectives and intended outcomes identified in Part 1 are intended to be achieved by allowing greater height and floor space on the site by way of amendments to the Woollahra LEP. This will include:

- Amendments to the Height of Buildings Map (Sheet HOB_003) to reflect a maximum building height of RL 195
 on the site; and
- Amendments to the Floor Space Ratio Map (Sheet FSR_003) to reflect a maximum floor space ratio of 9:1 on the site.

6.2.1 Minimum non-residential floor space provision

A minimum non-residential FSR of 3:1 is also proposed in the Woollahra LEP. This will ensure the site provides a minimum about of employment-generating floor space which cannot be used for residential purposes.

The likely method of implementation will be the insertion of the site-specific clause within Part 6 (Additional local provisions) of the Woollahra LEP (subject to discussion and agreeance with Council). Indicative drafting is provided below.

Clause XXX - Non-residential floor space in the Edgecliff Centre

- (1) The objective of this clause is to ensure development provided in the Edgecliff Centre continues to provides commercial floor area for employment generation purposes.
- (2) This clause applies to Lot 203 in DP1113922 and Lot 5 DP243380, being 203-233 New South Head Road, Edgecliff.
- (3) Development consent must not be granted for a mixed use development identified on land in subclause (2) unless the consent authority is satisfied that a gross floor area equivalent to an FSR of 3:1 is dedicated to non-residential land uses.
- (4) In this clause, non-residential floor space 203-233 means the ratio of the gross floor area of that part of a building used or proposed to be used for any purpose in all buildings within a site to the site area, other than for any of the following purposes—
- (a) residential accommodation,

- (b) serviced apartments,
- (c) a car park

6.3 Draft Development Control Plan

A Draft Development Control Plan (**draft DCP**) amendment to the Woollahra Development Control Plan 2015 for the site will be prepared by the proponent in collaboration with Council and will likely largely be guided by the indicative scheme analysis undertaken by FJMT. The draft DCP will enshrine the vision and objectives for the site, and will provide a clear framework to guide and regulate future development in accordance with the proposed LEP controls.

It will likely be determined at Gateway Determination whether it is a stand-alone DCP or an amendment to Part G (Site-Specific Controls) of the existing Woollahra DCP and will be publicly exhibited concurrently with the Planning Proposal. This will enable greater detail regarding the proposed built form and layout of the site. The DCP will likely contain:

- A vision statement;
- Objectives and/or principles;
- Structure plan;
- · Principles to achieve architectural design excellence;
- · Objectives and controls for:
 - Public domain;
 - Built form matters, including height and setbacks;
 - Access and movement (i.e. vehicular, cycle, pedestrian);
 - Open space and community infrastructure;
- · Sustainability initiatives and benchmarks; and
- Supporting figures, including maps and sections for thematic elements (e.g. access and movement, setbacks, activation).

Importantly, this will establish key objectives and controls for the proposed integration and mix of uses.

7.0 Part 3 – Justification

7.1 Section A – The need for the Planning Proposal

7.1.1 Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. The Planning Proposal will:

Give effect to several planning priorities in the Woollahra Local Strategic Planning Statement 2020 (Woollahra LSPS) which was endorsed by the Greater Sydney Commission (GSC) in March 2020.

Woollahra Local Strategic Planning Statement 2020

The LSPS sets out a 20-year vision for the Woollahra LGA and establishes planning priorities to identify and manage:

- Future land use and growth;
- New technology and changing community needs;
- · Heritage conservation and local character;
- Environmental resilience and sustainability; and

Areas worthy of further detailed strategic planning.

The LSPS includes a number of planning priorities and actions that when read together support the investigation of renewal of the Edgecliff Centre and the site. In particular, under Planning Priority E1, the draft LSPS includes at action 6 that over the short to medium term Council will:

'Work with our community and government agencies to increase the role of Edgecliff as a key transport interchange in our area'.

The renewal of the site which will protect and increase commercial floor space and increase housing supply which will support the increased role of Edgecliff as a key transport interchange in the LGA. It will increase the quantum of jobs and homes closer to the interchange and will support how people move around the centre and function as an urban marker delineating the location and significance of the interchange.

Also, under Planning Priority E7, Action 41 seeks to 'introduce planning controls into the Woollahra Local Environmental Plan 2014 and Woollahra Development Control Plan 2015 to protect and enhance floor space for commercial, retail, business, health and community uses in centres, particularly in Double Bay and Edgecliff.

The proposal seeks to expand commercial (including retail) and health uses. This can support job containment in the Woollahra LGA (which at the moment only has 19,450 local jobs compared to 28,005 employed people). With additional housing close to this floor space, it may increase the desirability for employers and employees who value convenience and align to the Greater Sydney Commission's vision for a 30-minute City.

The proposal will also support the provision of new housing in the LGA which can feed into Council's Housing Strategy and longer-term housing outcomes. It will also support the Eastern District's broader housing supply targets over the next 6-10 and 20 years. Council has already specified in the LSPS that the Planning Reviews for Edgecliff and Double Bay will seek opportunities to increase housing and employment in these key local centres, and the proposal can significantly contribute to additional housing and employment on a single site. Further assessment of the consistency of the proposal with other LSPS planning priorities is included in Section 8.2.2

Edgecliff Centre Strategic Study and Urban Design Study

A Strategic and Urban Design Study has been prepared by Ethos Urban and GMU and is submitted with the Planning Proposal (refer to Appendix E). Combined, the studies provide analysis from a strategic planning and urban design perspective to demonstrate the redevelopment of the site (under this Planning Proposal) has sufficient strategic merit to proceed to a gateway determination by addressing strategic and urban design considerations.

From a strategic planning perspective, the following is of note:

- Under the strategic planning framework, Edgecliff is designated as a Local Centre. This type of centre plays an important role in providing access to goods and services close to where people live. Increasing the level of residential development within walking distance of centres with a supermarket is a desirable liveability outcome.
- The Future Transport 2056 Plan identifies the importance of transport interchanges as places which will have a high level of accessibility as service frequencies and travel times are improved. On this basis, the Greater Sydney Region Plan states that there will be potential for interchanges to deliver mixed-use, walkable, cycle friendly centres and neighbourhoods and that Council's need to consider local conditions through place based planning that provides for centres around interchanges to grow and evolve over time and potentially become strategic centres. This is especially crucial given the constrained land opportunities within Edgecliff which limits placed based planning opportunities within this centre. The opportunity for future growth within transport interchanges, where redevelopment potential is scarce, are generational and will be limited in future.
- Under the Greater Sydney Region Plan, Bondi Junction is the only Strategic Centre for the northern parts of the Eastern District. As previously mentioned, Edgecliff is the next level down in the hierarchy and is identified as a Local Centre. It however is larger in footprint and scale than most other local centres and has a number of attributes that suggest it already or has the potential to function as a form of Strategic Centre for that part of the Eastern District closer to the Sydney CBD (Edgecliff is just over 2km from the eastern edge of the Sydney CBD).

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- For example, the District Plan notes that centres with a supermarket (Edgecliff contains two) qualify as larger local centres. Support for an elevated role is reinforced by the Woollahra LSPS which designates the centre as a 'key local centre'.
- Under the previous metropolitan plan, Edgecliff and Double Bay combined were designated as a Town Centre, which confers greater significance than that of a local centre. It is conceivable that with the right planning interventions, Edgecliff and Double Bay can be guided to evolve as a more coherent single centre comprising two distinct but related parts.

7.1.2 Q2. Is the planning proposal the best means of achieving the intended outcome?

The site-specific amendments proposed to the Woollahra LEP are considered the best way of achieving the intended outcomes established under Section 5.0. The following options have been assessed, which is additional to the built form analysis undertaken in Section 4.4.

The options included:

- Option 1 Do nothing.
- Option 2 Redevelop the site under the current controls of the Woollahra LEP 2014.
- Option 3 Prepare and submit a Development Application (DA) and request to vary a development standard pursuant to clause 4.6 of the Woollahra LEP to vary the Height of Buildings and Floor Space Ratio development standards
- Option 4 Wait for Council to progress their own planning for the Edgecliff Centre following the completion of the Edgecliff Commercial Centre Planning and Urban Design Study.
- Option 5 Prepare a site-specific Planning Proposal to amend the Height of Buildings and Floor Space Ratio development standards (the subject of this planning proposal).

Option 1 - Do nothing

This option involves the operation of the existing commercial building on the site in its current form and function. Given the location of the site (above a railway line and within an established Centre), this option is considered a lost opportunity to provide additional housing, jobs and services in a highly accessible location, and providing density where it is most appropriate.

The existing centre is outdated and is nearing the end of its optimal life. The building suffers from an above average vacancy and will continue to offer poor productivity without significant investments to ensure the offering is relevant to modern tenant requirements. The existing connectivity and interface to Edgecliff Station and bus interchange is also poorly connected and is overdue for vast improvement (this is despite recent TfNSW investment in lift / DDA upgrades to the platform and station interface).

The 'do nothing' option forgoes a unique opportunity to deliver significant enhancements to the connectivity of the existing intermodal transport connection. The opportunity to facilitate a place-based planning approach to the site to accommodate additional employment generating uses, allied medical/well-being uses, a diversity of housing product and open space in a highly accessible location would also be lost.

The 'do nothing' option would also forgo the following public benefits:

- An exemplar transit orientated development;
- Additional housing supply and density within a high accessible and well-serviced location;
- Providing additional housing density removing the need for significant additional density in the established low density areas of the LGA:
- Improved street activation, pedestrian permeability, and an improved interface with the existing bus interchange;
- Improved intermodal transport connectivity for commuters between the bus interchange and railway station;
- Introduction of a public open green space fronting the existing bus interchange;

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- Expansion of medical/well-being and updated relevant retail (including supermarket) uses to support the local community; and
- Diversification of more productive commercial floor space to meet the current and future needs of the community.

Option 2 - Redevelop the site under the current controls of the Woollahra LEP 2014

The shortfalls of a complying LEP envelope have been assessed in **Section 4.4.3**. A redevelopment scenario under the current controls would not support the intended outcomes of this Planning Proposal and would provide a suboptimal urban design outcome and sub optimal transit oriented development outcome.

Option 3 - Development Application and Clause 4.6 variation request

In order to achieve the intended outcome, additional height and floor space is required for the site. Under the existing controls, this would require a variation to the Height of Buildings and FSR development standards prescribed by the current LEP.

Although relevant case law provides guidance which has established that the extent of the numerical variation does not form part of the test required to be exercised under clause 4.6, we are of the opinion that such reliance on clause 4.6 in this instance, is not the most appropriate pathway in achieving the intended outcome.

This is because there is strategic merit in seeking uplift in order to renew the site to create a truly mixed use, integrated development, more commensurate with its Centre location. This requires the preparation of a new, more appropriate planning framework (including a site-specific DCP) to support this vision, rather than relying on the existing controls (which would be inconsistent with the redevelopment of the site) and satisfying the relevant tests under clause 4.6.

Option 4 - Wait for the Edgecliff Commercial Centre Planning and Urban Design Study

The Woollahra LSPS indicates that Council is preparing (at the time of writing) the Edgecliff Commercial Centre Planning and Urban Design Study. This is anticipated to be completed potentially by end of 2020 for adoption for exhibition. Strategic planning for the Edgecliff Centre has however been in motion over several years (which has included a Commercial Centre Study in 2015 and an Opportunities Sites Study in 2010).

Once the Study is complete, it will likely be subject to Council endorsement for exhibition purposes, public exhibition and then finalisation. After this, any planning changes arising from the recommendations of the Study, still require a Planning Proposal to be implemented. We understand that the Study has been in process since 2015 and at time of writing there is no specific likely gazettal date of a Planning Proposal associated with the Study available for Longhurst to allow Longhurst to plan for the future of the Centre.

Conversely, Longhurst, over the last two years, have developed a specific and carefully considered urban design response to the site. This has involved meticulous design, testing and analysis having regard to the constraints surrounding the site (including in particular view sharing and overshadowing), as well as the physical characteristics of the site, its context to existing transport infrastructure and the overall environmental capacity for an unencumbered site to deliver transit oriented development and density.

The Planning Proposal has been prepared by FJMT with guidance from a multifaceted consultant team including Ethos Urban, ARUP, Aurecon, GMU, Curio, Cred Consulting and Richard Lamb and Associates. It is therefore well researched and well responsive to the strategic planning context of the site, including the goals of the Woollahra Council LSPS.

Existing leases on the site expire in 2022 and Longhurst require to progress the planning of the site to allow the timely consideration of the next evolution of its life. This requires the lodgement of a Planning Proposal in a timely manner, in advance of the likely time long tail of the Edgecliff Commercial Centre Study overall LEP. This Planning Proposal is ready for lodgement and will contribute to vitality of the centre in a post COVID world and beyond. This Planning Proposal does not preclude Council's consideration of the overall town centre LEP.

Option 5 - Site-specific Planning Proposal (this application)

As mentioned above, we consider that the intended outcome warrants a new planning framework (i.e. new controls) which will accommodate (in terms of height and floor space) a built form that is appropriate for the site and its context in a timely manner to allow Longhurst planning certainty on a site where leases are expiring in a suboptimal existing built form outcome. This will be supported by a site-specific DCP which will guide the finer-grain, detailed design outcome envisioned under the higher LEP framework.

7.2 Section B – Relationship to Strategic Planning Framework

7.2.1 Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The applicable plans are:

- The Greater Sydney Region Plan (the Region Plan); and
- Eastern City District Plan (the District Plan).

Greater Sydney Region Plan - A Metropolis of Three Cities

The *Greater Sydney Region Plan* is the overarching strategy for growing and shaping the Greater Sydney Area. It sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters.

The plan was adopted in March 2018 and seeks to reposition Sydney as a metropolis of three cities – the western parkland city, central river city, and the eastern harbour city. In the same vein as the former *A Plan for Growing Sydney*, the Plan provides 10 high level policy directions supported by 40 objectives that inform the District Plans, Local Plans and planning proposals which follow in the planning hierarchy.

This Planning Proposal is consistent with the following policy directions and objectives of the Plan (refer to Table 4):

Table 4 – Consistency of this Planning Proposal with the relevant directions and objectives of the Greater Sydney Region Plan

Direction	Objective	Comment
A city supported by infrastructure	Objective 4: Infrastructure use is optimised	This Planning Proposal seeks to respond to and better utilise the existing Edgecliff Station and bring additional housing, jobs and services directly adjacent to an existing transport hub.
A city for people	Objective 6: Services and infrastructure meet communities' changing needs	This Planning Proposal will support the provision of a variety of services and health service facilities which is directly accessible via Edgecliff railway station. This supports improved health outcomes and supports ageing in place.
Housing the city	Objective 10: Greater housing supply	This Planning Proposal will support the provision of additional housing (in the form of one, two and three-bedroom residential apartments). This will assist in supporting the additional housing demand (including demand generated from professionals and local residents looking to downsize) anticipated for Greater Sydney (being an additional 725,000 homes by 2036).
A city of great places	Objective 12: Great places that bring people together	This Planning Proposal will support a mix of land uses and activates in a highly accessible location, supporting good social connections.
A well-connected city	Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities	This Planning Proposal integrates jobs and housing supported by a strong public transport network. It will collocate retail and services, reducing travel and supporting more efficient public transport use.
Jobs and skills for the city	Objective 22: Investment and business activity in centres	This Planning Proposal will support the location of trip-generating activities and employment floor space above a railway station. It will support the creation of local jobs and increase productivity.
An efficient city	Objective 33: A low-carbon city contributes to net- zero emissions by 2050 and mitigates climate change	A key initiative of this Planning Proposal is to deliver a more sustainable development than is presently provided, and as such sustainability targets will be set for the development in the DCP.

Eastern City District Plan

The District Plan underpins the Region Plan and sets the 20-year vision for the District through 'Planning Priorities' that are linked to the Region Plan. This Planning Proposal is consistent with the following Planning Priorities.

Planning Priority E1 – Planning for a city supported by infrastructure Objective 4 - Infrastructure use is optimised

The Planning Proposal maximises the utility of the existing Edgecliff Station and seeks to provide a new, mixed-use transit-orientated development which can directly leverage of the accessibility provided to it by the station.

Planning Priority E3 - Providing services and social infrastructure to meet people's changing needs Objective 6 - Services and infrastructure meet communities' changing needs.

The Planning Proposal will support the provision of retail (including supermarket) and medical/well-being related land uses to support the current and long term needs of the community, and improve the accessibility of these services given its location adjacent to the existing railway station. This will be particularly pertinent to support the older residents which continues to increase in the district1.

Planning Priority E5 - Providing housing supply, choice and affordability, with access to jobs, services and public transport

Objective 10 – Greater housing supply.

There is the need for an additional 157,500 homes between 2016 and 2036 for the Eastern City District, based on population projections by the (former) Department of Planning and Environment. The proposal will support the provision of 232-268 residential apartments on a single site, contributing to the 0-5-year housing target for Woollahra (being 300 dwellings), and attainment of the overall housing target for the district. Notwithstanding this, ongoing forecast data prepared by the Department (since 2018), issued by the GSC in their letter of support to Woollahra Council on their LSPS, indicates a projected need of 500-600 dwellings from 2021 to 20262. The proposal can play a critical role in providing for a large portion of this anticipated demand, within a highly accessible and appropriate location while reducing the need for new density to be placed within Woollahra's established neighbourhoods. This is important because studies undertaken on behalf of Council which are intended to inform Council's Local Housing Strategy, conclude that there is an apparent shortfall in capacity of current controls to support new high density residential housing (i.e. apartments)³.

The proposal also looks to concentrate new housing so as to optimise the use of existing infrastructure (being the Edgecliff railway station). In doing this, accessibility to employment, social and essential services is also optimised.

Planning Priority E6 - Creating and renewing great places and local centres, and respecting the District's heritage Objective 12: Great places that bring people together

The Planning Proposal will directly contribute to the renewal of the Edgecliff centre. More specifically:

- The redevelopment is centred around a people-focused ground floor and podium comprising a mix of land uses including fine grain retail and open space, which is walkable, enjoyable and of a human scale;
- The redevelopment supports social infrastructure and services in the heart of Edgecliff and co-locates this will transport access;
- There will be an expansion of retail and commercial floor space and expansion of employment opportunities which will attract business into the heart of Edgecliff and increase the opportunity for local jobs; and
- Supports additional residential development in the centre, in immediate proximity to transport. This reduces reliance of vehicle usage and increases daily critical mass to support the viability of goods and services on the site and within the broader Edgecliff Centre.

¹ In the Eastern City District, 16 per cent of the District's population will be aged 65 or over in 2036, up from 12 per cent in 2016. This is resultant of an 102% proportional increase in people aged 85 and over and a 64% increase in the 65-84 age group, is expected by 2036.

² Letter of Support: Woollahra Council draft Local Strategic Planning Statement, Greater Sydney Commission, 12 March 2020.

³ Woollahra Municipal Council - Ordinary Council Meeting Minutes, 29 September 2020

Planning Priority E10 – Delivering integrated land use and transport planning and a 30-minute city Objective 14

The Planning Proposal introduces residential uses on the site and expands on commercial, health and retail uses with immediate access to rail and bus services. It will allow more efficient access to jobs, services and home, increase the proportion of trips made by public transport and reduce the need for longer commutes. The renewal of Edgecliff Centre underpins the notion of a 30-minute city.

Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently Objective 33

The Planning Proposal will support a more ecologically sustainable development on the site. It will support development with a target of achieving a NABERS Energy rating of 5 stars, and a 4 Star NABERS Water rating. The proposal is also consistent with the principles of Transit Orientated Development (TOD) in that new employment is provided in a highly accessible location thus reducing reliance on the private motor vehicle.

NSW State Plan 2021

The New South Wales State Plan sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The Planning Proposal is consistent with the revised NSW State Plan 2021 in that it will:

- Create construction jobs;
- · Contribute to housing supply;
- Encourage business investment; and
- Develop a high-quality development in proximity to existing state transport infrastructure.

NSW State Infrastructure Strategy 2018

The NSW State Infrastructure Strategy 2018-2038 brings together the infrastructure investment and land use planning of the Future Transport Strategy 2056 and the Greater Sydney Region Plan, and is underpinned by the State Infrastructure Strategy 2018–2038: Building Momentum that established a pipeline of investment for infrastructure that is underway or in advanced planning.

The Strategy sets out the NSW Government's vision for infrastructure over the next 20 years, focussing on aligning investment with sustainable growth. For Metropolitan NSW, the primary goal is to provide residents with access to jobs and services within 30 minutes, known as the '30-minute city' model.

The Strategy sets out six directions for infrastructure in NSW, of which the following is relevant:

Integrating land use and infrastructure planning. This planning proposal looks to maximise the use of the
existing Edgecliff railway station by developing within the centre of Edgecliff so as to capitalise on the
accessibility it provides. This seeks to 'get the most' out of current infrastructure stock given the State's growing
population and tightening fiscal measures.

Future Transport Strategy 2056

The Future Transport Strategy 2056 is the 2017 update of the NSW Long Term Transport Master Plan and supersedes the Master Plan. It is a 40-year vision for mobility in NSW, developed with the Greater Sydney Commission, the Department, and Infrastructure NSW. It seeks to ensure that transport planning and land use planning are fully integrated and is based upon the key themes of a Productive Economy, Liveable Communities and a Sustainable Society.

This Planning Proposal will best serve the objectives of this Plan through:

 Supporting the '30-minute city' model allowing better access to jobs and essential services closer to home, and closer to each other:

- Facilitating integrated transport and land use planning, allowing for better activation of the existing public spaces fronting and adjoining the site, and improve liveability by making essential, retail and medical/well-being services more accessible:
- Supporting the utilisation of the rail system, by providing significant employment opportunities in direct proximity to an existing heavy rail station; and
- Assisting to unclog the Sydney CBD transport system by connecting more people to existing heavy rail and the bus interchange and encouraging patronage of an existing network.

Greater Sydney Services and Infrastructure Plan

The Greater Sydney Services and Infrastructure Plan is the 40-year plan for transport in Sydney and supports Future Transport 2056 and the Regional Plan. The plan establishes the specific outcomes transport customers in Greater Sydney can expect and identifies the policy, service and infrastructure initiatives to achieve these. It aims to enable people and goods to move safely, efficiently, and reliably around Greater Sydney, while facilitating access to nearby centres within 30 minutes by public transport.

The Planning Proposal is consistent with the Greater Sydney Services and Infrastructure Plan as it will:

- Provide a through site link and a permeable public plaza that will facilitate safe walking routes throughout the Edgecliff Centre:
- Deliver a variety of employment uses and dwellings in the vicinity of the Edgecliff transport interchange, making metropolitan and strategic centres easily accessible within 30 minutes;
- Create an integrated transport interchange, that allows for seamless interchanging between services within five minutes;
- Provide a direct connection to the bus interchange, while also widening the transport interchange entrance to make it more accessible for all customers.

Q3a. Does the proposal have strategic merit?

The proposal is considered to have strategic merit. This is because it is consistent with the applicable strategic planning framework set by the State and by Council. Specifically, the Planning Proposal will facilitate development

- Effectively responds to existing infrastructure (the Edgecliff Railway Station) and provides more efficient access to housing, jobs and services to an existing transport hub. It also reduces reliance of vehicle usage and increases daily critical mass to support the viability of goods and services on the site and within the broader Edgecliff town centre;
- Contributes to the 0-5-year housing target for Woollahra (including the most recent targets identified for Woollahra), and the attainment of the overall housing target for the district, thereby assisting in protecting lower density areas from development pressures; and
- Protects but modernises commercial floor space to support the increased role of Edgecliff as a key transport interchange and Centre.

Q3b. Does the proposal have site-specific merit?

The proposal is considered to demonstrate site-specific merit because:

- It is a large urban site in the Edgecliff Centre that is unencumbered with any significant natural environmental values:
- Technical input has demonstrated it can be readily serviced by utilities and infrastructure to support the proposed use and density:
- It sits above the Easter Suburbs Railway line, adjacent to the Edgecliff Railway Station and directly adjoins the Edgecliff Bus Interchange;
- It will not overshadow Trumper Park between 10:00am and 2:00pm in mid-winter as per DCP controls;
- The built form has considered the existing uses surrounding the site, especially in relation to:

- View sharing for the residents at 170 and 180 Ocean Avenue; and
- Overshadowing to the existing residents to the south.
- The design concept confirms that a design solution can be achieved for the residential component that is consistent with the objectives and guidelines of SEPP 65 and the Apartment Design Guide;
- A high-quality design solution is proposed that is capable of achieving design excellence;
- Vehicular access and servicing can be achieved in an acceptable manner and the density proposed can generate no net increase in traffic when compared to current conditions;
- It considers the existing commercial role of the site and seeks to protect, increase and enhance employmentgenerating floor space:
- The proposal can support the changing demographics of the area. In particular, it will:
 - Provide housing stock to support the growing population of the Woollahra LGA (being a forecast increase from 58,964 in 2019 to 59,850 in 2036 and to 80,626 in 2056);
 - Provide employment-generating floor space to help reattract a working age population (those aged between 20-64 years) into the LGA (which is forecast to decline by 3% to 2036); and
 - Provide medical and well-being uses to support ageing in place for older persons in the LGA (22% increase in those aged 65 - 84 and 68% increase in those aged 85+).
- It has been subject to a broader environmental assessment (refer to Section 8). In particular, it has been determined that the existing infrastructure and services on the site (with augmentation) will be capable of supporting the future redevelopment of the site. Significant regional contributions are proposed to upgrade the interchange accesses, whilst local benefits and open space is also proposed.

7.2.2 Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Woollahra Local Strategic Planning Statement 2020

The Planning Proposal gives effect to several planning priorities of the Woollahra LSPS. Those most relevant are identified below.

It is also worth noting that findings from the preparation of the LSPS indicated that in relation to community sentiment, higher density development is more suitable to Edgecliff (over smaller centres such as Vaucluse, Bellevue, and Rose Bay) given its position to existing infrastructure while supporting the continuation of smaller, village-type suburbs in the locality. Consistent with this, the proposal will release pressure from these smaller villages to accommodate additional density and utilise existing and suitable land for higher order development.

Infrastructure and collaboration

- Planning Priority E1: Planning for integrated land use and transport for a healthy, connected community, and a 30-minute city
- Planning Priority E2: Planning for a community supported by infrastructure that fosters health, creativity, cultural activities, and social connections
- Planning Priority E3: Working in collaboration with our community, government, businesses, and organisations

The Planning Proposal is consistent with Planning Priority E1, E2 and E3 as it:

- Represents a transport orientated development of scale with integrated land uses in a centre and adjacent to a railway station;
- Will support an increased portion of people living with easy walking access to a range of jobs, services and facilities, as well as access by bus to other nearby activity centres and by train to other centres;
- Will, through the size and scale of the site and length of frontage, improve the existing adjoining public domain and provide for a more comfortable and attractive walking environment for people of all capabilities;

- Will, through the open space and public domain inclusions and medical/well-being uses proposed, contribute to the community which can foster health and support social connections; and
- Through the diversity of land uses and public spaces, and the activation and critical mass this provides, contribute to place making within the heart of Edgecliff.

Liveability

- Planning Priority E4: Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes
- Planning Priority E6: Placemaking supports and maintains the local character of our neighbourhoods and villages whilst creating great places for people

The Planning Proposal is consistent with Planning Priority E4 and E6 as it:

Provide a greater amount and choice of new homes in a mixed use, transit-oriented form within a centre aligned with a train station. Combined with an improved public domain outcome and mix of uses, it will improve placemaking and social interactions.

Productivity

- Planning Priority E7: Supporting access to a range of employment opportunities and partnerships
- Planning Priority E8: Collaborating to achieve great placemaking outcomes in our local centres which are hubs for jobs, shopping, dining, entertainment, and community activities

The Planning Proposal is consistent with Planning Priority E7 and E8 as it:

- Will support commercial floor space which given the local centre zoning, can support a range of employment uses. This will support the retention and diversification of local employment opportunities; and
- Collocate medical/well-being and business uses within a public domain filled with fine-grain retail to create a more interconnected environment to support placemaking.

Sustainability

Planning Priority E13: Improving the sustainability of our built environment, businesses, and lifestyles by using resources more efficiently and reducing emissions, pollution, and waste generation

The Planning Proposal is consistent with Planning Priority E13 as it:

- Provides a more sustainable form of development (transit orientated development) compared to more dispersed growth options:
- Like mentioned above, it will support a more ecologically sustainable development on the site with strong NABERs and Greenstar ratings. The scale of the site and proposal provides the opportunity to provide innovative, best practice and tangible measures that would be likely less viable as part of smaller scale renewal.

Woollahra 2030 - The Woollahra Community Strategic Plan

Woollahra 2030 was adopted by Council on 18 June 2018. It represents the long-term vision for the Woollahra community and identifies the LGA's current and future environmental, social, economic and civil challenges and aspirations.

The Community Strategic Plan is based on five (5) themes. Each theme is supported goals and strategies to support the achievement of these goals. Those in which are supported by this planning proposal are identified in Table 5

Table 5 - Applicable themes and actions in the Woollahra Community Strategic Plan

Theme	Goal	Strategy	Comment
Community wellbeing	A connected, harmonious and engaged community for all ages and abilities	Provide places and spaces for people to connect and interact	The planning proposal provides significantly improved communal and public open spaces for social interaction, supported by access to services, transport and fine-grain retail.
Quality places and spaces	Well planned neighbourhoods	Enhance the form and function of the local business centres	The proposal will elevate the existing function of the local centre through an expansion of
Local prosperity	Community focused economic development	Encourage vibrant and vital local suburbs, villages and neighbourhoods that support a healthy economy	commercial, medical/well-being and residential floor space, supporting an increase in local jobs and daily critical mass to support the vitality of the centre.
A healthy environment	Sustainable use of resources	Reduce greenhouse gas emissions and ecological footprint	The proposal aims to provide a more ecologically sustainable development on the site. It will support development with a target of achieving a NABERS Energy rating of 5 stars, a 4 Star NABERS Water rating and a Greenstar rating of 6 stars

Draft Woollahra Integrated Transport Study

The Draft Woollahra Integrated Transport Study (ITS) articulates Council's policy for transport and sets a vision for a more sustainable and accessible LGA.

The themes and objectives of the ITS which are aligned with this Planning Proposal are set out below.

- Access, Mobility and Liveable Spaces (Theme 1). The proposal supports intermodal access from the public
 domain to the existing Edgecliff Railway Station and bus interchange which will be permeable and DDA
 compliant. This is also intended to align with the medical and wellbeing uses proposed on the site.
- Public Transport (Theme 2). The proposal will bring homes closer to existing transport infrastructure and will
 increase the ease and improve the experience of intermodal travel which overall will support increased public
 transport patronage in the LGA (Objective 6.1).
- Active Transport (Theme 3). The proposal will include bicycle parking. Combined with Council's policy
 commitment to investing in and building safe, accessible and attractive pathways and cycleways, this will
 ensure the site can support active transport in the LGA (Target 7.2).
- Roads and Parking (Theme 4). The proposal will create a concentration of jobs, homes and services which will
 reduce demand for travel across the LGA, supporting the need for private vehicle ownership (Target 8.2).

7.2.3 Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes. An assessment of the planning proposal against relevant State Environmental Planning Policies (SEPPs) is set out in Table 6.

Table 6 - Consistency with State Environmental Planning Policies

SEPP	Consistency		N/A	Comment	
	Yes	No			
State Environmental Planning Policy No 55—Remediation of Land	✓			SEPP 55 will be considered during the detailed design of the proposal. Recent amendments to SEPP 55 has removed the need for the SEPP to be considered at the Planning Proposal stage.	
State Environmental Planning Policy No 64—Advertising and Signage			√	Not relevant to proposed amendment. May be relevant to future development applications applicable to the site.	
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	√			The residential component of the Indicative design proposed under this Planning Proposal has been subject to assessment against SEPP 65 and the Apartment Design Guide to demonstrate that development for residential purposes on the site can generate appropriate residential amenity (refer to Appendix A). Any future detailed development on the site for residential	

SEPP	Consisten	y N/A	Comment		
			purposes will be subject to reassessment against SEPP 65 and the Apartment Design Guide.		
State Environmental Planning Policy (Affordable Rental Housing) 2009		√	Not relevant to proposed LEP amendment.		
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004		·	Not relevant to the proposed LEP amendment. Any future detailed design will be subject to this SEPP so as to ensure sustainable residential development.		
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008		·	Not relevant to proposed LEP amendment. May apply to future development on the site.		
State Environmental Planning Policy (Infrastructure) 2007	√		Division 17 of the Infrastructure SEPP will apply to the proposal as it will exceed 10, 000 sqm of commercial (retail) floor space. Any application for development will need to be referred to the RMS. It also includes more than 75 residential apartments with access to or from a road within access to a classified road (within 90m).		
			The site is also located in an existing rail corridor. Division 15 of the Infrastructure SEPP will apply, and concurrence will be required by Transport for NSW prior to the determination of the detailed DA.		
State Environmental Planning Policy (State and Regional Development) 2011	*		Part 2 of the State and Regional Development SEPP will apply to the proposal as it will have a capital investment value in excess of \$30 million and is located in a rail corridor. More specifically, any future application for development will be classified as State Significant Development because it involves development within a rail corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million for the purposes of residential accommodation and commercial premises.		
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	*		The proposal is applicable to and is consistent with the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP 2005). The SREP 2005 applies to land identified within the Sydney Harbour Catchment. The land is identified within the Sydney Harbour Catchment under the Sydney Harbour Catchment Map (Amendment 2016). The Planning Proposal is considered consistent with the aims of the SREP 2005. Notably, it does not adversely impact the catchment, foreshores, waterways and islands of Sydney Harbour, their recognition, protection, enhancement or maintenance. The Planning Proposal is consistent with Part 2 Planning Principles. The Planning Proposal is consistent with the matters for consideration, in particular clause 26 which relates to the maintenance, protection and enhancement of views. The built form envelope envisioned under the Planning Proposal has been designed to maximise views to and from Sydney Harbour and its landmarks and the public domain through a slimmer and angled tower typology (refer to Section 6.4).		

7.2.4 Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

An assessment of the planning proposal against applicable section 9.1 Directions is set out in Table 7 below.

Table 7 – Consistency with section 9.1 directions

Direction	Consistency		N/A	Comment		
	Yes	No				
1. Employment and Resources						
1.1 Business and Industrial Zones	√			This direction is applicable because the site is located in a business zone (B2). This planning proposal gives effect to the directions of this direction because:		

Direction	Consist	ency	N/A	Comment	
				It will provide a suite of medical/well-being and commercial (including retail and potential co-working spaces) uses which will support employment growth on the site. The site is considered suitable because it is highly accessible, adjacent to the Edgecliff Railway Station and directly adjoining the Edgecliff bus interchange; Does not seek to remove (only expand) commercial floor space, ensuring commercial floor space is protected in the B2 zone; and Does not seek to remove or change the area and location of the B2 zone; It will support the viability of the Edgecliff Centre by: Allowing it to accommodate a greater quantity and standard of commercial floor space, increasing its ability to accommodate local jobs; and Through additional job and housing creation, provide for additional daily critical mass to sustain the vitality of other services in the Edgecliff centre.	
1.2 Rural Zones			N/A	This direction is not applicable.	
1.3 Mining, Petroleum Production and Extractive Industries			N/A	This direction is not applicable.	
1.4 Oyster Aquaculture			N/A	This direction is not applicable.	
1.5 Rural Lands			N/A	This direction is not applicable.	
2 Environment and Heritage					
2.1 Environmental Protection Zones			N/A	This direction is not applicable.	
2.2 Coastal Protection			N/A	This direction is not applicable.	
2.3 Heritage Conservation	√			The objective of section 9.1 direction 2.3 is to conserve items areas, objects and places of environmental heritage significance and indigenous heritage significance. There are no listed heritage items on the site of this Planning Proposal. Refer to Section 8.9 for further discussion regarding Heritage. Overall, the proposal will not undermine the achievement of this direction. Existing legislation will remain in place to ensure the conservation of heritage.	
2.4 Recreational Vehicle Area			N/A	This direction is not applicable.	
2.5 Application of E2 and E3 Zones and Environmental			N/A	This direction is not applicable.	
2.6 Remediation of Contaminated Land				Given the recent amendments to SEPP 55, Contamination is not required to be considered at the Planning Proposal stage but will be considered during detailed design.	
3. Housing, Infrastructure and Urban I	Development				
3.1 Residential Zones	V			The B2 zone allows significant residential development which is proposed. The residential component of the development: Supports a variety of one, two and three bedroom units to support housing diversity, Broadens the choice of building types through high-density residential accommodation; Improves the location of housing, allowing accommodation in the heart of the Edgecliff Centre; and Will be subject to detailed design to ensure it is of high-quality design.	
3.2 Caravan Parks and Manufactured Home Estates	*		N/A	This direction is not applicable.	

Direction	Consis	stency	N/A	Comment
3.3 Home Occupations	~			No change is proposed to the current permissibility of home occupations.
3.4 Integrating Land Use and Transport	*			This planning proposal does not propose to create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. Notwithstanding, the planning proposal remains consistent with the objectives of the Direction as it: • Significantly improves access to housing and jobs by public location give its proximity to Edgecliff Railway Station and bus interchange;
				 Increases choice in in-proximity public transport (i.e. bus and rail), reducing the need for car dependence and reducing car-generated trips; and
				 Will contribute to a significant critical mass (i.e. residents, workers and visitors) to support the viability of rail and bus services.
3.5 Development Near Licensed Aerodromes	~		N/A	This direction is not applicable.
3.6 Shooting Ranges	V		N/A	This direction is not applicable.
4. Hazard and Risk				
4.1 Acid Sulfate Soil	√			Under the Woollahra LEP, the site is located on land classified as Class 5 Acid Sulfate Soils. At the time of any future development application, the need for an Acid Sulfate Soils Management Plan will be addressed.
4.2 Mine Subsidence and Unstable Land			N/A	The site is not identified as mine subsidence or unstable land.
4.3 Flood Prone Land			N/A	The site is not located on land in a flood planning area.
4.4 Planning for Bushfire Protection			N/A	This direction is not applicable.
5. Regional Planning	✓		N/A	These Directions are not applicable.
6. Local Plan Making				
6.1 Approval and Referral Requirements	<u></u>			This Planning Proposal is consistent with this Direction in that it does not introduce any provisions that require any additional concurrence, consultation or referral.
6.2 Reserving Land for Public Purposes	~			This Planning Proposal is consistent with this Direction in that it does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3 Site Specific Provision	✓			The Planning Proposal will not result in any unnecessarily restrictive site-specific planning controls.
7. Metropolitan Planning				
7.1 Implementation of A Plan for Growing Sydney	~			The Planning Proposal is consistent with the Metropolitan Plan, as discussed in this section.

7.3 Section C - Environmental, Social and Economic Impacts

7.3.1 Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal is unlikely to result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's urban location.

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

Section 6 of this report provides a preliminary environmental assessment. No unacceptable impacts are likely to result from the proposal and future development of the site.

7.3.3 Q9. Has the Planning Proposal adequately addressed any social and economic impacts?

The social and economic impacts of the proposal are addressed in **Section 8** of this report. The Planning Proposal will have a positive social and economic impact.

7.4 Section D - State and Commonwealth Interests

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

Yes. An infrastructure and utility service assessment has been undertaken for the site. It determines that the existing infrastructure (water, telecommunications, sewage, and gas) will have adequate capacity to accommodate the proposal. Likely infrastructure augmentation / upgrades are also identified.

Specifically, the following is of note:

- In order to accommodate the proposal, two new onsite substations will likely be required;
- Two natural gas mains are located in the vicinity of the site. These are estimated to have adequate to support
 the proposal (subject to assessment and approval from the gas provider Jemena);
- Multiple telecommunications conduits are located along New South Head Road and McLean Street, and these
 are anticipated to have the carrying capacity to support the proposal;
- No major existing water services will need to be disconnected or diverted. The existing reticulation tee of the trunk main in New South Head Road will likely need upgrading to supply the proposal; and
- An existing gravity sewer (225mm) extends from the southern boundary of the site, across McLean Street and connecting to a sewer main at New McLean Street. It is considered to have enough existing capacity to serve the proposal.

The necessary consultation and approvals with the relevant public authorities and service providers will continue to progress in line with the ongoing design and development of the proposal. Notwithstanding, early consultation has already occurred with TfNSW and the Department of Planning, Industry and Environment.

7.4.2 Q11. What are the views of State or Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of State and Commonwealth public authorities will be known once consultation has occurred in accordance with the Gateway determination of the Planning Proposal. However, it is noted that early engagement with key stakeholders including Transport for New South Wales have been positive given the improvements to the Transport Interchange.

Also, given the proposed height, referral to the Civil Aviation Safety Authority will likely be required in obtaining a height approval (by the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications) for exceeding the OLS.

8.0 Planning Assessment

This section considers the key planning issues associated with the Planning Proposal as well as a high level consideration of associated environmental impacts which may arise with the future development of the site.

In establishing the Planning Proposal, an indicative development concept prepared by award-winning Architects FJMT has been prepared to ensure all relevant built form, amenity and design parameters have been considered, and to establish a reasonable scale and density for the future building on this particular site. Accordingly, the outcomes of these investigations and analysis have largely guided the content of this Planning Proposal and Indicative Scheme as relevant.

By adopting this approach, the built outcomes, and associated impacts of the Planning Proposal (and subsequent Development Applications to implement the vision presented for the site) can be tested, understood and clearly presented.

8.1 Built Form and Urban Design

8.1.1 Street Wall Height and Podium

The podium comprises three distinct elements (the street wall, and a podium which has different scales to respond to the street which are a contextual response to the prevailing street frontage heights and heights of surrounding development along New South Head Road.

The overall podium height will reach RL 95.00. The upper component of the podium is designed to replicate the height of Eastpoint Tower (180 Ocean Street) and the lower component of the podium is designed to align to the residential building at 170 Ocean Avenue. Given the heights and setback proposed, the podium avoids generating an undue sense of enclosure and scale to the public domain and respects the scale of existing development (refer to **Figure 35**).

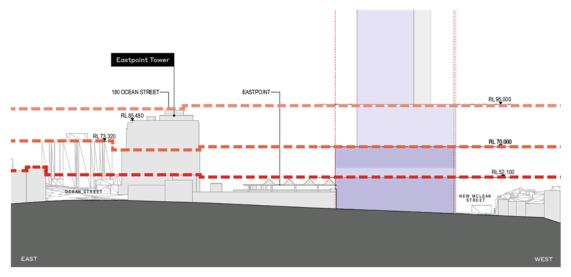


Figure 35 – Street frontage and podium heights fronting New South Head Road Source: FJMT

8.1.2 Tower Form

The tower component extends up to 45 storeys (161m) and is setback 38m from New South Head Road and 12m from the eastern boundary of the site. The positioning of the tower form is based on:

- Sun access to Trumper Park Oval. The western setback (between 14.5m and 24.1m) and the angled articulation of the western façade ensures the Oval is not subject to overshadowing from 10:00am mid-winter (in accordance with the DCP control);
- A 12m eastern setback to ensure suitable building separation and privacy (for development over 25m) between the site and high-rise residential development to the east; and
- Consideration of view sharing for residents to the east looking back at the Sydney CBD and Harbour (refer to Section 8.5 for further analysis). The building line of the envelope has been positioned to the southern end of the site and minimise its elevation length in the western view.

8.2 Suitability of Increased Density

As detailed throughout this report, the proposal has been thoughtfully designed, tested, and analysed having regard to the site and the various environmental constraints surrounding the site. It was then further refined and sculpted having regard to urban design principles and contextual analysis.

The result is a height and FSR achievable within the building envelope, which is the product of urban and architectural design testing and environmental analysis. This testing established the appropriate maximum building envelope in terms of its impacts and the site's environmental constraints (especially in relation to overshadowing and view sharing). From there, the building envelope was further refined to be capable of accommodating a higher density built form appropriate to the context.

The approach set out above is a fundamental shift away from the setting of a generic fixed height and FSR number in isolation of site and locality-specific environmental context and impacts. This approach recognises the unconstrained nature of the site, being a large and unrestricted lot in the heart of Edgecliff above the Eastern Suburbs Railway Line, adjacent to the Edgecliff Railway Station and Edgecliff bus interchange.

This approach is a more contextual approach and allows a more appropriate density (irrespective of numerical value) to be established on a site-specific basis, and which is the product of urban design responsiveness and environmental testing. In this instance, the density proposed provides an appropriate environmental outcome and supports a strong contextual response to Edgecliff Centre and in response to the principles of transit oriented development.

The physical characteristics of the site and its location also require consideration. The site represents a single large lot under single ownership. It does not have any significant environmental planning constraints and like mentioned above, sits adjacent to the Edgecliff Railway Station and Edgecliff bus interchange within the heart of the Edgecliff town centre. At the strategic level, a number of planning priorities when read together support the investigation of the renewal of the Edgecliff Centre and the site. These focus on the integration of land use and transport through the provision of a greater amount, choice and affordability of homes in locations such as Edgecliff that have access to jobs, services and public transport.

At present, the Edgecliff Centre is a medium rise office building with active uses at the street-facing ground floor built in the 1970s. Given its attributes and opportunities mentioned, this represents an underutilisation of the site and results in poor urban design outcomes.

Accordingly, adherence to predetermined densities based on generic assumptions alone should not inhibit the development potential of a site which is latent, highly optimal and unconstrained, and can clearly deliver on the vision set out in the Region and District Plans for Edgecliff. A more optimal site or a site with the same favourable attributes may take significant time to materialise (if ever given the pattern of land ownership in Edgecliff).

Further, the density proposed is intended to provide a mix of employment-generating land uses and diverse housing options to support housing demand, the growing population of the LGA, and ageing in place. Under the LSPS, Edgecliff is identified as being important to local productivity and the site is perfectly placed and suitable to accommodate these mixed-uses with the density proposed to provide the required amenity in an otherwise constrained urban setting.

The proposed density is also considered appropriate having regard to the height and floor space objectives of the Woollahra LEP, as elaborated below.

8.2.1 Height objectives - clause 4.3 of the Woollahra LEP

(a) to establish building heights that are consistent with the desired future character of the neighbourhood,

Part D4, Section 2.2 of the Woollahra DCP sets out the *desired future character* for the Edgecliff Centre is. Each element of the *desired future character* statement is addressed in **Table 8**.

Table 8 - Consistency of the proposal against D4.2.2 Desired future character of the Woollahra DCP

Desired Future Character	Comment	Consistent
The Edgecliff Centre will reinforce its role as the focus of retail and business activity and continue to be convenient place for people to meet, work, shop and use services.	The proposal includes a suite of non-residential uses (protected by a minimum non-residential floor space provision) to support ongoing employment generating land uses and service provision on the site. It also proposes public domain spaces to support informal meetings and social interaction. This will ensure the site maintains a strong retail and commercial focus.	YES
The built form will promote an urban environment which meets high standards of visual quality and pedestrian amenity.	The built form capable under the proposed envelope will allow a tiered podium and slender tower form. Building mass has been designed and positioned on the site to respond to the existing built form typology surrounding the site, to support visual quality and visual integration of the proposal within the surrounding built form context. In particular, the street wall height is intended to better align with the adjoining Eastpoint frontage heights, and the podium heights replicate the existing heights of 170 and 180 Ocean Avenue. The tower form is setback from the primary frontage, consistent with the existing residential tower apartment building typologies in the area whereby towers are set back from the main street. Pedestrian amenity is created through the retail laneway, publicly accessible plaza, through-site link, and sky park.	YES
Buildings will be up to eight storeys on New South Head Road and transition down to one to two storeys at New McLean Street frontage. At the comer of Ocean Street and New South Head Road buildings up to 10 storeys are permitted.	The proposal exceeds eight storeys on New South Head Road, though a seven storey podium is proposed which in part responds to this objective. The site-specific characteristics of the site and its strategic context does however demonstrate the appropriateness of additional density on the site. An eight storey street wall height fronting New South Head Road would also be at odds with the predominant two storey street wall heights along the same road.	NO
New McLean Street will have an active street frontage and parking and servicing arrangements will be reconfigured to be less visually intrusive. The amenity will be improved by including streetscape works, landscaping and reducing the frontage dedicated to vehicle movements	The proposal will replace the currently inactive frontage of New McLean Street with retail tenancies and a residential lobby. Servicing will be via the rear of the site, away from the active frontages, reprioritizing the western boundary of the site for pedestrian use.	YES
Pedestrian links across the centre, and through the centre to the bus interchange and railway station, will be enhanced. The connections to the surrounding New South Road commercial corroder and nearby residential land will increase pedestrian activity and convenience. Where commercial development addresses a street, awnings will be provided at street level for weather protection.	New vertical connections and a through-site link will support enhanced pedestrian permeability to and within the centre. Active frontages will New South Head Road and New McLean Street will likely be capable of incorporating awnings (subject to detailed design).	YES
Given the excellent public transport access, the centre is ideally located for increased residential and commercial land uses. Retailing, medical and health related services and professional services will continue to cater for the needs of the local community.	The site sits adjacent to the Edgecliff Railway Station and Edgecliff Bus Interchange. It is difficult to identify a more suitable site to increase residential and commercial capacity side the Edgecliff Centre given the constraints of the ownership of the Eastpoint Shopping Centre (preventing redevelopment). Retail, wellbeing and medical uses form the suite of employment-generating floor space which will cater to the needs of local residents.	YES

The assessment above demonstrates that the *desired future character* of the Edgecliff Centre is not centred solely around height and really reflects a similar environment to that currently in place. Given that Council has a desire to review the planning controls for Edgecliff, it would be assumed this desired future character is outdated compared to future expectations for the Edgecliff Centre and broader local centre.

Notwithstanding, the desired future character statement considers a range of matters ranging from land use to pedestrian amenity which have been considered in this Planning Proposal.

Although the height proposed exceeds eight storeys (which is the height anticipated for development fronting New South Head Road), it does not preclude the proposal from satisfying the large majority the desired future character requirements of the DCP. In addition, a seven storey podium is proposed which responds to this objective. Given Council are reviewing the Edgecliff Centre controls in any event, it is assumed this character statement is in need of updating and that the Edgecliff Centre DCP (associated with this Planning Proposal) will provide updated character objectives.

(b) to establish a transition in scale between zones to protect local amenity

The incorporation of podium scales with higher density built form above is an appropriate method to modulate density and deliver a transit oriented development. The proposal is also well setback from its southern boundary by virtue of the existing road reserve and street buffers. The height and form of the podium also provides a compatible transition to 170 and 180 Ocean Street located to the south-east.

Reducing the height on the site would on face value create a more gradual height transition but it would not be the best approach in protecting the local amenity of development surrounding the site. The intent of a taller slimmer built form is to take mass away from the lower levels (which impacts a greater number of views from 170 and 180 Ocean Avenue), and reduce the extent of shadow for residential development and Trumper park to the south. Section 4.4 has already demonstrated what the impacts would be for a development up to 17 stories or 30 stories being lower in height but a worse outcome.

The proposed scheme also responds to its urban context with a built form that is set back by approximately 38m from New South Head Road. This is consistent with the existing built form in the area (refer to Figure 36).

(c) to minimise the loss of solar access to existing buildings and open space,

The proposed slender tower form casts a fast-moving shadow, reducing overshadowing impacts to residential development to the south. A shorter, bulkier height and form would increase the width of shadow cast to the south, causing residential land to the south to be shadowed for longer. The proposal also does not overshadow Trumper Park between 10:00am and 2:00pm in mid-winter.

(d) to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion

The proposal is consistent with objective (d) for the reasons already set out in this report:

- The envelope is designed to respond to view sharing principles for residents at 170 and 180 Ocean Avenue. The podium is setback and lowered at the lower levels to reduce the amount of bulk obscuring views at the lower levels. The overall building is then cut back and angled on the western side to maximum views and ensure there is no overshadowing to Trumper Park during the DCP control hours.
- Having a taller, thin tower creates a slimmer and fast moving shadow which reduces the extent and duration of shadow cast on residential development to the south. Reducing the height would distribute bulk across the site and cause a wider, slower moving shadow.
- The eastern boundary is approximately 80m from the Eastpoint residential tower to the east. This physical distance combined with an additional 12m (ADG compliant) setback will limit privacy and visual intrusion.

(e) to protect the amenity of the public domain by providing public views of the harbour and surrounding areas.

The Visual Impact Assessment identifies a range of public domain locations from where the proposal is likely to be visible (including areas which have views of the Harbour). It determines that view from the public domain outside the site would not be significantly affected by the proposal, and no significant view loss will occur (refer to Appendix H).

8.2.2 Floor space ratio objective - clause 4.4 of the Woollahra LEP

(b) for buildings in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, and Zone B4 Mixed Use-to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale

As detailed in Section 8.2.1, the desired future character for the Edgecliff Centre is established by the DCP. There is no specific mention of a desired bulk and scale of development. It therefore provides less guidance in specifying what bulk and scale would satisfy the desired future character of the Edgecliff Centre.

Again, height (eight storeys) is mentioned in the desired future character statement, but bulk and scale responds to more than just height. Bulk and scale relates to the positioning, distribution, and articulation of building mass on a site, and how it is perceived from the public domain. The numerical height (and floor space) alone does not determine bulk and scale. Rather, it's how this height is translated on to a site (i.e. where and how it is positioned) which determines its bulk and sale, and ultimately, how it sits within the public domain.

Given the lack of specific guidance given by the DCP on the desired future character of the area in terms of bulk and scale, the proposal has relied on distributing mass on the site (I.e. a lower podium and setback tower) which would allow the street wall and podium to reach a height more consistent with existing heights along New South Head Road, and allow the overall building to respond to the same apartment building typology in the area (i.e. a tower element above podium setback from the street frontage). This ensures the bulk and scale of the proposal is not excessive and not dissimilar to the typology of New South Head Road, which ensures a degree of consistency

8.2.3 Density in other Centres

Council, in the pre-application response (Appendix C), have requested a comparison of density (height and floor space) of the proposal to the density available in Bondi Junction and the Sydney CBD.

A mere two-dimensional comparison of height and FSR numbers across three different centres misconstrues some of the complexities and nuances of planning height, bulk and scale in an effective responsive form. It does not appropriately consider the very different contextual and site-specific characteristics of the site, Bond Junction, and the Sydney CBD. In particular:

- The site is the only remaining large and unconstrained portion of land in the Edgecliff Centre. It also sits above and adjacent to the only interchange in Woollahra in a setting which has a very different character to the rest of the LGA:
- Spatially, Bondi Junction has a large commercial and mixed centre which provides numerous opportunities for redevelopment and the more level distribution of density across a number of different development sites. Conversely Edgecliff has minimal development sites capable of accommodating such rises in density.
- Also, the LEP controls for Bondi Junction came into force in 2012. This predates Bondi Junction's designation as a Strategic Centre (under the current Region and District Plan) by eight years. A height limit of 60m does not therefore necessarily reflect the appropriate height for a Strategic Centre, with planning for transit orientated developments in such close proximity to the CBD having progressed significantly in the last decade. For these reasons an analogous comparison to Bondi Junction is not considered appropriate as a reason to cap Edgecliff
- The Sydney CBD is Australia's primary economic centre and plays a significant role in the regional and national economy. It generates \$130 billion in economic activity annually (which is over 7% of the total national economy)4. It also includes nearly 13,000 business, 340,000 employees and 31,600 residents. Density controls in the CBD need to provide development which can support this capacity and encourage development which can future-proof the CBD's competitive advantage. In earnest, the Sydney CBD controls are upon examination far in excess of what is proposed in this Planning Proposal.

A detailed consideration of pre-application comments is set out below.

⁴ Planning Proposal: Central Sydney Feburary 2020, City of Sydney Council

Council comment - Height

The proposed building height control represent a building height of approximately 161.75 - 167m above ground level. A comparison of the proposed building height to other approved building height controls show that the proposed control is:

- substantially greater than the current highest maximum building height of 34m permitted under the Woollahra LEP 2014
- substantially greater than the maximum building heights of 60m permitted under Waverley Local Environmental Plan 2012 at Bondi Junction, which is designated as a strategic centre in the Regional Plan and District Plan
- greater than the majority of maximum building heights permitted under Sydney Local Environmental Plan 2012 in the Sydney CBD, which is designated as a metropolitan centre in the Regional Plan and District Plan.

Response

In response to point one and in order to achieve the vision for the site, the current maximum permitted height under the Woollahra LEP needs to be exceeded. Development up to 34m is simply not feasible and does not provide any uplift compared to the current development on the site.

We also note that Council in their LSPS have identified that the two key Local Centres of Double Bay and Edgecliff require planning intervention to support the renewal of both centres which could only be achieved with development uplift. It is further noted that building heights above 34m were previously identified as part of the opportunity study from 2010.

Further, 34m does not reflect a height the site can accommodate in terms of environmental impact and does not speak to the strategic designation of Edgecliff as a 'Key Local Centre' and transport interchange capable of accommodating transit orientated development and renewal. In addition, a 34m height limit would not:

- promote the efficient use of land and allow additional height appropriate to a location directly adjacent public transport;
- promote a density which limits the ability to accommodate new uses feasibly and practically with other employment-generating uses to create a truly mixed-use, accessible development;
- contribute feasibly and meaningfully to upgrades to the existing railway station and the development's connectivity to the adjoining bus interchange; and
- Best respond to the one remaining large lot within the Centre which is not subject to constrained ownership (i.e. stratum).

In relation to point two and like previously touched on above, due to larger land areas and lot configurations, height in Bondi Junction can be distributed across a greater commercial and mixed use centre which allows greater density at lower overall heights. Given the smaller size of the Edgecliff Centre site (compared to Bondi Junction) and the very limited number of large developable lots within Edgecliff, there is limited opportunity to supply and distribute density. Edgecliff is therefore not directly analogous and a simple comparison of blanket FSR standards between Bondi and Edgecliff does not sufficiently canvas the appropriateness of built form on the Edgecliff Centre site.

It is critical to note that the planning framework for Bondi was adopted as part of the Waverley LEP 2010 (Bondi Junction) which has now been superseded by the current Waverley LEP 2012. Both instruments predate the current Greater Sydney Plan. The uniform height and FSR standards for Bondi (in addition to the existing cadastre of Bondi which comprises of large development blocks) encouraged a building typology of broader and bulkier buildings limited to a height of 60 metres which is apparent with the existing building form of the skyline of Bondi Junction.

The framework for Bondi does not reflect the evolution of planning in centres over the last decade which contemplates developments of narrower and slender building forms which promotes sustainability, enhanced environmental outcomes and better design quality. This is evident through emerging centres which support Transit Orientated Development including Waterloo, Crows Nest, St Leonards, and centres along the North West Metro line.

The site is the only large unconstrained lot in the Edgecliff Centre. It is appropriately located (above and adjacent to public transport) to support additional height and can accommodate this height in a sensitive manner so as to ensure impacts to surrounding receivers are reduced. Key design moves adopted as part of the design principles established for the site ensures that the strategic siting of building form and the tower typology is compatible with tower forms along Darling Point and will not adversely generate undue environmental impacts with respect to shadows, views and vistas, compatibility with the nearby heritage conversation area and privacy and overlooking.

In relation to point three, the 'maximum building heights' identified by Council are not the maximum available and, in many cases, operate as 'base' heights available to land in the Sydney CBD. These base heights range up to 235m which can achieve additional height through the completion of a competitive design process (which allows 10% height bonus).

Many sites in the CBD are not given a height limit and are restricted only by either sun access planes to protect overshadowing to public open spaces in the CBD, or the obstacle height limitation surface, both of which can exceed the height of the proposal.

Further, the City of Sydney Council is currently in the process of introducing its ground-breaking *Central Sydney Planning Strategy* (exhibited between 1 May to 10 July 2020) which sets a new strategic direction to continue to position and strengthen Sydney as Australia's leading global city. The Strategy includes LEP amendments which supports a design excellence process to support 50% more height in certain tower cluster areas in Central Sydney which can support development up to 300m.

Council comment - Floor Space

A comparison of the proposed FSR with other FSR development standards in the Woollahra LGA and in major centres in other LGAs shows that the proposed control is:

- substantially greater than the current maximum FSR of 4:1 permitted under the Woollahra LEP 2014
- greater than the maximum building heights of 8:1 permitted under Waverley Local Environmental Plan 2012 at Bondi Junction, which designated as a strategic centre in the Regional Plan and District Plan
- greater than the base FSR permitted under Sydney Local Environmental Plan 2012 in the Sydney CBD, which
 is designated as a metropolitan centre in the Regional Plan and District Plan

Response

The response to point one is similar to that mentioned for height. In order to achieve the vision for the site, an FSR above 4:1 is warranted, particularly given its accessible location. An FSR of 4:1 on the site given its ability to provide a genuine transport-orientated development, directly responding to the only interchange in Woollahra, would be a complete underutilisation of the site. It is also prudent to note that the preceding opportunity study recommended an FSR of 6.05:1 which included predominately residential uses. The proposed scheme responds to this and provides a residential FSR of approximately 6:1, but further complements the transit orientated development by including a minimum of 3:1 for non-residential employment-generating uses. Rather than providing a narrow 6:1 FSR residential scheme, the proposal includes a variety of uses for community and public benefit without undue environmental impacts.

In relation to point two, the proposed FSR on the site (9:1) is comparable and not significantly different to what is available in Bondi Junction (8:1). Further, it is noted that the FSR of 8:1 for Bondi Junction does not encompass a minimum non-residential FSR component as proposed with this Planning Proposal. The proposed FSR reflects a density which can feasibly and appropriately be placed on the site and in response to a Station and Transport Interchange located less than 4 minutes from the CBD, arguably better located than Bondi Junction.

Bondi Junction also adopts a consistent approach to density which reflects a more uniform and established way of allocating density across a centre. It does not consider the capacity of each site and the density it can or cannot appropriately accommodate. The proposal on the other hand reflects a more contemporary approach to density allocation based on what the site can actually and appropriately accommodate. It supports an acceptable environmental outcome to surrounding receivers and supports a tower typology which is not inconsistent with the typology of towers already on the Darling Point Peninsula.

In relation to point three, the proposal does exceed the general 'base' FSR for land within the Sydney CBD (8:1). This base acts as the starting point for the cumulative FSR scheme which operates in the CBD and which is deliberately designed to incentivise development over the base FSR.

The Central Sydney Local Environmental Plan 1996 first introduced the award for what is known as 'accommodation floor space'. It allows additional floor space (above the base) and was originally devised to incentivise commercial and residential floor space. The same still system applies under the current LEP and dependent on your location within the CBD, development can achieve accommodation floor space anywhere from 1.5:1 to 6:1 FSR (above the base).

If the proposal for example was located in the centre of the Sydney CBD (say near Town Hall), under the Sydney LEP it would be eligible for a base FSR of 8:1 and accommodation floor space of 6:1 for residential or hotel. Development over 55m will require a competitive design process (which after its successful completion) awards a 10% bonus in FSR (or height). The development would therefore have a permitted FSR of up to 15.4:1. There is also additional FSR available for certain functions including the provision of end of trip facilities, reduced car parking, and entertainment and club floor space (amongst other things). Put simply, the base FSR of 8:1 is not the measure of actual FSR available to development in the Sydney CBD.

8.2.4 Transit Orientated Development

For many years now, the NSW Government has sought to grow high-value jobs and provide better access to homes and employment, and create liveable and sustainable centres. This strategy has translated into the successful increase in density around existing and proposed public transport, including over-station developments. This thinking in planning has advanced significantly since the controls for Bondi Junction (for example) were first envisaged over a decade ago.

St Leonards is a prime example. It has seen a significant increase in density to land surrounding the existing train station and metro station. Height in St Leonards reaches up to 50, 45, 42 and 35 storeys with FSR as high as 25.4:1, 20:1, 18:1 and 15:1. This has been solidified in the recent St Leonards and Crows Nest 2036 Plan (finalised in August 2020). Like Edgecliff is to the Sydney CBD, St Leonards is also only two stops away from the North Sydney CBD and three from the Sydney CBD.

Edgecliff is similar in locational advantage to St Leonards and Crows Nest, where densities of this scale have been deemed appropriate by recent State Government work. Where Edgecliff differs is the *highly limited number of sites suitable for the scale* of transit oriented development, with the Edgecliff Centre having the size and proportions and being the only real site capable of delivery of a transit oriented development within the centre.



Figure 36 – Height and floor space surrounding St Leonards Railway Station Metro Station

Source: St Leonards Crows Nest 2036 Plan, NSW Department of Planning, Industry and Environment

The same can be said for the following centres that are capable of supporting transit orientated development such as:

- Epping (which permits up to 72m and 6:1 FSR);
- Chatswood (which permits heights up to RL 246m, RL 234m, RL 201m and RL 175m with corresponding FSR's
 of 8:1, 7:1, 6:1 and 5.5:1);
- Waterloo Metro Quarter which has and will continue to leverage of existing and planned infrastructure with heights up to RL 116.9, RL 104.2 and RL 96.9 with a corresponding FSR of 6:1. With a site area of approximately 13,500 sqm, this allows a GFA of up to 81,000 sqm which is significantly higher than the GFA proposed in this Planning Proposal.
- The Sydney Metro Northwest Urban Renewal Corridor (which includes eight station precincts from Cherrybrook to Cudgegong Road) also demonstrates a commitment to increasing density with infrastructure.

8.3 Landscape and Public Domain Concept

A high-quality landscape and public domain outcome is central to achieving the objectives for the site's redevelopment. A preliminary concept to assist in establishing the key principles to be adopted and developed within the Planning Proposal and the future detailed design phase has been established by Longhurst, FJMT and Ethos Urban.

Included at Appendix A is a concept plan prepared by FJMT for the ground plane. The key features include:

- Upgraded entry experience and activated frontage from New South Head Road to the Edgecliff Railway Station;
- New public square at ground level with attractive fine-grain laneway retail; and
- Enhanced intermodal circulation from the train concourse to the bus terminal within a naturally lit atria
 connecting the public plaza to the public accessible green space;
- Highly accessible public open green space adjoining the bus terminal, improving and expanding the existing
 public realm for the wider community, and connecting this to the amenity of the Edgecliff Centre and East Point
 Centre and by virtue of the interchange the wider LGA.

8.4 Overshadowing

Overshadowing caused by the concept envelope has been assessed against:

- Solar access to Trumper Park Oval between 10:00am and 2:00pm on 21 June (control C26 of the Edgecliff DCP); and
- Solar access to existing adjoining residential dwellings for a period of two hours between 9:00am and 3:00pm on 21 June to north facing windows of habitable rooms, and for a minimum of two hours to 50% of the private open space (control C27 of the Edgecliff DCP).

8.4.1 Overshadowing to Trumper Park Oval

FJMT has undertaken modelling to determine the shadow cast generated by the concept envelope on Trumper Park. The assessment identifies that between 10:00am and 2:00pm, the envelope and indicative scheme does not cast any shadow over Trumper Park Oval in accordance with the requirements of the DCP (refer to **Figure 37**).

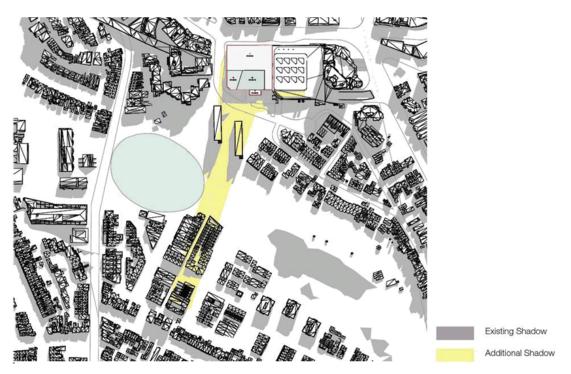


Figure 37 – Shadow cast by indicative envelope at 21 June – 10am (left), 11:00am (right) Source: FJMT

8.4.2 Solar Impacts to Adjoining Properties

FJMT have prepared a solar access analysis to determine if the proposed envelope results in solar impacts to the surrounding residential properties. The analysis relates to the period between 9:00am and 3:00pm during the winter solstice on 21 June.

Chapter D4 of the DCP specifies that buildings be designed to ensure that adjoining residential development receive at least 2 hours solar access between 9am and 3pm on 21 June to existing north facing windows of habitable rooms. Consistent with the DCP requirement, the analysis (**Appendix A**) demonstrates that with the proposed envelope and indicative scheme, the adjacent residential dwellings to the south and south east will receive 2 hours or more of solar access during the nominated time period.

8.5 View Sharing and Visual Impact

Richard Lamb and Associates (**RLA**) has prepared a Visual Impact Assessment (**VIA**) to determine the visual impact of the proposal from the public domain and in relation to view sharing with adjoining residential development. The VIA considers the principles of *Tenacity*, as well as the viewpoints identified in Part D of the Woollahra DCP. The conclusion reached by RLA is that the overall level of visual impact varies from low to moderate but is acceptable on balance.

8.5.1 Private Domain Views

Potential impacts caused by the proposal on view sharing on surrounding residential receivers was assessed at the strategic level. Given the location of the site and the location of scenic views to the west and north, the main buildings to consider are those east of the site, particularly the Eastpoint Tower (180 Ocean Avenue) to the east and the Oceanpoint Tower (170 Ocean Avenue) to the south-east. The Ranelagh Tower (3 Darling Point Road) was also considered.

Further to the east outside the immediate catchment is the Karoola Tower on Edgecliff Road. It has been considered that the height of the proposed envelope up to the same height of the Karoola tower would be in the visual catchment shadow of the Eastpoint Tower (i.e. its view is blocked by the Eastpoint Tower).

Based on the modelling by FJMT, RLA concludes that given Eastpoint reaches RL92m with a height approximately 26m higher than the existing development on the site, roughly eight storeys could be affected by view impacts above what is already caused by the existing development on the site. Additional height on the site above RL92m would cause minimal or no view impacts.

RLA has also undertaken an analysis of the effects on private domain views under three different scenarios. These replicate the options identified in **Section 4.4** of this report and include:

- The massing proposed by Council under their 'Opportunity Site' Study (Option 2);
- A 30 storey lower broader tower option (Option 3); and
- The 45 storevs proposed under this Planning Proposal (Option 4).

The likely view sharing of each option (at three different heights) on private domain views for the Eastpoint Tower (180 Ocean Avenue), Oceanpoint Tower (170 Ocean Avenue) and Ranelagh Tower (3 Darling Point Road) has been assessed by RLA considering the principles of *Tenacity*.

The preliminary view sharing analysis from Eastpoint, Ocean Point and Ranelagh Towers is provided at **Appendix A** and **Appendix H**. The assessment concludes that the level of visual impact varies from low to moderate with moderate impacts to close views. At the Planning Proposal stage, the most important factor in determining visual impact is compatibility and the proposal provides high compatibility with the urban features for all the view places assessed and is therefore on balance deemed acceptable.

8.6 Internal Residential Amenity

Preliminary testing indicates that the indicative development concept is capable of achieving the solar access ADG requirement for a minimum of 2 hours solar access on 21 June between 9am and 3pm with a large portion of apartments capable of achieving more than 2 hours of direct sunlight to living areas and private open space.

In designing the internal layouts, natural ventilation and cross ventilation have been considered in order to reduce the reliance on mechanical ventilation. The precise cross ventilation percentages will be determined at the detailed DA phase. Notwithstanding, the development is capable of including:

- A large quantity of dual aspect apartments;
- · A façade design that maximises the provision of windows;
- Adequate ceiling heights; and
- Adequate apartment depths.

Detailed studies pertaining to solar access and cross ventilation will be provided at the detailed DA phase to demonstrate consistency with the Apartment Design Guide and State Environmental Planning Policy 65 (Design Quality of Residential Apartment Development). Nevertheless, an assessment of the design objectives and design criteria of the ADG has been carried out based on the indicative concept which confirms that the proposal is capable of full compliance. An ADG schedule is provided in **Appendix A**.

8.7 Traffic and Transport

PTC has undertaken a Traffic and Transport Accessibility Report (refer to **Appendix I**) to accompany the proposal and determine its potential impact on the surrounding road network in relation to parking and traffic.

8.7.1 Parking

The proposed number of car parking spaces in the concept proposal have been assessed against the relevant provisions of the Woollahra DCP. A summary of residential and non-residential parking is provided in **Table 9**, **Table 10** and **Table 11**.

Table 9 - Residential car parking requirements under the Woollahra DCP

Mix	No. of residential apartments	rate	Max permitted under the DCP (rounded up)	Proposed
Studio	21	0.5 per unit	11	184
1 bedroom	85	0.5 per unit	43	
2 bedroom	102	1 per unit	102	
3 bedroom	60	1.5 per unit	90	
Visitors	268	0.2 per unit	54	
Total			300	184

Source: PTC

Table 10 - Non-residential car parking requirements under the Woollahra DCP

Use	GFA	rate	Parking multiplier	Minimum parking requirement	Proposed
Commercial office	5414	2.5 spaces per 100 sqm GFA	0.6	82	117
Retail	7143	3.3 spaces per 100 sqm GFA	0.6	142	
Medical	3092	2.0 spaces per 100 sqm GFA	0.6	93	
Total (non-residential)			317	117

Source: PTC

Table 11 – Accessible parking requirements

Use	No. of apartments / car spaces	BCA minimum rate	Parking provision (min)	Proposed
Residential (adaptable)	27 units	1 per adaptable unit	27	24
Commercial office	117	1 per 100 car spaces	1	4
Retail		1 per 50 car spaces + 1 per additional 100 spaces	2	
Medical		1 per 50 car spaces or part thereof	1	
Total				28

Source: PTC

The residential car parking proposed is consistent with the Woollahra DCP requirements for residential car parking and accessible car parking. Non-residential car parking however is below the DCP requirements and proposes a shortfall of some 200 car spaces. This shortfall is primarily due to the existing subterranean rail tunnel which has physically limited parking capacity on the site. The nature and location of the site (being a transit orientated development) does however support a reduced non-residential car parking rate. The intent to not increase existing traffic activity associated with the exiting development on the site also supports the reduction of non-residential car parking spaces (i.e. more non-residential parking, more traffic).

Bicycle and motorcycle parking

Under the DCP, a total of 406 bicycles spaces are required. The concept scheme provides a total of 387. Given
however the detailed building configuration is subject to future detailed design and detailed development
approval, the bicycle arrangements will be revised at the detailed design stage with the intention of satisfying
the DCP criteria.

The concept proposal provides for 32 motorcycle spaces (20 spaces for residential and 12 for non-residential)
which is in accordance with the minimum 19 and 12 needed for residential and non-residential development
respectively under the DCP.

8.8 Traffic generation

The traffic generation of the site under current conditions is extrapolated in Table 12.

Table 12 - Existing traffic generation

Land use	Peak period	Total peak hour trips from boom gate date	Inbound trips	Outbound trips	Existing car spaces	Trip generation rate per car space
Retail and Medical Consulting Services (Customer	Weekday AM Peak	41	30	-	113	0.27 inbound trips/car space
Car Park)			-	11		0.10 outbound trips/car space
	Weekday PM Peak	179	81	-		0.72 inbound trips/car space
			-	98		0.87 outbound trips/car space
	Weekday AM Peak	18	17	-	141	0.12 inbound trips/car space
			-	1		0.01 outbound trips/car space
	Weekday PM Peak	25	3	-		0.02 inbound trips/car space
			-	22		0.16 outbound trips/car space
Retail and Medical Consulting Services (Customer	Saturday Midday	232	117	-	113	1.04 inbound trips/car space
Car Park)	Peak		-	115		1.02 outbound trips/car space
Commercial (Tenant Car Park)	Saturday Midday	day	2	-	141	1.01 inbound trips/car space
	Peak		-	5		0.04 outbound trips/car space

Source: PTC

8.8.1 Future traffic generation

For the residential component (based on RMS rates) the traffic generation of the proposal is anticipated to be:

- 6 inbound trips and 22 outbound trips (based on 0.15 trips/car spaces) during the weekday AM peak; and
- 18 inbound trips and 4 outbound trips (based on 0.12 trips/car spaces) during the weekday PM peak.

For non-residential components, the traffic generation of the proposal is anticipated to be:

- For retail and medical / wellbeing: 44 total peak hour trips in the weekday AM peak and 186 in the weekday PM peak; and
- · For retail and medical / wellbeing: 241 total peak hour trips in the Saturday Midday peak.

A detailed above, a total of 117 spaces will be allocated for non-residential use. Since the exact allocation of non-residential spaces is yet to be determined at this early stage, the rate for retail and medical use (which has a higher trip generation rate) has been used by PTC to undertake a conservative assessment

8.8.2 Net traffic generation

Based on existing and future traffic generation, the potential additional traffic which will be generated by the development (net traffic generation) can be determined. This determined by subtracting the existing traffic generation from the potential future generation (refer to **Table 13**).

Overall, the proposal will not change the overall number of trips in the morning peak hour. The overall trips for the weekday evening peak hour and Saturday peak hour are anticipated to be slightly reduced (by 16 and 3 respectively). This is equivalent to approximately 1 reduced trip every 4 minutes for weekday evening peak hour which is expected to improve the intersections performance marginally during the weekday evening peak hour.

Table 13 - Net traffic generation

Heading	Proposed trip generation	Existing trip generation	Net traffic generation
Weekday AM	72 (38 In, 34 Out)	72 (60 In, 12 Out)	0 (-22 In, +22 Out)
Weekday PM	208 (102 In, 106 Out)	224 (87 In, 137 Out)	-16 (+15 In, -31 Out)
Saturday Midday	241 (122 In, 119 Out)	244 (121 In, 123 Out)	-3 (+1 In, -4 Out)

Source: PTC

8.9 Heritage Impact

A Heritage Impact Statement has been prepared by Curio Projects (refer to **Appendix J**) to assess the heritage impacts associated with the concept proposal and redevelopment of the site in relation to the site's surrounding heritage context, in particular the surrounding heritage conservation areas. Curio make the following conclusions in relation to heritage impact and the proposal:

- The proposal will not generate any physical impact to any heritage items or fabric given the site is not listed as a heritage item and is not located on land inside a heritage conservation area;
- The proposal will not generate any heritage impact to the below and adjoining Edgecliff Railway Station which is listed under the Heritage and Conservation Register under Section 170 of the Heritage Act 1977.
- The proposal is considered to be consistent with the moderate mixed-use precinct in which it is located.
- The detailed design and articulation, as well as materiality and colour palette is commensurate with the
 character of surrounding heritage conservation areas and heritage items is considered to support the reduction
 of more distinctive visual impacts of the proposal from these sensitive areas and items.
- Materiality and planting at the streetscape level (through the proposed public domain spaces on the site) will
 support a positive visual impact on the precinct at the street level and align to the greenery attributed to the
 surrounding heritage conservation areas.
- Although the proposal would be visible from surrounding heritage items and adjacent HCAs, it would not
 adversely impact views and vistas to and from these items or HCA's given the key significance of these listings
 relate to the internal street character and street-level experience of these HCA's.
- The heritage significance and key views and vistas of Rushcutters Bay Park relate predominately to the park itself, and the connectivity of views and vistas to Sydney Harbour and surrounding inner Sydney parklands, rather than just views of surrounding development as part of the wider eastern suburb's skyline. Further, views southeast from Rushcutters Bay Park towards the development area, demonstrate that while the tower and part of the podium components of the proposal would be visible, the addition of the tower would be commensurate with the existing skyline which includes an existing residential tower and larger scale buildings.
- The existing HCAs and heritage items surrounding the site are currently affected by the current building and that the proposal provides an opportunity to have a more commensurate and improved design.
- The proposal fronting McLean Street to the south will provide a positive impact on views which are currently
 described by the DCP as being visually intrusive.

8.10 Rail Corridor Impact

Arup has prepared a Rail Impact Assessment Report (refer to **Appendix K**) to identify potential areas of impact of development associated with the rail corridor and provide engineering principles in relation to pedestrian flow (identified in **Section 4.6**), fire engineering and acoustics to support development within the corridor.

Arup identify the following fire engineering matters for consideration and potential mitigation measures in relation to:

- Fire in the station;
- Means of escape from the station and retail concourse areas;
- · Fire in the new proposed retail concourse area or any area with an open connection to the concourse;
- · Smoke hazard management between the railway station and the retail areas at the concourse areas;
- Compartmentation and fire separation between the railway station entry and retail areas; and
- · Access and facilities for the fire service.

The report summaries that the overall impact of the development is an improvement to the existing rail corridor.

8.11 Wind

An Environmental Wind Assessment was undertaken by Arup (refer to **Appendix L**). It provides an experience-based wind assessment of the proposed concept envelope on pedestrian wind level conditions in and around the site. Overall, Arup considers that at the majority of locations around the site would be suitable for walking with locations on the western corners being at the upper end of the classification which can be dealt with ameliorations in the detailed design process, which is standard practice. The assessment concludes though that these wind conditions would remain suitable for the intended use of the space.

Arup also make the following recommendations to consider during the detailed design of the proposal (which is not being sought under this Planning Proposal):

- Local wind amelioration may be required for outdoor seating areas around the site, especially at the south west corner.
- A permanent or temporary screen may be recommended at the podium retail levels to dissipate winds, especially winds traveling from south to north;
- The external façade of the upper retail level should have the ability to be enclosed;
- · The pool on level 14 will be subject to windy conditions and may require further enclosure;
- Higher residential balconies will be subject to windy conditions and thus for useability should have the ability to
 close of all faces but one to restrict air flow;
- Perimeter screening on the communal rooftop terrace should be raised to the same height as the mechanical plat to avoid flow recirculation; and
- A lift lobby is recommended on all basement levels to minimise internal flows up the lift shafts, especially for the residential car parks.

Based on the conclusions of the report, the proposal is suitably assessed at the concept Planning Proposal level and any areas of increased windiness able to be ameliorated at the detailed design stage.

8.12 Noise and Vibration

Arup has undertaken an acoustic review of the indicative scheme associated with the Planning Proposal (refer to **Appendix M**). A full Acoustic Assessment will accompany the future Development Application. It discusses from an acoustic perspective, the suitability of the uses proposed for the site given its over-station position and proximity to New South Head Road.

Arup conclude that:

- It will be feasible to comply with the relevant acoustic policies and standards to provide a suitable acoustic
 outcome for uses of the site; and
- Detailed acoustic and vibration studies will be required during the detailed design and approval stage, including detail and specific mitigation and management measures.

8.13 Contamination

Aurecon has undertaken a Detailed Site Investigation Assessment (refer to **Appendix N**), even though it is technically not required following recent amendments to SEPP 55. Based on the desktop information reviewed, it has been considered that the site represents a low risk in relation to contaminants of potential concern with concentrations that would pose a potential risk to human health and or the environment, or constrain the future use of the site for the intended purposes.

Specifically, the following is noted:

- The site has been subject to urban development since prior to the 1940s and has been in its current state since the 1970s.
- The site is anticipated to consist of man-made fill above residual soils and bedrock. This man-made fill from
 onsite filling in the 1970s from the construction of the existing site and railway corridor does mean some present
 contaminants of potential concern, however, as detailed above, these are not likely to pose a risk to human
 health.
- Any future redevelopment and excavation will be subject to soil sampling either prior to construction or as spoil
 is produced. This will further determine the suitability of the site for the proposed uses, inform waste
 classifications for disposal, and whether spoil can be re used on site or disposed off site.
- A Construction Environmental Management Plan/s (CEMP) should be prepared during any future
 redevelopment to minimise risks associated with runoff and dust. It should also include an Unexpected Finds
 Protocol for incidental potential contamination finds during earthworks and construction. The CEMP must detail
 the methodology to handle, manage and dispose any contamination found previously identified.

For these reasons the proposal is considered suitable from the SEPP 55 perspective.

8.14 Infrastructure Services

IGS has undertaken a desktop review of the existing utilities of the site and their capability in accommodating the proposal (refer to **Appendix O**). It also makes recommendations so as to any utility upgrades which would be required to accommodate the proposal. The following is of note from the IGS review:

- In order to accommodate the proposal, two new onsite substations will likely be required;
- Two natural gas mains are located in the vicinity of the site. These are estimated to have adequate to support
 the proposal (subject to assessment and approval from the gas provider Jemena);
- Multiple telecommunications conduits are located along New South Head Road and McLean Street, and these
 are anticipated to have the carrying capacity to support the proposal;
- No major existing water services will need to be disconnected or diverted. The existing reticulation tee of the trunk main in New South Head Road will likely need upgrading to supply the proposal; and
- An existing gravity sewer (225mm) extends from the southern boundary of the site, across McLean Street and connecting to a sewer main at New McLean Street. It is considered to have enough existing capacity to serve the proposal.

8.15 Ecologically Sustainable Development

8.15.1 Sustainability

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs, in accordance with the EP&A Regulation. The proponent is

targeting to redevelop the site in accordance with the following sustainability commitments and targets identified in the ESD Strategy prepared by Arup (refer to **Appendix P**).

- Aspirational 5 Star NABERS energy rating for commercial office space;
- 40% reduction in water use and 25% reduction in energy use as per BASIX; and
- · Compliance with Section J of the BCA for the retail component.

These commitments will be achieved across the delivery of the development. These comprise initiatives to address the management and maintenance of the building, the selection of construction materials, demand for resources such as water and power, the use of sustainable modes of transport, impacts to the local ecosystem, emissions, and general community wellbeing. It demonstrates that there are opportunities to implement best-practice sustainable building principles and improve the environmental performance of the development.

8.15.2 Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

This Planning Proposal has not identified any direct serious threat of irreversible damage to the environment and therefore the precautionary principle is not required to be applied in this instance.

8.15.3 Intergenerational Equity

Inter-generational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposal has been designed to benefit both the existing and future generations through:

- · encouraging sustainable transport options as a Transit Orientated Development;
- reduces carbon emissions and the demand on resources;
- reduces waste that goes to landfill via the choice of materials and a centralised waste strategy;
- · monitoring and tuning the performance and operation of the building across the range of land uses.
- · Social benefits of the proposal ageing in place, medical and wellness, homes to families and singles.

The proposal has integrated both short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures.

8.15.4 Conservation of biological diversity and ecological integrity

This principal upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration in development. The proposal would have no significant impact on biological diversity and ecological integrity.

8.15.5 Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all resources which may be affected by a proposal, including air, water, land and living things. The cost of infrastructure, biodiversity offsets, design measures, and other sustainability initiatives for the renewal of Edgecliff Centre have been incorporated into the cost of development and will be delivered in the most cost-effective way via a life cycle cost approach that provides best return on investment. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would also be implemented to ensure resources are used responsibly in the first instance.

Geotechnical and Structure

A Geotechnical and Structural Engineering Statement has been prepared by Aurecon (refer to Appendix Q). The assessment identifies geotechnical constraints which may impact the proposed redevelopment of the site. The impact on and from the future redevelopment on the site on the existing rail infrastructure has also been considered.

Overall, Aurecon conclude that based on the expected geotechnical conditions of the site, the proposal can be feasibly designed and constructed on the site to ensure no adverse impact to the below rail corridor. This is based on conformance with the recommended design measures and mitigation measures identified by Aurecon.

Airspace Operation

A Preliminary Aeronautical Assessment has been undertaken by Strategic Airspace (refer to Appendix S) to assess the aviation-related airspace height impacts of the proposal. The assessment concludes:

- The height of the proposal would infringe the Obstacle Limitation Surface (OLS) on the site by 39m which would trigger the need for height approval under the Airports (Protection of Airspace) Regulations (APAR). The proposed height is approvable under the APAR but may be subject to conditions.
- The height of the proposal would be well below the PANS-OPS and the Radar Terrain Clearance Chart and is therefore considered approvable.
- There would be ample room for cranes to operate at a maximum height that would not exceed the height constraint of the limiting surface. Thus, implications associated with cranes would not affect the assessment of the height application.
- Considering the above, Strategic Airspace see no technical impediment to approval of the proposed works under the APAR.

Economic Impacts

An Economic Impact Assessment has been prepared by Hill PDA (refer to Appendix R) and a Social and Economic Benefits Statement has been prepared by Ethos Urban (refer to Appendix W). The Planning Proposal will have the following economic benefits:

- The proposed scheme will have a construction cost of circa \$346 million, with total economic activity associated with construction estimated at 1 billion. This includes:
 - \$443 million of economic activity in production induced multiplier effects;
 - \$313 million in consumption induced effects;
 - 863 jobs directly in construction; and
 - An additional 2,604 jobs through production induced and consumption induced multiplier impacts.
- The proposed scheme when or close to full occupation will generate an estimated 692 jobs. This is a net increase of 225 over the current operation. This will include:
 - 197 full and part time retail jobs;
 - 390 predominantly full-time jobs associated with the office floor space; and
 - 85 predominantly full-time jobs associated with the medical/well-being uses.
- The site once developed will contribute \$66 million to regional domestic product. This is an \$19 million net increase from current operation.
- The net increase in retail expenditure to the Edgecliff area from the additional residents and employees is estimated to be equivalent to approximately \$5 million per year.
- There is growing retail demand in Edgecliff. This is largely from the primary trade area (i.e. local residents within 500m of the site), adjoining residents from Darling Point (where there is no shopping centre), the 3,000 workers in Edgecliff, and the 3,500 daily train commuters. From these sources of demand, total retail sales could reach 110 million by 2026 which would translate to a need for 14,400 sqm of additional retail space, of which 4,700 sqm would be for supermarkets.

8.19 **Social Impacts**

A Social Impact Assessment has been prepared by Cred Consulting (refer to Appendix X) and a Social and Economic Benefits Statement has been prepared by Ethos Urban (refer to Appendix W). The Planning Proposal will have the following social benefits:

- The proposed upgrades to public open space include publicly accessible open green space adjacent to the bus interchange, enhances inter-modal connectivity, improved and highly legible entries and community spaces.
- There are also several unquantified social benefits associated with the proposal, including:
 - The creation of new and modernised employment space closer to and more accessible to home;
 - The replacement of an existing centre and commercial development and the creation of a transit orientated development with high-density employment and residential at a major transport node, thereby supporting urban consolidation, active transport use, improved accessibility to transport and reduced car dependency;
 - Greater activation of the Edgecliff town centre and an improved identity to the town centre.
- Creating housing diversity and supply for an area that has limited housing diversity and new stock opportunity. The diversity of housing will support older people to age in place in the Eastern Suburbs, and adaptable housing options for people with disability.
- Provision of additional housing supply to cater to smaller household sizes including working aged population, singles, young families and downsizers.
- Integrated medical offering for a local downsizing senior population and in an accessible location for other uses of medical facilities in the LGA
- Improved visual amenity for Edgecliff through the renewal of an outdated and dysfunctional centre and transport interchange. This provides an opportunity for an increased sense of community identify for the centre of Edgecliff.
- Easily accessible public open space with publicly accessible vistas which might not be otherwise available in the LGA due to terrain and position of the site on the ridgeline.

Public Benefit 9.0

As evidenced in the preceding sections of this report, the proposal contains a number of opportunities for significant public benefits. These benefits are not limited to the redevelopment site itself but will extend to the broader Edgecliff town centre and beyond.

Each listed benefit is highly desirable and is facilitated through the redevelopment of the site in the form proposed. Whilst the proposed redevelopment is proposed on the site, the benefits of the proposal will extend beyond the site's boundaries, importantly contributing to the reinvigoration of the existing bus interchange and railway station, and contributing overall to the reinvigoration of the Edgecliff town centre.

When the public benefits of this proposal are viewed comparatively to the private benefits which will be gained from the redevelopment, it is evident that the proposal effectively balances public and private benefits. This is evidenced in a number of ways through particular elements of the proposal, such as:

- A new address and upgraded entry significantly enhancing the legibility and identification of both the Edgecliff Railway Station and bus interchange along New South Head Road.
- A new internal circulation and intermodal connection to provide direct, convenient, legible and easily accessible pedestrian links through the site and local street network to the railway station and adjoining bus interchange.
- Creation of place through new public spaces and landscaping to establish a more attractive destination. This includes:
 - Attractive fine-grain retail laneway fronting New South Head Road;

- A new ground floor civic plaza and shared public square with further fine-grain retail and place-making opportunities; and
- New public forum integrating the site to the adjoining bus interchange with new public open space, easy
 access to retail and, medical and well-being uses is also provided.
- Inclusion of a new through site link to enhance pedestrian permeability to accommodate a connection between residents to the north and Trumper Park.
- Revitalisation of the current bus interchange with the inclusion of a publicly accessible open green space with
 wide spanning vistas. The space can act as a multi-functional space for leisure, active-uses and gathering it will
 be designed for all users including children and the elderly to ensure universal accessibility. This element of the
 proposal offers a unique opportunity to provide a meaningful and highly accessible open green space within a
 constrained urban setting utilising the public nature of the bus terminal to create a user friendly extension of the
 existing public domain for the whole community.
- The co-location of residential uses with retail, medical/well-being and commercial uses will support transitorientated development and contribute to the creation of a walkable centre that provides homes in proximity to employment and medical uses for ageing in place.
- · Leverage and utilise existing government infrastructure. The proposal will:
 - Deliver a transit-orientated development with direct vertical connection to Edgecliff Station located on the Eastern Suburbs line, which is one of the highest patronage railway lines in NSW;
 - Bring to life a fundamental planning principle which sees a density and employment increase over an
 existing station that is roughly a five minute train journey from Central Sydney and Martin Place; and
 - Integrate with a significant bus interchange serving the Eastern Suburbs and maximise the use of a highly underutilised and outdated transport interchange. The revitalisation of the interchange as part of the renewal of Edgecliff Centre will support and encourage greater patronage of public transport.
- Support dwelling supply on a strategically positioned site that will enable housing targets to be achieved while
 protecting the character of existing residential areas from drastic change. The dwelling supply will also increase
 the diversity and availability of housing to meet particular demand among higher than average local population
 of older people.
- Facilitate a mix of uses, including health/medical and wellbeing uses that will increase the provision of much needed services necessary to support the growing and changing demographic of the population and support ageing in place.
- Provide the opportunity to improve safe pedestrian crossing across New South Head Road (particularly for students to and from Ascham School).
- Provide the opportunity to improve pedestrian experience and safety between this strategic site and key public spaces at Trumper Oval and Rushcutters Bay.

9.1 State and Local Contributions

It is important to note that there is no formal requirement for the proposal to contribute to State and Regional infrastructure and the Edgecliff Centre is not covered by any of the State government nominated State Infrastructure Levies (SICs). Nonetheless, from the outset of the project, Longhurst set out to reimagine the Edgecliff Centre and how it could contribute to the Edgecliff Station and Interchange and the Edgecliff town centre more broadly. The proposal therefore incorporates a substantive amount of works contributing to State and Regional infrastructure and the proponent is in on-going discussions with Transport for NSW and Sydney Trains on the detailed design and format of the public benefit offer for these works. These discussions are on-going, and it is anticipated that a condition of the LEP Gateway Determination will be that the proponent formalises a Planning Agreement or other arrangement with Transport for NSW with respect to the State and Regional benefits, being the transport interchange works.

Significantly, the proposed contributions towards State and regional infrastructure, in the form of the proposed interchange works to be agreed with Transport for NSW and Sydney Trains, would greatly enhance the legibility and identification of both the Edgecliff Railway Station and bus interchange along New South Head Road. These contributions would constitute critical enabling infrastructure that will become a catalyst for further development and

the provision of additional local public benefits by other developers in the form of the implementation of contributions plans or other planning agreements.

With respect to local contributions, Section 7.11 or Section 7.12 contributions will be applicable to the development. It is noted that a number of the works proposed address the types of community needs identified in the relevant contribution plans. For example, recreation, parking, civic improvements, infrastructure renewal, open space and community facilities are contemplated as works to be contributed to under the Woollahra contribution plans. The public benefits associated with the Planning Proposal will substantially outweigh the current cost of development contributions levied under Section 7.11 and/or Section 7.12. It is prudent to note that there is no statutory requirement to deliver the capital works associated with this Planning Proposal and whilst it is acknowledged that there is a nexus for a proportion of these works to facilitate the renewal of the site, we emphasise that the majority of the works will provide a greater public benefit that will extend beyond the site and service the broader community. Based on the public benefits of the proposal outlined in this section, and the delivery of those contributions to the Edgecliff town centre, Longhurst wishes to open dialogue with Council's Capital Works Team regarding a Works in Kind Agreement (WIK) or possible planning agreement for the delivery of the public benefits associated with the proposal.

It is noted that the DPIE has recently released the Draft Secretary's Practice Note on Planning Agreements and an accompanying Ministerial Direction on Planning Agreements dated April 2020. The draft practice note explicitly states that value capture should not be used in planning agreements in connection with planning decisions. This practice note provides clear and consistent direction to Relevant Planning Authorities (RPAs) for Planning Proposals.

Notwithstanding this, the combination of State, Regional and local benefits provided by the proposal delivers and demonstrates substantial public benefits, not just for the site itself but for the broader Edgecliff Town Centre and Woollahra LGA, as described in further detail below.

9.2 Entrance and Public Square

The intent of the proposal is evidenced through the treatment of the ground plane and podium. There is significantly improved activation along New South Head Road (Figure 38) and New McLean Street. The proposal adopts the strategy of blending the internal and external spaces of the ground floor to create a seamless open-plan plaza lined with fine-grain retail which is intended to create a village style atmosphere. The plaza extends outwards onto New South Head Road, creating a very clear address for the Edgecliff Railway Station from the public domain. Like previously mentioned, this will provide an improved pedestrian experience allowing for a more permeable ground plane and podium to enhance the experience for the community.







Figure 38 – Indicative site entry and frontage Source: FJMT

9.3 Creation of New High Quality Interchange

The proposal creates a significant improvement to the existing connectivity and interface issues currently facing the site. The proposal supports new direct vertical connections to the railway station below and the bus interchange above. A new central atrium (**Figure 39**) will support direct elevator access to the bus interchange and publicly accessible open space, supporting more direct and permeable access from the street and improved universal access for users of the station of all capabilities.







Figure 39 – Indicative atrium and vertical access facilitated Source: FJMT

9.4 Transit Orientated Development

Transit Orientated Development (**TOD**) seeks to maximise the amount of residential, business and leisure space within the proximity of public transport. It enables the creation of compact, walkable, pedestrian-oriented, mixed-use communities centred around high quality train systems, which in turn reduces car dependency and improved sustainability outcomes. The proposal is a prime example of a TOD and will collocate homes, jobs and services with existing infrastructure to revitalise the centre, reduce car dependency in the LGA and increase the efficiencies and sustainability associated with travelling to work and home, and accessing goods and services.

9.5 Upgrades and revitalisation of existing transport infrastructure

A key driver and outcome for the renewal of the Edgecliff Centre is the much-needed regeneration of the Edgecliff Transport Interchange. Currently, both the railway station and bus interchange suffers from poor accessibility, activation and amenity within an aged and landlocked interchange. The catalyst to facilitate the revitalisation of the existing key interchange for the Eastern Suburbs is the renewal and redevelopment of the Edgecliff Centre.

Further, the site is located adjacent to the transit interchange and sits above the train platform. The interchange is the only interchange in the LGA and operates as a key transport hub. As part of the proposal the development will seek upgrades to provide better intermodal connections, improve the station legibility and wayfinding to create better commuter amenity and experience for all users.

9.6 **Publicly Accessible Open Green Space**

The proposal offers a unique opportunity to provide publicly accessible open green space within the development in a constrained urban area. Adjoining the existing Edgecliff Bus Interchange, the proposal will create an extension of the existing public domain, transforming it into a multi-functional public realm destination.

The proposed open space will facilitate key connections from the bus terminal to the train concourse and contribute to the Woollahra open space network by providing a key community benefit of new open public green space. The park will significantly improve the interface for users of the bus terminal and seek to provide further connectivity synergies with the transport uses on the site, providing a green break out space and opportunity for leisure (as opposed to simply commuting), which is a desired goal of improving transport infrastructure.

An amphitheatre-like experience has been designed to provide ample opportunity to gather and congregate within the space and includes features such as naturally rolling hills, trees and planting, gardens, hard and soft landscaping, bicycle parking, open spaces for seating, leisure and retreat and varying place making initiatives. Further opportunities to activate spaces with active uses such as place spaces or public art can be refined with key stakeholders during the proposed stakeholder engagement prior to detailed design of the Development Application.



Figure 40 - Sky plaza and publicly accessible open space (indicative) Source: FJM7

Land Uses - Medical and Community Facilities

The land uses proposed are in the public's interest. In particular:

- In 2019, Woollahra had more people with an average age over 60 then the rest of Sydney (23.8% compared to 19.0%). There is also an anticipated increase in older people to 2036 (22% increase in those aged 65 – 84 and 68% increase in those aged 85+). The medical and wellbeing uses proposed will support the ageing population, improve access to medical services and help ageing in place.
- The population of Woollahra and broader Sydney continues to grow. Sydney is forecast to grow by another 1.7 million people by 2036 and 3.2 million more people by 2056. Woollahra is expected to increase from 58,964 in 2019 to 59,850 in 2036. By 2056, population will increase by 38% (according to Council's Draft Integrated Transport Strategy). The residential land use proposed will support housing demand in the LGA, improve housing choice and diversity, whilst placing density in appropriate locations to assist in protecting the existing character of low density residential areas in the LGA.
- Further, given that half the residents of Woollahra currently travel into the City of Sydney LGA for work, new homes directly above both the Edgecliff Railway Station, and employment uses in the podium, will support the Greater Sydney Commissions '30-minute' city concept and bring jobs and homes closer together.
- Woollahra Council currently forecast a decline (3%) in their working age population (those aged 20 64 years). The retention and expansion of commercial floor space (including retail) in the proposal will help draw a working

age population back to the LGA. It will also support job growth in the LGA and increase job opportunities for residents which will reduce the need to travel for work outside the LGA.

9.8 Ageing in Place

The proposal will support ageing in place, which is commonly understood as the ability to continue living in one's home and/or community comfortably and independently even as one ages. Ageing in institutionalised facilities in comparison, can be more costly and it may reduce seniors' independence and autonomy, whilst ageing in the family home is often not fit for purpose or size. An ageing in place approach collocates accessible housing in close proximity to everyday goods and services, medical services and transport.

Whilst the area surrounding the site has many existing apartments, these are predominantly art deco style apartments with poor accessibility which in many cases do not include lift access. Therefore, older members of the LGA have limited options to transition into more appropriate low-maintenance housing which has the required accessibility and active connections to every day need services such as retail, medical, transport and professional services.

A redevelopment at the Edgecliff Centre will improve the local and medical/wellbeing services available to the community (especially the ageing), and upgrades to the public transport interchange will improve the accessibility for the wider community to these facilities. New housing will also increase the housing options available to the community including young home buyers and families looking for highly accessible living options.

9.9 Traffic and Parking

The fundamental planning and design of the proposal has been established with the aim of creating a neutral traffic impact compared to current conditions. The proposal will have no net increase in traffic movements when compared to current traffic conditions arising from the site.

This has been achieved through a reduction in commercial car spaces, the redistribution of the current nonresidential spaces, and the addition of limited residential apartments car spaces. The proposed parking provision satisfies the requirements of the planning controls and the demand for parking (based on data collected from the existing building), while providing a cap on the traffic activity which affects the local road network. This approach is consistent with the design principles of a TOD which puts public transport at the forefront with a reduced focus on car parking and car dependency.

The design of the proposal has sought to improve the existing traffic conditions through the creation of a single entry/exit along the southern boundary of the site. This will see the removal of the existing driveway which sits in close proximity to the New South Head Road intersection and which currently requires vehicles to slow to manoeuvre into the carpark.

9.10 Sustainability

Through design innovation, the site presents an opportunity for a redevelopment which can demonstrate a high achievement of sustainable development. The energy commitments (including NABERS Energy rating of 5 stars, and a 4 Star NABERS Water rating) have the potential to be a benchmark and example for sustainable development in the Eastern District.

9.11 Post Covid 19 Recovery

The renewal of the site will contribute to an expeditious economic recovery status post COVID-19. The existing centre is outdated and is nearing the end of its optimal life (which is evident by higher than average vacancies). The site provides a large, consolidated area for renewal and is strategically positioned above an existing rail corridor and adjacent to a bus interchange. The renewal of the site will stimulate the economy by providing investment in the pipeline of construction jobs and ongoing employment opportunities.

The renewal of Edgecliff Centre as a Transit Orientated Development is a once in a generation opportunity to underpin Edgecliff as the gateway to the Eastern Suburbs and to create a landmark place. Edgecliff currently lacks a town centre identity due to the limitations and age of the current built form. The renewal of Edgecliff Centre offers

a unique opportunity for Edgecliff to be a revitalised town centre in a post COVID-19 world where activation and vitality will be imperative to society's recovery.

10.0 Part 4 – Mapping

The proposed mapping amendments to the Woollahra LEP will comprise of the following:

- Amendments to the Height of Buildings Map; and
- Amendments to the Floor Space Ratio Map.

Proposed extracts of the map amendments are proposed at Appendix G.

11.0 Part 5 – Community Consultation

Community consultation will be conducted in accordance with Section 3.34 and Schedule 1 of EP&A Act and A Guide to Preparing Planning Proposals. Generally speaking, the Gateway determination will require consultation to occur with the community. Feedback collected during that consultation period will be addressed at this time.

Notwithstanding the above, Longhurst intend to commence a proactive and early consultation program with the community to help inform design concepts. However, the preparation of this Planning Proposal has coincided with the peak of the COVID-19 pandemic and the NSW Government's formal social distancing requirements that have precluded meaningful face-to-face community engagement.

In light of the significant barrier for community engagement during the COVID19 pandemic, A Community Sentiment Summary Report prepared by Ethos Urban has specifically identified key themes, aspirations or issues already prevalent in the local community relating to similar developments and issues specifically documented as part of Council's previous consultation activities. These themes or issues have been noted and assessed against the concept scheme for the Edgecliff Centre as part of this Planning Proposal (refer to Appendix V). The documents and developments reviewed included.

- Woollahra Local Strategic Planning Statement 2020. The LSPS was subject to community consultation during early 2019 to inform its vision and a detailed consultation report was prepared on the feedback received, and how this feedback informed the LSPS.
- Woollahra Community Strategic Plan Woollahra 2030. Community engagement was undertaken in the preparation of this Plan during 2017 which was integrated into the themes and goals.
- Eastern City District Plan. During the preparation of the report, the Greater Sydney Commission undertook extensive community engagement that was drafted into a Submissions and Engagement Report.
- Future Transport Strategy 2056. This Strategy included extensive consultation with various stakeholders through a co-design process and response to submissions. Feedback from across metropolitan Sydney was consolidated and refined into the plans for the Strategy.
- Redevelopment of White City. White City is located west of Edgecliff Centre and interfaces with neighbouring communities. The project has undergone several stages of planning applications in recent years and has attracted a high level of community and political interest.
- 136 New South Head Road, Edgecliff. While the proposed development at 136 New South Head Road is smaller in scope and scale to the Edgecliff Centre, it is located directly opposite the site. No formal community consultation report was prepared as part of its Development Application; however, media reporting has identified some concerns raised by immediate neighbours.

While providing an overview of the relevant consultation undertaken by third parties with communities close to the Edgecliff Centre, the Report notes the outcomes Longhurst Group have carefully considered and reviewed in the absence of an opportunity to undertake face-to-face consultation due to COVID19 directives from State and Federal Government.

A clear alignment between consultation outcomes and strategic merit of this project has been demonstrated by addressing existing community sentiment from strategic planning documents and similar scale developments.

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Design considerations have been guided by community feedback raised in the LSPS, particularly in ensuring that the new development will meet the daily needs of the local ageing population while significantly contributing to the local economy in a uniquely suitable location. The proposal displays strong capacity to address many of the concerns raised in the LSPS while offering the desired amenities and features to improve Edgecliff as a Strategic Centre, including:

- · Provision of increased residential capacity and diversity at an appropriate location;
- Creating quality public space and landscaping;
- · Making best use of existing transport infrastructure and improving connectivity.

A formal community consultation program will commence at a later stage of the planning process, expected to occur after a Gateway Determination and aligned to the formal public exhibition period of the Planning Proposal. Longhurst has a firm commitment to proactive engagement with the local community, Council and other key stakeholders throughout the life of this project.

Woollahra Council's Community Engagement Policy 2019 and relevant NSW Government standards of engaging with communities on State Significant projects have been thoroughly reviewed and will be used to guide a community engagement program that will inform clearly, connect with communities and offer genuine opportunities to input into the decision making process. This consultation program will therefore:

- · Ensure that stakeholders and the community have access to clear and factual information about the Project;
- Allow documentable input from stakeholders and the community during the preparation of the Project;
- Clearly communicate the Project's potential benefits, opportunities and constraints to stakeholders and the community;
- · Build a constructive dialogue with stakeholders and the community; and
- · Reinforce and support Longhurst Group's values and commitment to community values.

12.0 Part 6 – Indicative Project Timeline

Below is an indicative timeline for the planning proposal.

Milestone	Timeline
Submission of Planning Proposal	October 2020
Reporting of planning proposal to Council for endorsement	December 2020 / January 2021
Referral to Minister for Gateway Determination	December 2020 / January 2021
Date of Gateway determination	April 2021
Commencement and completion of public exhibition	May 2021
Government agency consultation (pre/post-exhibition as required by Gateway determination)	June 2021
Timeframe for consideration of submissions	June-September 2021
Reporting of exhibition back to Council for endorsement	October 2021
Finalisation and forwarding of the LEP	November 2021
Anticipated gazettal	December 2021

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13.0 Conclusion

This Planning Proposal to amend the Woollahra Local Environmental Plan 2014 (**Woollahra LEP**) has been prepared by Ethos Urban and a broader consultant team, on behalf of Longhurst Group and relates to land at 203-233 New South Head, Edgecliff. This Planning Proposal seeks to amend the Woollahra LEP to increase the applicable maximum building height and floor space ratio development standards for the site. The amendments will facilitate the site's future redevelopment for a new mixed use precinct, that will transform and renew the current Edgecliff Centre as a place and focal point for Edgecliff.

This Planning Proposal seeks Council's support for a site-specific amendment to the LEP for the following:

- Increase the maximum permissible building height from 6 and 26 metres to RL 195 in support of an appropriate
 urban built form that results in acceptable environmental impacts to surrounding properties and public open
 space; fosters the principles of transit oriented development; is consistent with local and State strategic planning
 policies, and delivers significant economic and social benefits to the locality; and
- Increase the maximum permissible floor space ratio (FSR) from 2.5:1 to 9:1 to meet employment and housing
 targets and the anticipated demand for jobs growth. Of the 9:1 FSR proposed, a total of 3:1 will be restricted to
 non-residential, employment generating floor space.

This Planning Proposal is justified for the following reasons:

- The proposal is consistent with the objects of the Environmental Planning and Assessment Act 1979, in that it
 promotes the orderly and economic use and development of land;
- · The proposal is by and large consistent with the strategic planning framework for the site;
- The development concept is fully aligned with transit oriented development in that the planning proposal will facilitate the:
 - Rejuvenation of Edgecliff creating a vibrant mixed use town centre as the gateway to the Eastern City District:
 - Provision for retail and commercial floor space to accommodate a variety of uses including specialty retail
 and community space, leisure, and medical/well-being facilities, creating additional employment
 opportunities to meet the job target for the Eastern City District;
 - Provision of key transport infrastructure to improve the inter-modal transport connectivity between Edgecliff Station and bus terminal, as well has interchange legibility and customer journey experience;
 - Activating the area after hours with mixed use development; and
 - Provision of diverse housing choice within immediately adjacent to the Edgecliff Railway Station and in close proximity to the largest employment area being the Sydney CBD.
- The proposal is consistent with the applicable SEPPs and Ministerial Directions;
- The proposal generates no additional traffic generation compared to current conditions and encourages the use
 of public transport.
- · The proposal will deliver significant economic benefits to the locality and broader region, including:
 - Creation of 2,600 jobs across the broader supply chain;
 - An industry value-added of \$66m to regional domestic product which is significant compared to the existing which is a net increase of \$19 million from the existing building stock/current operation; and
 - It will contribute to meeting the demand for retail floorspace without compromising to the viability of surrounding centres.
- · The proposal will deliver a range of social benefits, including
 - The proposed upgrades to public open spaces. This includes the bus interchange public green space, revised entries, and community spaces;
 - A number of new retail services that will contribute to activation;

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- Upgrades to the existing Edgecliff Station entry and intermodal connections to the adjoining bus interchange to improve the overall use experience of these public transport assets; and
- A new pedestrianised public domain that will improve the vitality of the area.

The proposed amended planning controls will allow the site to reach its strategic potential and provide an appropriate mix of uses for an effective transit oriented development and contribution to the Edgecliff town centre. The site benefits from immediate and direct connectivity to Edgecliff Railway Station and bus interchange which offers significant uplift in transport capacity in the local area.

To this end, the Planning Proposal and indicative development concept for the site fosters the principles of transitorientated development, which a complete rethink of how developments are arranged and function, offering significant benefits and opportunities for Woollahra LGA and Edgecliff Centre.

Accordingly, considering the proposal and the overall strategic nature of the site and justification provided in addressing planning issues, the Planning Proposal is considered to have sufficient Strategic Merit. This Planning Proposal also demonstrates that the density proposed can be appropriately accommodated on the site while also minimising environmental impacts and not compromising the amenity of surrounding residential receivers, heritage and valued public spaces. This supports the site-specific merit of the Planning Proposal.

For these reasons, we have no hesitation in recommending this Planning Proposal for Gateway Determination.

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203-233 New South Head Road, Edgecliff

Planning proposal request and supplementary information

The applicant submitted the following information to support the request for a planning proposal:

- A. Planning proposal report prepared by Ethos Urban dated 26 November 2020
- B. LEP map amendments prepared by Ethos Urban (undated)
- C. Architectural design report prepared by FJMT (Revision 5) dated 5 October 2020
- D. Urban Design Report prepared by Ethos Urban dated October 2020
- E. Future Character Study prepared by GMU dated June 2020
- F. Visual Impact Assessment prepared by Richard Lamb Associates dated September 2020
- G. Transport and Accessibility Impact Assessment prepared by PTC dated 30 September 2020
- H. Heritage Impact Assessment prepared by Curio Projects dated September 2020
- I. Rail Impact Assessment prepared by Arup dated 15 June 2020
- J. Wind Assessment prepared by Arup dated 17 June 2020
- K. Acoustic Review prepared by Arup dated 15 June 2020
- L. Preliminary Site Investigation prepared by Aurecon dated 15 May 2020
- M. Engineering Services Desktop Due Diligence Report prepared by IGS (Version 3) dated 15 June 2020
- N. ESD Report prepared by Arup dated 16 June 2020
- O. Preliminary Geotechnical and Structural Engineering Assessment Report prepared by Aurecon dated 14 May 2020
- P. Economic Impact Assessment prepared by Hill PDA dated September 2020
- Q. Preliminary Aeronautical Assessment prepared by Strategic Airspace dated 31 August 2020
- R. Arboricultural Impact Assessment (Concept) prepared by Truth (undated)
- S. Stormwater Management and Flooding advice prepared by Orion Consulting dated 18 September 2020
- T. Community Sentiment Summary Report prepared by Ethos Urban dated 25 September 2020
- U. Social and Economic Benefits Statement prepared by Ethos Urban dated June 2020
- V. Social Impact Assessment prepared by Cred Consulting dated June 2020
- W. Site survey prepared by Linker Surveyors dated 21 February 2018
- X. Pre-application Comments from Woollahra Municipal Council dated 26 August 2020
- Y. Response to Pre-application Comments from Ethos Urban dated 30 September 2020
- Z. Letter addressing additional information request dated 26 November 2020
- AA.3D Digital Model file dated 26 November 2020

Copies of all the documents (except the 3D Model file) are available on Council's website at the following link:

https://www.woollahra.nsw.gov.au/building_and_development/development_rules/previous_and_proposed_exhibitions/planning-proposal-request-for-203-233-new-south-head-road,-edgecliff

Request for a planning proposal for 203-233 New South Head Road, Edgediff

SC6009 / 21/9402

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Item No: R4 Recommendation to Council

POST EXHIBITION REPORT - DRAFT WOOLLAHRA

Subject: DEVELOPMENT CONTROL PLAN 2015 (AMENDMENT NO.12) -

PROVISIONS FOR PUBS 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: 20/230624

Reason for Report: To report on the public exhibition of the Draft Woollahra Development

Control Plan 2015 (Amendment No. 12).

To obtain Council's approval of the Draft DCP to enhance the provisions

for pubs in the Paddington Heritage Conservation Area.

Recommendation:

THAT Council approve the *Draft Woollahra Development control Plan 2015 (Amendment No. 12)* as attached at **Annexure 4** of the report to the Environmental Planning Committee meeting of 1 February 2021.

1. Background

On 18 November 2019 the Environmental Planning Committee (EPC) considered a report (see **Annexure 1**) which recommended a draft development control plan be prepared to amend the *Woollahra Development control Plan 2015* (Woollahra DCP 2015) to enhance the provisions relating to pubs in the Paddington Heritage Conservation Area. Subsequent to the EPC, on 25 November 2019, Council resolved (in part):

D. THAT the draft development control plan to amend the Woollahra Development Control Plan 2015, as described in Annexure 4 of the report to the Environmental Planning Committee meeting on 18 November 2019 is endorsed for exhibition.

It is noted that at the Council meeting of 25 November 2019, Council also endorsed the preparation of a planning proposal to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to list seven pubs in Paddington as local heritage items.

2. Draft Woollahra DCP 2015 (Amendment No. 12)

Consistent with the Council resolution of 25 November 2019, staff prepared *Woollahra Development Control Plan 2015 (Amendment 12)* (Draft DCP). The Draft DCP seeks to make a number of amendments to *Chapter C1 Paddington heritage Conservation Area* of the Woollahra DCP 2015.

The proposed amendments aim to ensure that pub buildings are protected and retained, regardless of their existing uses. The amendments aim to retain the diversity of building types in Paddington, including pub buildings and support the continued role and presence of pub buildings in Paddington. The proposed objectives and controls apply to all buildings that are or were formerly used as a pub in Paddington.

New objectives aim to ensure alterations and additions are sympathetic to the heritage significance of pub buildings, moveable heritage is protected, sympathetic future upgrade measures are used and mechanical plant equipment is not visible from the public domain.

Section 1.3.8 aims to protect commercial buildings of Paddington, while section 1.3.9 specifically aims to protect pub buildings. Controls related to pub signs and awnings have been included in section 1.3.9. To make section 1.3.8 tailored to protect commercial buildings and section 1.3.9 tailored to protect pub buildings, references to pubs have been removed from section 1.3.8.

The Draft DCP that was publicly exhibited is at **Annexure 2**. Recommended changes are shown as follows:

- Inserted text is identified in blue and underlined
- Deleted text is identified in red and strikethrough

3. Public exhibition

The Draft DCP and supporting material were placed on public exhibition for 42 days, from Wednesday 26 August 2020 –Friday 2 October 2020 (inclusive), consistent with the requirements of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (Regulation).

The public exhibition of the Draft DCP was carried out concurrently with the planning proposal to list seven pubs in Paddington as heritage items³.

The exhibition involved the following:

- 1. Six weekly notices in the Wentworth Courier providing details of the exhibition, on 26 August, 2 September, 9 September, 16 September, 23 September and 30 September 2020.
- 2. A notice in the Woollahra News newsletter on 2 September 2020.
- 3. A public exhibition page for the planning proposal and supporting material on Council website. The exhibition page was visited by 20 external customers during the exhibition period.
- 4. A public exhibition page for the Draft DCP and supporting material on Your Say Woollahra. This page was visited by 189 customers during the exhibition period.
- 5. Display of exhibition material at the Customer Service counter at the Woollahra Council Chambers at Double Bay, available during normal business hours.
- 6. Notification letter or email to stakeholders including:
 - Owners of seven pubs included in the Paddington Hotels Study.
 - Adjoining and nearby property owners (including properties in the City of Sydney).
 - NSW Heritage at the Department of Premier and Cabinet.

³ A post exhibition report on the planning proposal to list the seven pubs in Paddington as heritage items was considered by the EPC on 2 November 2020. This report addressed the seven submissions which raised issues relating to the planning proposal. On 23 November 2020, Council resolved to proceed with the preparation of a draft local environmental plan to amend Schedule 5 of Woollahra LEP 2014 to list seven Paddington pubs as local heritage items. On 23 December 2020, the seven pubs in Paddington (including interiors) were listed as local heritage items in Woollahra LEP 2014.

- The National Trust of Australia (NSW).
- The Woollahra History and Heritage Society.
- The Paddington Society.
- City of Sydney Council.

4. Submissions

Two submissions of support were received which raised issues relating to the Draft DCP. These submissions were from:

- Heritage NSW at the Department of Premier and Cabinet
- The Paddington Society

A redacted copy of these submissions is attached at **Annexure 3**.

The submission from the Paddington Society proposed minor administrative changes to the Draft DCP. These changes are supported by staff. As the proposed administrative changes are minor in nature, the Draft DCP does not require re-exhibition. An updated Draft DCP is attached at **Annexure 4**. Changes are highlighted in yellow.

5. Finalisation

The process for amending a DCP is set out in the EP&A Act and the Regulation. The Draft DCP has been prepared an exhibited in accordance with these requirements.

Should Council resolve to proceed with the amendment and approves the Draft DCP at **Annexure 4**, it will come into effect after a notice is published on Council's website and in the Wentworth Courier (or a later date specified in the notice).

6. Conclusion

The Draft DCP, as exhibited, contains a number of amendments to Chapter C1 Paddington Heritage Conservation Area to ensure that pub buildings are protected and retained, regardless of a change of use.

The Draft DCP was publicly exhibited from 26 August 2020 to 2 October 2020 and we received two submissions of support. The submission from the Paddington Society recommends a number of minor amendments, which are supported by staff.

It is recommended that Council resolves to approve the Draft DCP as contained at **Annexure 4.**

Annexures

- 1. EPC Agenda 18 November 2019 (R1) J
- 2. Draft Woollahra DCP 2015 (Amendment No.12) As exhibited J.
- 3. Redacted copy of submissions <u>U</u>
- 4. Post Exhibition Updated Draft Woollahra DCP 2015 (Amendment No.12) <u>J.</u>

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Item No: R1 Recommendation to Council

PLANNING PROPOSAL - HERITAGE LISTING OF SEVEN (7)

Subject: PUBS IN PADDINGTON (PADDINGTON PUBS STUDY) & DCP

AMENDMENTS

Author: Flavia Scardamaglia, Strategic Heritage Officer
Approvers: Anne White, Acting Manager - Strategic Planning

Allan Coker, Director - Planning & Development

File No: 19/154567

Reason for Report: To obtain Council's approval to prepare a Planning Proposal to list seven

(7) pubs in Paddington as heritage items in Schedule 5 of the Woollahra

Local Environmental Plan 2014.

To obtain Council's approval for the Planning Proposal to be referred to

the Woollahra Local Planning Panel for advice.

To obtain Council's approval to exhibit the 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 to include the following sites as heritage items in Schedule 5:

- Bellevue Hotel at 157-159 Hargrave Street, Paddington;
- ii. Grand National Hotel at 33 Elizabeth Street (161 Underwood Street), Paddington;
- iii. Imperial Hotel at 252 Oxford Street, Paddington;
- iv. London Tavern Hotel at 85 Underwood Street, Paddington;
- The Paddington (former Paddington Arms Hotel) at 384 Oxford Street, Paddington;
- vi. Paddington Inn Hotel at 338 Oxford Street, Paddington; and
- vii. Unicorn Hotel at 102-106 Oxford Street, Paddington.
- 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.
- D. THAT the draft development control plan to amend the Woollahra Development Control Plan 2015, as described in *Annexure 4* of the report to the Environmental Planning Committee meeting on 18 November 2019 is endorsed for exhibition.

1. Background

On 21 May 2018, the Council adopted the following notice of motion (Item No.11.1):

THAT Council:

- Requests staff to undertake an assessment of heritage significance for the 'Four in Hand Hotel' (located at 105 Sutherland Street, Paddington) (the Property) and report to the Environmental Planning Committee on whether the Property has sufficient heritage significance to be listed as:
 - (a) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP);
 and
 - (b) an item on the State Heritage under the Heritage Act 1977;

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- 2. Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the DPOP):
 - (a) 4.3.1 'Develop policies, including a Heritage Item Register and a Significant Tree Register, to maintain cultural and natural heritage item's; and
 - (b) 4.3.1.1 'Carry out a study of hotels in Paddington to determine and establish more specific conservation controls' (the Paddington Pub Project);
- 3. Further notes its resolution on 27 November 2017, giving 'next priority' to the Paddington Pub Project;
- 4. Expedites the Paddington Pub Project and gives urgent priority to it (including the allocation of additional funding and staff resources);
- 5. In preparing the Paddington Pub Project, gives consideration to:
 - a) including a recommendation to Council on how to protect all pubs in the Paddington Heritage Conservation Area to the same standard; and
 - b) exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP) are available to ensure that existing controls and protections that currently apply to pubs continue to apply regardless of any change in use;
- 6. Requests that the Mayor write to the Hon Gabrielle Upton, Minister for the Environment, Local Government and Heritage to:
 - a) raise community concerns over the loss of historic pubs in the Woollahra Municipality and elsewhere throughout the state of New South Wales; and
 - b) request the State Government to explore what legislative changes can be introduced to mirror the legislative reforms recently introduced by the UK Parliament concerning the protection of pubs.

The following notice of motion was also adopted by the Council on 21 May 2018 (Item No.11.3):

THAT Council

Requests staff to urgently complete DPOP Item 4.3.1.1 (Carry out a study of hotels in Paddington to determine and establish more specific conservation controls) and include in their report a recommendation to Council on how to protect all pubs in the Paddington Heritage Conservation area to the same standard.

Furthermore, on 21 May 2018, the Council adopted the following notice of motion (Item No.11.5):

THAT Council

- 1. Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the DPOP):
 - a. 4.3.1 'Develop policies, including a Heritage Item Register and a Significant Tree Register, to maintain cultural and natural heritage items'; and
 - b. 4.3.1.1 'Carry out a study of hotels in Paddington to determine and establish more specific conservation controls' (the Paddington Pub Project);
- 2. Further notes its resolution on 27 November 2017, giving 'next priority' to the Paddington Pub Project;

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- 3. Expedites the Paddington Pub Project and gives urgent priority to it (including the allocation of additional funding and staff resources);
- 4. In preparing the Paddington Pub Project, gives consideration to exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP)) are available to ensure that existing controls and protections that currently apply to pubs continue to apply regardless of any change in use:

In response to parts 1 and 4 of the Council's decision, the consultant firm 'Robert A. Moore Pty Ltd Architects and Conservation Consultants' was engaged to carry out an assessment of heritage significance of the eleven hotels in Paddington, with a priority being given to completing the assessment of the Four in Hand Hotel at 105 Sutherland Street Paddington. Robert Moore, the director of the firm, is a highly qualified and experienced heritage consultant with extensive and specialised experience in the identification, assessment, management and interpretation of heritage assets. Dr Mark Dunn, professional historian, undertook the historic research on the pubs, researching primary evidence from the Noel Butlin Archive in Canberra, the State Library of NSW, the NSW State Archives and Council's archives.

The heritage assessment and subsequent Planning Proposal for heritage listing of the *Four in Hand Hotel* has progressed separately from the remaining pubs in the Paddington Pub Project in accordance with NOM 11.1 (1). The Four in Hand heritage listing has not been gazetted by the *Department of Planning Industry and Environment* (DPIE) at the time of writing this report, but we expect this to be imminent.

This report responds to point 5(a) and (b) of NOM 11.1, points 2, 3 and 4 of NOM 11.3 and NOM 11.3 by:

- Recommending the preparation of a planning proposal to heritage list the remaining unlisted pubs in the Paddington Pub Project, as explained in the following sections; and
- Recommending an amendment of the Woollahra Development Control Plan (DCP) 2015 to include objectives and controls specific to the pubs typology to ensure controls and objectives apply to pubs regardless of any change in use (as explained below in Section 6).

2. The Sites

All hotels assessed in this study are of historic significance to Paddington and Woollahra as early and successful examples of Paddington's suburban hotels, having been variously but continuously operating since their construction.

The assessment of heritage significance for each hotel was undertaken by Robert A. Moore Pty Ltd Architects and Conservation Consultants in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001.

Some, such as the *Grand National Hotel*, are examples of the type of landmark corner commercial development that was incorporated into the building of terrace rows during Paddington's boom era of suburban development. Other hotels are stylistic exemplars of a particular style or occupy corner landmarks of Paddington, such as the *Unicorn Hotel* or the *Imperial Hotel* or the *Lord Dudley Hotel*.

¹ Robert A. Moore Architects and Conservation Consultants, Paddington Hotels Study, Section 4.0

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All of the hotels have historic and aesthetic significance as examples of evolved period hotels, still reflecting their original design, many re-styled and all updated. They are vibrant elements of Paddington's urban fabric and local streetscapes, contributing to its distinctive urban "village" character.

Excluding the Four in Hand Hotel, the remaining hotels in the Paddington Pub Project are:

#	Hotel name	Address	Listed status in Woollahra LEP 2014
1	Bellevue Hotel	157-159 Hargrave Street, Paddington	No
2	Grand National Hotel	33 Elizabeth Street (161 Underwood Street), Paddington	No
3	Imperial Hotel	252 Oxford Street, Paddington	No
4	London Tavern Hotel	85 Underwood Street, Paddington	No
5	Paddington Arms Hotel	384 Oxford Street, Paddington	No
6	Paddington Inn Hotel	338 Oxford Street, Paddington	No
7	Unicorn Hotel	102-106 Oxford Street, Paddington	No

Annexure 1 includes a brief overview of all the seven pubs listed above.

The following hotels are already listed as local heritage items in the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). During the Paddington Pub Study, the heritage consultants updated and reviewed the heritage inventory forms of the following heritage listed hotels:

#	Hotel name	Address	Listed status in Woollahra LEP 2014
8	Lord Dudley Hotel	236 Jersey Road, Paddington	Yes
9	Royal Hotel	237 Glenmore Road, Paddington	Yes
10	Village Inn Hotel	9-11 Glenmore Road, Paddington	Yes – listed as the
	(formerly Dirty Nelly's Hotel and the	_	Rose and Crown Hotel
	Rose and Crown Hotel)		

Heritage Inventory sheets of all ten hotels are included at *Annexure 2*.

According to Robert Moore, a range of thematic perspectives can be applied to the hotels in the group, such as:

- Grand Victorian Italianate Hotels: the *Grand National*, the *Paddington Inn*, the *Royal Hotel*;
- Suburban Corner Hotels (domestic scale): the *London Tavern*, the *Village Inn*;
- Corner Landmarks: the *Imperial Hotel*, the *Lord Dudley Hotel* (and all the group);
- Stylistic Exemplars: the *Unicorn Hotel*, the *Imperial Hotel*;
- Archaeological sites: the *Paddington Arms*.

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Figure 1: Map of Paddington showing the locations of the pubs included in this study (Source: Woollahra Municipal Council, 2019).

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3. Assessment of Heritage Significance:

There are seven criteria used in the process of assessing heritage significance, as set out in the NSW Heritage Office publication:

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. To be assessed for State significance an item will meet more than one of the seven heritage criteria at a State level, or if an item satisfies only one of the criteria, the item is of such particular significance to NSW that it should be listed.

The assessment by Robert A. Moore concludes that the *Bellevue Hotel*, the *Grand National Hotel*, the *Imperial Hotel*, the *London Tavern Hotel*, *The Paddington (formerly Paddington Arms Hotel)*, the *Paddington Inn Hotel*, and the *Unicorn Hotel* meet **all** the seven criteria for heritage listing at a **local** level and recommends their listing in Schedule 5 of the Woollahra LEP 2014. Below, we have included the Statement of Significance for each hotel.

A copy of the inventory sheets for each of the seven sites prepared by Robert A. Moore Pty Ltd, including assessment against all heritage criteria, is included at *Annexure 2*.

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3.1 Bellevue Hotel

The hotel is located at the intersection of Hargrave and Taylor Street, Paddington. The building occupies all of the site bounded by Hargrave Street, Taylor Street, Windsor Lane with address of 157-159 Hargrave Street, Paddington. The land title of the site is described as Lot 11 in DP 1124608.

The *Bellevue Hotel* is a landmark corner commercial building constructed specifically for use as a hotel in c1878, it has been in continuous operation since its construction.

The heritage assessment provides the following statement of significance for the Bellevue Hotel:

The Bellevue Hotel is of cultural heritage significance to Paddington and the Woollahra LGA as an early and successful example of Paddington's suburban hotels, having been continuously operational since its construction in 1878. It is a surviving example of the type of local landmark, corner commercial development that was incorporated into the building of terrace rows during Paddington's boom era of suburban development.

It is of social significance as a reference point for community identity, having served the community of the suburb through demographic changes leading to its re-emergence as a popular, desirable and fashionable area. The Hotel's long association with Tooth and Co-until its relatively recent sale - is well documented archivally in local, state and national repositories, which also record the building's history of change in response to community changes.

The Bellevue Hotel is of aesthetic significance as an example of an evolved Late Victorian period hotel with its principal exteriors still reflecting their original design, in a distinctive Classic Revival style. The expansion through take-over of an adjoining house, a common theme with Paddington's hotels, is legible in its main façade together with the works made to integrate the two buildings, The Hotel's interiors have been serially and comprehensively modified and updated, evolving over time as tastes and commercial imperatives changed.

As one of the small and decreasing number of historically significant hotels still trading commercially in the distinctive and historic urban "village" of Paddington, the Bellevue Hotel is now uncommon, though still a vibrant element of the area's urban fabric and local streetscapes. It is arguably representative as well as rare, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings which are a key element of the character of the Paddington Heritage Conservation Area, contributing to both its individuality and distinction as an important urban environment in Australia. As an element of the Paddington Conservation Area, and as one of the distinctive group of hotels in Paddington, it may also prove, on further investigation, to have significance as part of an unusual group of hotels, important in their suburban context.

(August 2018, Robert A. Moore Pty Ltd, Heritage Inventory Sheet p.1)

3.2 Grand National Hotel

The *Grand National Hotel* is located at the intersection of Elizabeth and Underwood Street, Paddington. The building occupies all of the site bounded by Elizabeth Street and Underwood Street with address of 33 Elizabeth Street (aka 161 Underwood Street). The land title of the site is described as Lot 1 in DP 902766.

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The *Grand National Hotel* is a landmark corner commercial building constructed in 1890 specifically for use as a hotel. It has been in continuous operation since its construction. On the Elizabeth Street frontage, the Hotel incorporates the adjacent former terrace house at No.35, which was developed as part of the attached row of such houses contemporary with the Hotel that extend eastwards down Elizabeth Street. The heritage assessment provides the following statement of significance for the *Grand National Hotel*:

The Grand National Hotel is of historic significance to Paddington and the Woollahra LGA as an early and successful example of Paddington's suburban hotels, having been continuously operational since its construction in 1890. It is a surviving example of the type of larger, landmark corner commercial development, prominent in the emerging suburb, having been incorporated into the building of terrace row housing during Paddington's boom era of suburban development. Its long association with Tooth and Co is well documented archivally in local, state and national repositories.

It is of social significance as an enduring reference point for community identity, together with the similar older and long-trading hotels of Paddington.

The Grand National Hotel is of aesthetic significance as an example of an evolved and impressively scaled Late Victorian era hotel. Still reflecting its original design externally, it illustrates blending of Classic Revival and Italianate styles in an ambitious building which commands the distinctively 19th century urban streetscapes in which it features. It is a Paddington landmark. The exterior remains legible and relatively intact, reflecting its recorded history of minor changes. While the ground floor interiors have been modified and updated, typically evolving over time as pubs must, to meet the tastes and interests of their clientele, the hotel retains significant interiors in the substantially intact bedrooms of its upper floor residential areas.

As one of the small and decreasing number of historically significant hotels still trading commercially in the distinctive and historic urban "village" of Paddington, the Grand National Hotel remains an important structuring element of the suburb's urban fabric and local streetscapes, well known as a lively "gastro-pub".

The Grand National Hotel is now a building of uncommon scale and purpose amongst Paddington's older hotels. It is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings. It retains the potential for guest accommodation to remain part of its operations. The hotels are a key element of the character of the Paddington Heritage Conservation Area, contributing to its individuality and distinction as an important urban environment in Australia. As an element of the Paddington Heritage Conservation Area, and one of the distinctive group of hotels in Paddington, it may also prove, on further investigation, to have significance as part of an unusual group of hotels, important in their suburban context.

(September 2018, Robert A. Moore Pty Ltd, Heritage Inventory Sheet p.1)

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3.3 Imperial Hotel

The hotel is located at the intersection of Oxford and Underwood Street, Paddington. The building occupies all of the site bounded by Elizabeth Street and Underwood Street with address of 252 Oxford Street (aka 2 Underwood Street). The land title of the site is described as Lot 3 in DP 51538.

The *Imperial Hotel* is a landmark corner commercial building constructed specifically for use as a hotel. Constructed in 1909-10, it replaced an earlier hotel known as the Duke of Rothsay and the Cross Guns, which was built in 1873. The design of the existing building is by Architect Ernest Lindsay Thompson.

The heritage assessment provides the following statement of significance for the *Imperial Hotel*:

An imposing, landmark corner hotel, the Imperial Hotel is an architecturally refined, substantial hotel building which asserts a commanding presence amongst civic buildings at the western entry to Paddington's main street. Individually styled with richly detailed, complex facades to its Oxford and Underwood Street frontages, the Imperial contributes strongly to the aesthetic interest of Oxford Street and the Paddington Heritage Conservation Area.

The hotel is of historical and social history significance for the long tradition of hotel trade on this site. Paddington has a long history of community activism and vibrant local politics, and this has inevitably been built upon and encouraged by the tradition of meeting and socialising locally in the network of corner pubs in the area. The Imperial's balcony was a popular "spruiking point" for campaigning local politicians, recorded in the newspapers of the early 20th Century. As an element of the Paddington HCA, and one of the distinctive hotels within Paddington, the Imperial Hotel may also be part of a significant and unusual hotel group important in their suburban context, and itself worthy of listing.

(September 2018, Robert A. Moore Pty Ltd, Heritage Inventory Sheet p.1)

3.4 London Tavern Hotel

The *London Tavern Hotel* is located at the intersection of Oxford and Underwood Street, Paddington. The building occupies all of the site bounded by William Street and Underwood Street with address of 85 Underwood Street. The land title of the site is described as Lot 1 in DP 391 and Lot 11 in DP 1001328.

The *London Tavern Hotel* is a landmark corner commercial building and is one of Paddington's distinctive older and successful examples of hotels that has been continuously operational since its construction in the late 1870s/1880s. On the William Street frontage, the Hotel is incorporated into a row of terrace houses.

The heritage assessment provides the following statement of significance for the *London Tavern*:

The London Tavern Hotel is of cultural heritage significance to Paddington and the Woollahra LGA as one of Paddington's distinctive older and successful examples of mainly 19th Century suburban hotels, which have been continuously operational since their construction in the late 1870s/1880s. It is a surviving example of the type of local landmark, corner site, commercial development - and particularly hotels - that were incorporated into the building of terrace row housing during Paddington's boom era of suburban development.

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The suburb has continued to gather appeal, affection and desirability, and its retained heritage fabric, such as the hotels like the London Tavern, is of both historic and social history value. The hotels like the London Tavern are prominent in this esteem, and have social significance as a reference point for community identity, having served the community of the suburb through 140 years of consolidation and demographic changes leading to its remergence as a popular, desirable and fashionable area.

The London Tavern's long association with Toohey's Brewers is well documented archivally in local, state and national repositories, which also record the building's history of change in response to community changes.

The London Tavern is also of aesthetic significance as an architecturally distinctive example of an evolved Late Victorian period hotel; its frontages to Elizabeth and Underwood Streets still retain their original design, featuring Queen Anne styling. The expansion through takeover of an adjoining house, a common theme with Paddington's hotels, has been concealed through the careful alteration of its main façade, combined with the works made to functionally integrate the two buildings. Despite that growth, the Hotel remains modest and compatible with the domestic scale of its context.

The Hotel's interiors have been modified and updated, evolving over time as taste and commercial imperatives have changed. They still retain much of their original fabric and the original layout of the Hotel, together with the changes made to it, can be read by visitors to the building.

As one of the small and decreasing number of historically significant hotels still trading commercially in the distinctive and historic urban "village" of Paddington, the London Tavern Hotel is now uncommon, but still a vibrant element of the area's urban fabric and local streetscapes. It is arguably representative as well as rare, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings which are a key element of the character of the Paddington Heritage Conservation Area, contributing to both its individuality and distinction as an important urban environment in Australia. I As an element of the Paddington Heritage Conservation Area, and as one of the distinctive group of hotels in Paddington, it may also prove, on further investigation, to have significance as part of an unusual group of hotels, important in their suburban context.

(September 2018, Robert A. Moore Pty Ltd, Heritage Inventory Sheet p.1)

3.5 Paddington Hotel (former Paddington Arms Hotel)

The *Paddington Hotel* is located at 284 Oxford Street between Elizabeth and William Street with a rear frontage on Victoria Street. The land title of the site is described as Lot 1 in DP 68955.

The *Paddington Hotel* is one of Paddington's distinctive older and successful examples of hotels that has been continuously operational since the 1860s, when it operated as the *Tradesman's Arms*. The existing building was rebuilt as the *Canberra Hotel* to the design of Spain & Cosh in 1913.

The heritage assessment provides the following statement of significance for the *Paddington Hotel*:

The Paddington Arms Hotel is of cultural heritage significance to Paddington and the Woollahra LGA as one of Paddington's older, successful and enduring hotels. It occupies a site that has been in continuous hotel use since the urban consolidation of Oxford Street in the

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1860s, when the building that formerly occupied this site, the Tradesman's Arms, was established as one of the emerging commercial area's first hotels.

While it is not a prominent physical or corner landmark in the way some other Paddington Hotels are, "The Paddington" is a part of Oxford Street's tapestry of development across 150 years, and a signifier of Paddington's emerging and growing importance in Nineteenth and Twentieth Century Sydney.

As with other early hotels of Paddington, The Paddington is of historical and social significance as a reference point for community identity, as Paddington's early pubs were and remain, serving their evolving community across more than 150 years of demographic change until its re-emergence in the later Twentieth Century as a popular, desirable and fashionable area to live, close to the city.

The Paddington has a particular interest in the longevity of its operation and the complex archaeology of its site, the building including stone fabric in its basement and other built-in elements retained from the former Tradesman's Arms, the earlier hotel established on the site in the 1860s. The Hotel's long association with brewer/hoteliers Tooth & Co means that the building is well-documented archivally in local, state and national repositories, whose records together with those of Woollahra Council support interpretation of the building's history of change in step with its community.

The Paddington is of aesthetic significance, having a modest, individual streetscape and townscape presence in its locality, derived of its simple, individual but sophisticated architectural design and construction. Its Edwardian/Federation - Queen Anne Revival (Arts and Crafts) styling make it individual in the locality. While its interiors have sustained much change, they continue to illustrate its story and evolution, and support its contributory importance in the Paddington Heritage Conservation Area. Its ambitious, high-quality recent interior fit-out and adroit management have seen it assume a high-profile place in Paddington's commerce as well as its evolving heritage identity.

(November 2018, Robert A. Moore Pty Ltd, Heritage Inventory Sheet p.1)

3.6 Paddington Inn Hotel

The *Paddington Inn Hotel* is located at the intersection of Oxford and William Street in Paddington. The building occupies all of the site bounded by Oxford, William and Victoria Street with address of 338 Oxford Street. The land title of the site is described as Lot 1 in DP 85869.

The *Paddington Inn Hotel* is a landmark corner commercial building and is one of Paddington's distinctive older and successful examples of hotels that has been continuously operational since its construction in 1848. This makes it one of the longest continuously-serving hotel site in the Paddington area.

The heritage assessment provides the following statement of significance for the Paddington Inn:

The Paddington Inn is of local heritage significance to Paddington and the Woollahra LGA as an enduring and successful example of Paddington's 19th Century suburban corner hotels, having been continuously operational since its construction in 1896, and occupying a site established in hotel use in 1848, making it potentially the longest continuously-serving hotel site in the Paddington area.

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It is one of the few surviving examples of the larger, landmark corner commercial or hotel developments, prominent in the consolidating suburb of Paddington and Oxford Street at the end of the Nineteenth Century. Its long association with Tooth and Co, for whom the current hotel was built as one of the company's early and few purpose-built hotels, is well documented archivally in local, state and national repositories.

The Paddington Inn is of social significance as an enduring reference point for community identity, together with the similar older and long-established trading hotels of Paddington. The Paddington Inn is of aesthetic significance as an important Paddington example of an evolved, impressively-scaled and purpose-built late Victorian era hotel. Like the comparable, earlier-built Grand National Hotel, the Paddington Inn illustrates the late 19th Century blending of Classic Revival and Italianate styles in an ambitious, commanding hotel building. It is an Oxford Street and Paddington landmark.

The exterior of the hotel remains legible and relatively intact, reflecting its recorded history of growth. The ground floor interiors have been serially modified and in recent years smartly updated, reflecting the established cyclic and competitive pattern of renewal in Paddington's hotels to meet the tastes and interests of their clientele. The condition and integrity of the hotel's upper floor residential areas are not known, as they were not able to be inspected for this assessment.

As one of the small and decreasing number of historically significant hotels still trading commercially in the historic urban "village" of Paddington, the Paddington Inn is still an important structuring element of the suburb's historic urban fabric and of the Oxford Street streetscapes. It is well known as a thriving "gastro-pub".

As a building of unusual scale amongst Paddington's older hotels, The Paddington Inn is arguably rare as well as representative, being one of the locally important, aesthetic/physical and social landmark corner hotel buildings which are a key element of the character of the Paddington Heritage Conservation Area, contributing to its individuality and distinction as an important urban environment in Australia. I As an element of the Paddington Heritage Conservation Area, and one of the distinctive group of hotels in Paddington, it may also prove, on further investigation, to have significance as part of an unusual group of hotels, important in their suburban context.

The Paddington Inn is also important for its association with the origins of the Paddington Council, as the first three meetings of that Council were held in Jane Beard's Paddington Inn in 1860.

(November 2018, Robert A. Moore Pty Ltd, Heritage Inventory Sheet p.1)

3.7 Unicorn Hotel

The *Unicorn Hotel* is located at 102-106 Oxford Street Paddington, at the intersection of Oxford and Hopewell Street in Paddington. The building occupies all of the site bounded by Oxford Street, Hopewell Street and Hopewell Lane. The land title of the site is described as Lot 1 in DP 84534.

The *Unicorn Hotel* is a landmark corner commercial building that was built in a distinctive Inter-War Functionalist Moderne Style built in the 1940s to the design of Architects R. M. Joy and Pollitt. It replaced the former *Prince of Wales Hotel*, which was established in 1864. It is an

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important signifier of Tooth & Co policy to invest in modern hotel buildings in the post-depression era.

The heritage assessment provides the following statement of significance for the *Unicorn Hotel*:

The Unicorn Hotel is one of the earlier established hotels in Paddington, and as such it is of heritage significance for Paddington and the Woollahra Municipality. It occupies one of the longest serving hotel sites in the suburb, on which the Prince of Wales Hotel was established in c.1864. As an hotel, its longevity is camouflaged by the distinctive 1940s Moderne style building which now carries on the historic use, in one of the more recent pub buildings in Paddington, but also one of the more distinctive for its architecture.

As one of the Paddington hotels which were part of the important NSW hotel empire of hotelier-brewers Tooth & Co., The Unicorn occupies a high-profile Oxford Street site, and is amongst the important landmark hotels which also relates to the relative domesticity of Paddington's closely-scaled streets at its very rear. The Unicorn is an important signifier of Tooth & Co policy to invest in modern hotel buildings in the post-depression late 1930s/1940s when the company chose to both meet the new demographics of its clientele, and also to reinvigorate trade on sites where it could see that some of its older hotels might be more advantageously replaced than renovated.

The distinctive architectural styling of the building is the work of experienced hotel architects RM Joy and Pollitt, who designed other bold and brave new buildings across Sydney for Tooth & Co. Drawing on European Modernism and an experienced understanding of hotel design, the architects delivered what remains a powerful, eye-catching and exciting building in the diversity of the Oxford Street retail strip. It is both historically and aesthetically significant as an accomplished work of mid 20th Century commercial design, set within an important, historic urban context, which is also underlaid by its historic use associations with its site, in the suburb and conservation area of Paddington, and with its operators and the community which it has long-served.

The Unicorn Hotel is of a contemporary social significance for its continuing contribution to the sense of identity within Paddington and for the local and wider community, being part of the hotel network which structures the urban and social fabric of the suburb. Paddington has a history of community activism which has historically been facilitated by the tradition of meeting and socialising locally in the network of corner pubs in the area.

(December 2018, Robert A. Moore Pty Ltd, Heritage Inventory Sheet p.1)

4. Consultation with Land Owners

Council staff informed the land owners of all seven pubs of the study and provided them with a copy of the relevant draft heritage inventory sheet. We requested input from the owners via correspondence dated 4 July 2019. The deadline for the owners to make a submission was 30 August 2019.

We received submissions from three hotel owners and their consultants, being the Bellevue Hotel, the Grand National Hotel and the Paddington Hotel. A copy of all submissions received is included in *Annexure 3*.

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5. Staff responses to issues raised in owners' submissions

The following tables summarise the owners' overall response to the listing.

Bellevue Hotel

	Issues raised in submissions	Council Staff Response
A	The Inventory sheet provides a thorough investigation of the heritage qualities of the Hotel though does not adequately reflect the level of change that has occurred to the original hotel and the current state of the interiors.	The Heritage inventory sheet acknowledges that there have been changes to the original hotels under Modification and Dates and Integrity. However, it also states that 'some important original structural elements remain' which contribute to the building's heritage fabric.
		It is beyond the capacity of a heritage inventory sheet to identify and assess significant building fabric at heritage listing stage. In fact, the recommendations of the inventory sheet recommend a separate Conservation Management Document be prepared to inform future changes to the building. This would analyse the current condition of the building and establish guidelines for a responsible strategy to be prepared to assess it.
В	Property would meet two of the Heritage Manual criteria for identification as a heritage item of local significance (Criteria (a) and (g)) and partly meet the Criterion (c) - original elevations only	The Heritage Manual prescribes that an item will be considered of heritage significance if it meets one or more of the prescribed criteria. Meeting of criteria (a), (g) and partially (c) would make it worth of local heritage listing.
С	Hotel is adequately protected by the heritage provisions in the Woollahra LEP 2014 and the Woollahra DCP 2015	Listing a heritage item in the LEP offers a higher level of statutory protection than is afforded by the Development Control Plan.
D	Hotel is not significant at a state level	The hotel has been assessed as having local significance. The lack of comparative information on other hotels in Sydney makes an assessment of potential State significance difficult to discern at this stage.
Е	Listing of the Paddington hotels as a group in the Woollahra LEP 2014 schedule is not well founded and would serve little purpose	Council is proposing individual listing of the <i>Bellevue Hotel</i> in the Woollahra LEP 2014. Should this site be listed, it will be managed through Clause 5.10 of the LEP and the Paddington Chapter of the Woollahra DCP 2015.
F	Should the proposal for listing proceed we would recommend that: - Analysis of the interiors be carried out to identify significant spaces and fabric and this be the subject of agreement with Woollahra Council.	As mentioned above, it is beyond the scope of an inventory sheet to undertake a fabric analysis of the building. The recommendations of the inventory sheet recommend a separate Conservation Management Document be prepared to inform future changes to the building. This would analyse the current condition of the building and establish guidelines for a responsible strategy to be prepared to assess it.

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Issues raised in submissions	Council Staff Response
- The Management Guidelines in the	It is noted that there will be more opportunities for
Inventory Sheet be the subject of	the owner to provide their feedback throughout the
further discussion with Council and	listing process.
an agreed set of recommendations be	
included in the Inventory Sheet for the	
Hotel.	

Grand National Hotel

	Issues raised in submissions	Council Staff Response
A	Intactness of the interiors. There is not a single room on either the first or second floors which present fabric in an intact manner. About 60-70% of internal detail elements are lost or degraded to a point where replacement is required.	The Heritage inventory sheet acknowledges that there have been changes to the original hotels under Modification and Dates and Integrity. However, it also states that 'the accommodation areas on the upper floors are more intact and offer valuable opportunities for interpretation and a conservation based, sympathetic adaptive re-use, to support their continued use. Council and the Robert A. Moore team are aware of the Court approved development which is referenced in the inventory sheet. Council staff are also aware of two more recent approvals and believe that these approvals would not affect the building's heritage significance.
В	Degraded state of the interiors should be recognised in the heritage inventory sheet and reflected in the Recommended Management of the heritage inventory sheet.	The Heritage Inventory sheet recommends a separate Conservation Management Document be prepared to inform future changes to the building. This would analyse the current condition of the building and establish guidelines for a responsible strategy to be prepared to assess it. It is beyond the scope of an inventory sheet to undertake a fabric analysis.
С	Strong opposition to group listing and listing on the State heritage listing.	The hotel has been assessed as having local significance and an individual heritage listing is proposed. The lack of comparative information on other hotels in Sydney makes an assessment of potential State significance difficult to discern at this stage.
D E	Financial incentives for heritage items. Incorporate the hotel use into the heritage listing.	No financial incentives are proposed. The proposed listing describes the building as the Grand National Hotel, including interiors. This description recognises the use of the building as a hotel.
F	The listing of the use of the Hotel as a pub places an unjustified restriction on the potential uses of the building.	The proposed listing does not change the uses which are permissible under the WLEP 2014. However, the listing brings into operation clause 5.10(10) of the LEP. This clause permits, with consent, any use, provided, among other things, that the conservation of the building is achieved.

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	Issues raised in submissions	Council Staff Response
G	Restriction on the potential use through this listing makes the upkeep of the facade less worthwhile.	The proposed listing does not change the uses which are permissible under the WLEP 2014. However, the listing brings into operation clause 5.10(10) of the LEP. This clause permits, with consent, any use, provided, among other things, that the conservation of the building is achieved.
Н	There is no historical evidence that the Hotel "operated in concert with other hotels; it was always independently operated". It follows that it falls outside the group of eleven hotels to which the study applies. The fact that the Hotel has historically been a pub is not, of itself, a good enough reason to list the interiors and use as items of local heritage significance.	The hotel has been assessed against the criteria set out in the document, <i>Assessing Heritage Significance</i> , published by the NSW Heritage Office in 2001.

Paddington Hotel

	Issues raised in submissions	Council Staff Response
A	There is no objection on the proposed	Noted and confirmed. The proposed heritage listing
	heritage listing on the basis that the	will not oblige an owner to remove previously
	listing will not cause an obligation to	approved works.
	remove the recently undertaken DA	
	approved alterations and additions.	

Amendments to the Woollahra DCP 2015 – Paddington Chapter C1 of the Woollahra DCP 2015

In response to point 5 (a), (b) of NOM 11.1, NOM 11.3 and point 4 of NOM 11.5, and in consultation with staff from Development Control, we have drafted amendments to *Chapter C1 – Paddington Heritage Conservation Area* of the Woollahra DCP 2015. Amendments are made to the following sections:

C1.3.8 Commercial and industrial buildings including shops, and C1.3.9 Pubs

The proposed amendments to the DCP aim to ensure that pub buildings are protected and retained, regardless of their existing uses. The amendments aim to retain the diversity of building types in Paddington, including pub buildings and support the continued role and presence of pub buildings in Paddington. The proposed objectives and controls apply to all buildings that are or were formerly used as a pub in Paddington.

New objectives aim to ensure alterations and additions are sympathetic to the heritage significance of pub buildings, moveable heritage is protected, sympathetic fire upgrade measures are used and mechanical plant equipment is not visible from the public domain.

Section 1.3.8 aims to protect commercial buildings of Paddington, while section 1.3.9 specifically aims to protect pub buildings. Controls related to pub signs and awnings have been included in

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section 1.3.9. To make section 1.3.8 tailored to protect commercial buildings and section 1.3.9 tailored to protect pub buildings, references to pubs have been removed from section 1.3.8.

A DCP amendment has been prepared, which is at *Annexure 4*. Recommended changes are shown as follows:

- Inserted text is identified in blue and underlined
- · Deleted text is identified in red and strikethrough

7. Next steps

If Council decides to support amending the Woollahra LEP 2014 and Woollahra DCP 2015, the next step is to prepare a planning proposal, in accordance with NSW Government Guidelines.

Section 2.19 of the *Environmental Planning and Assessment Act 1979* 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 DPIE for a gateway determination.

Under the terms of the Direction, the planning proposal to list seven (7) Paddington pubs as local heritage items to Schedule 5 of the LEP must be referred to the Woollahra Local Planning Panel (Woollahra LPP) for advice.

If Council decides to proceed with the planning proposal it will be referred to the next available meeting of the Woollahra LPP. The advice will then be provided to a future meeting of the *Environmental Planning Committee* (EPC).

8. Conclusion

The heritage significance of the following Paddington Pubs has been assessed in accordance with the NSW heritage best practice guidelines:

- 1. Bellevue Hotel including interiors
- 2. Grand National Hotel including interiors
- 3. Imperial Hotel including interiors
- 4. London Tavern Hotel including interiors
- 5. The Paddington (formerly Paddington Arms Hotel) including interiors
- 6. Paddington Inn Hotel including interiors, and
- 7. Unicorn Hotel including interiors

The Assessment of Heritage Significance prepared by Robert A. Moore Pty Ltd Architects and Conservation Consultants identifies that all seven hotels are of local heritage significance.

To facilitate listing at the local level, a planning proposal should be prepared to add these hotels to Schedule 5 of Woollahra LEP 2014. The planning proposal should be referred to the Woollahra

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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.

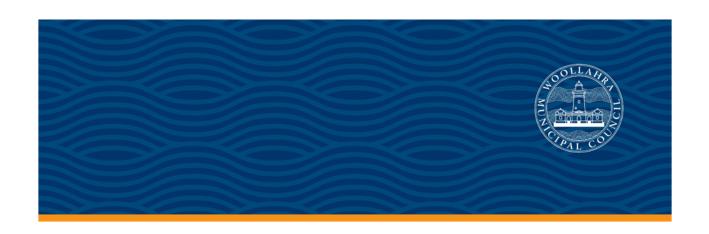
A DCP Amendment has been prepared by Council staff to amend sections 1.3.8 and 1.3.9 of Chapter C1 of the Woollahra DCP 2015 to ensure that pub buildings are protected and retained, regardless of a change of use.

This report recommends that Council:

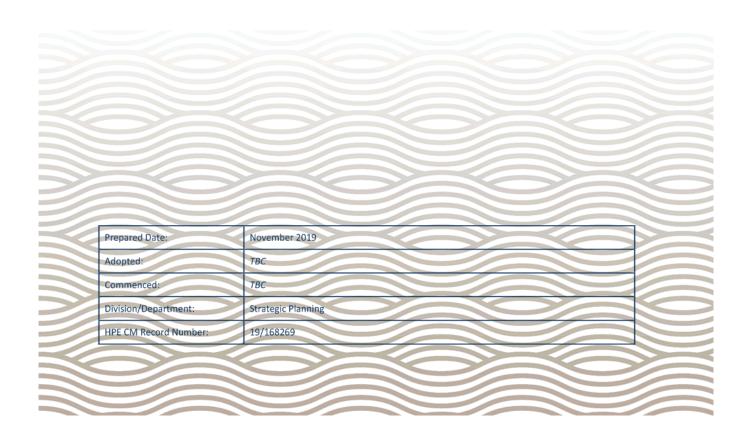
- Prepare a planning proposal to list the subject seven hotels in Paddington as local heritage items:
- 2. Refer the planning proposal to the Woollahra LPP for advice; and
- 3. Endorse for exhibition the draft DCP to amend Chapter C1 Paddington Heritage Conservation Area of the Woollahra DCP 2015.

Annexures

- 1. Annexure 1 Key information about the Paddington Hotels
- 2. Annexure 2 Heritage Study Report and Heritage Inventory Sheets (circulated under separate cover)
- 3. Annexure 3 Owners Submissions
- 4. Annexure 4 Paddington Hotels Study Draft DCP Amendment No.12



Draft Woollahra Development Control Plan 2015 (Amendment 12)



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Draft Woollahra Development Control Plan 2015 (Amendment No 12)

Part 1 Preliminary

1.1 Background

This amendment of Woollahra Development Control Plan 2015 (Woollahra DCP 2015) is in response to a resolution of Council, adopted on 21 May 2018 where Council resolved, in part:

THAT Council:

- 2. Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the **DPOP**)
 - a) ..
 - b) 4.3.1.1 'Carry out a study of hotels in Paddington to determine and establish more specific conservation controls' (the Paddington Pub Project);
- 5. In preparing the Paddington Pub Project, gives consideration to:
 - a) ...
 - exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP)) are available to ensure that existing controls and protection that currently apply to pubs continue to apply regardless of any change in use.

Having explored these mechanisms, the amendments contained in *Draft Woollahra Development Control Plan 2015 (Amendment No 12)* update our existing objectives and controls relating to pub buildings in Paddington. These amendments aim to retain significant features of pub buildings in the event of a change of use and/or substantial alterations and additions.

1.2 Name of plan

This plan is the Draft Woollahra Development Control Plan 2015 (Amendment No 12).

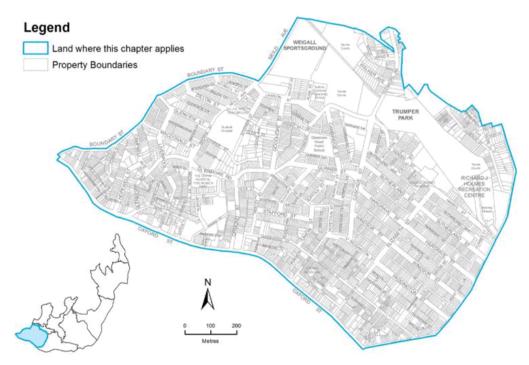
1.3 Objectives of the plan

The objectives of the plan are to:

- a) Ensure pub buildings are protected and retained regardless of any change of use;
- b) Ensure significant fabric of pub buildings is retained;
- c) Ensure the protection of moveable heritage in pub buildings;
- d) Retain the diversity of building types in Paddington, including pub buildings; and
- e) Support the continued role and presence of pub buildings in Paddington.

1.4 Land to which this plan applies

This plan applies to the Paddington Heritage Conservation Area (HCA), as identified on Map 1 below. The HCA incorporates all land in the Paddington suburb in the Woollahra LGA, as well as some land in the suburbs of Edgecliff and Woollahra.



Map 1: Paddington Heritage Conservation Area boundary map

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 as appointed on **TBC** and came into effect on **TBC** as appointed by notification in the local newspaper and on Woollahra Municipal Council's public website.

1.7 How this plan amends Woollahra DCP 2015

This plan amends Woollahra DCP 2015 in the manner set out in Part 2 of this plan.

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Part 2 Amendments to Woollahra Development Control Plan 2015

This plan amends Woollahra DCP 2015 in the following manner:

Insertions – <u>identified in blue and underlined</u>
Deletions – <u>identified in red and strikethrough</u>

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 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determinations under section 8.3 of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 12 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
No. 12	Date approved - TBC	Amend Chapter C1 Paddington Heritage
	<u>Date commenced</u> - TBC	Conservation Area by inserting additional
		objectives and controls relating to the protection
		of pub buildings.

Chapter C1 Paddington Heritage Conservation Area

2.3. Amendments to C1.3.8 Commercial and industrial buildings including shops

- 2.3.1. Remove Control C13 which relates to Pubs and change numbering of following controls
- C13 The diversity of pub buildings and their significant internal and external fabric is to be retained and missing elements reinstated.
- C134 Parapet height and rhythm is to be consistent. Parapets should predominantly be masonry.
- C145 Infill development should include parapets and roof forms that respect the existing conditions in terms of parapet height, pitch and shape of roofs.
- C156 Architectural elements of side elevations are to be retained, restored or reconstructed.
- C167 Corner sites are to be designed to maintain visual prominence in the street wall of Oxford Street. This is generally achieved through architectural elements such as parapet walls.

- C178 New corner buildings are to address both street frontages.
- C189 Awnings are reinstated in the original location, where evidence of the original structure exists.
- C1920 Rear extensions should be designed to:
 - a) improve casual surveillance and vibrancy of rear lanes;
 - b) minimise impact to significant landscape elements; and
 - c) protect the privacy and amenity of adjoining or adjacent residential uses.
- C201 New buildings must maintain and reflect:
 - a) the established patterns and proportions of existing elevations which consist of a horizontal orientation below the awning line and a more vertical character above the awning line;
 - the consistency of horizontal and vertical façade features such as window heights and widths, bay widths, awning and parapet lines;
 - the established rhythm and pattern in the street arising from the original subdivision pattern; and
 - d) existing setbacks (generally zero setbacks) to front and side boundaries.
- C212 Above awning advertising signs are not permitted.
- C223 Signs and advertising must comply with the controls for advertising signs on buildings in Part E of this DCP, Chapter E7 Signage.

2.4. Amendments to C1.3.9 Pubs (Introduction)

2.4.1. Insert two additional paragraphs in the introductory text and a note at the end recommending a Pre-DA meeting for all proposals:

<u>Pub buildings are located throughout Paddington and have important historical, aesthetic and social significance that contribute to Paddington's character.</u> Most pubs in Paddington are substantial buildings ranging in height from two to four storeys. They date from the 1840s through to the 1940s and are prominent place markers, often located on corner sites.

The pubs have an imposing presence with distinctive parapet profiles, modulated façades, window and door openings and ornate architectural detailing. Building materials include stone, brick, stucco, timber, glazed tiles and terracotta. The pubs display a diverse range of architectural styles including Victorian, Federation and Inter-War buildings.

Some buildings exhibit original elevation detail and a few retain their original interior detail. Pubs owe their survival to their ability to offer the latest in comfort, service and amenities, consistent with the demands of their customers. To meet these situations and to also comply with legislative requirements relating to matters such as trading hours and public amenity, alterations and additions to pubs occur from time to time. Despite the fact that pubs are prone to physical change, a number of Paddington pubs remain close to their

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original configuration, appearance and use.

Some pubs may have been converted to other uses, including (but not limited to) residential, office premises or community centres. However, their exterior form retains its distinctive pub appearance which contributes to Paddington's character.

This section of the DCP applies to all buildings that are currently or were formerly a pub.

Note: A Pre-DA meeting is recommended for major changes to pubs or former pubbuildings in Paddington. Council may require the submission of a Conservation Management Plan, subject to the extent of changes.

2.5. Amendments to C1.3.9 Objectives

- 2.5.1. Delete objectives O1, O2, O4 and renumber O3 as O5.
- O1 To conserve the diversity of pubs and their significant internal and external detailsassociated with all periods of construction.
- O2 To retain original names of pubs as part of the historical and social significance of Paddington.
- O4 To facilitate the continued role and presence of pubs in Paddington.
- 2.5.2. Insert new objectives O1 O10 (and maintain O3 as O5).
- O1 To ensure that the external integrity, scale, character and relationship of a pub building with the surrounding streetscapes remain unaltered.
- O2 To ensure alterations and additions are sympathetic and respect the heritage significance of pub buildings.
- O3 To protect interiors that contribute to the heritage significance of a pub or that date from significant phases of development.
- O4 To retain original names of pubs as part of the historical and social significance of Paddington.
- O5 To retain residential accommodation in pubs.
- O6 To support the continued role and presence of pub buildings in Paddington even in the event of an adaptive re-use.
- O7 To remove uncharacteristic elements or structures.
- O8 To retain original roof forms and appearances of pub buildings in Paddington.
- O9 To protect and retain moveable heritage.
- O10 To ensure that advertising signs and awning structures respect the heritage and architectural character of pub buildings.

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2.6. Amendments to C1.3.9 Controls – Internal

- 2.6.1. Amend C2 (b) to include the terms "significant materials and finishes" and "timber paneling and wall papers".
- C2 Missing significant internal elements, details and finishes should be restored or reconstructed. These include:
 - a) decorative ceilings;
 - b) significant materials and finishes including (but not limited to) tiles, timber paneling and wall papers;
 - c) joinery, including stairways;
 - d) fittings, including light fittings; and
 - e) traditional signs and advertising.
- 2.6.2. Amend C3 to include the term "such as portal frames, nibs or bulkheads".
- C3 Original room configurations must remain discernible. Where new openings are proposed, interpretation of original wall positions and room proportions should be provided, such as portal frames, nibs or bulkheads.
- 2.6.3. Insert two new controls after C3.
- C4 Moveable heritage and other significant heritage artefacts must be retained in their context.
- C5 Fire upgrade measures must be done sympathetically and avoid removal of significant fabric.

2.7. Amendments to C1.3.9 Controls - External

- 2.7.1. Renumber controls, commencing with control C6 (former C4)
- 2.7.2. Amend new control C8 (former C6) by deleting one and inserting three additional types of significant external features.
- C68 Significant external features are to be retained and restored and maintained. Where appropriate, missing elements, details and finishes should be restored or reconstructed. These include:
 - a) pressed metal ceilings to awnings;
 - b) awnings and balconies;
 - c) wall tiles; and
 - c) d) traditional signage;
 - d) typical features of an architectural style;
 - e) significant doors and openings; and
 - f) significant materials and finishes (including but not limited to wall tiles).

- 2.7.3. Amend numberings of existing controls C7 and C8 and add a control to prevent enlargement or filling in of significant openings
- C79 The restoration of missing detail or reversal of unsympathetic work to street front elevations is required when work is undertaken to the principal elevations.
- C810 The original name of a pub must be retained and displayed appropriately in signage.
- 2.7.4. Amend numbering of existing controls C9 (now C12) and amend it to include wall signs and awning signs to be retained, protected and displayed.
- C112 Traditional hotel signage and product advertising, such as painted glass panels advertising beer brands, wall signs and awning signs should be retained, protected and displayed.
- 2.7.5. Add new control C12 for reinstatement of awnings.
- C12 When awnings are to be reinstated, they are to be reinstated in the original location and must complement the existing streetscape character.
- 2.7.6. amend C13 (former C10) by inserting "Additional levels are not to be visible from the public domain" and renumber C11 (to C14)
- C103 The prominence and form of parapets and roof lines must be retained. Additional levels are not to be visible from the public domain.
- C114 The original massing and scale, pattern and modulation of facades and the proportions of openings must be retained.
- 2.7.7. Insert three new controls regarding Mechanical plant equipment, heritage management document policies and reconstruction and repair works.
- C15 Mechanical plant equipment (including communications, electrical, air-conditioning and kitchen exhaust systems) must not adversely impact the roof form or be visible from the public domain.
- C16 Alterations and additions must be consistent with heritage management documents.
- C17 Reconstruction and repair works are to use traditional materials and techniques in accordance with best heritage practice and a heritage management document.

From: James Sellwood
To: Records

Subject: Planning Proposal - Local Heritage Listing - Seven Paddington Pubs and associated amendments to

Woollahra Development Control Plan (DCP) Wednesday, 16 September 2020 5:14:25 PM

Attachments: image001.png

Date:

Our ref: DOC20/697297

Planning Proposal – Local Heritage Listing – Seven Paddington Pubs and associated amendments to Woollahra Development Control Plan (DCP)

Dear Mr Swift-McNair

Attention: Ms Flavia Scardamaglia, Strategic Heritage Officer

Thank you for the opportunity to comment on the planning proposal to list seven pubs in Paddington as items of local heritage significance under *Woollahra Local Environmental Plan 2014* (LEP) and make associated DCP amendments relating to pub buildings in the Paddington Heritage Conservation Area.

We note that Council's assessment of heritage significance indicated that the seven pubs below met the criteria for listing at a Local level:

- Bellevue Hotel
- Grand National Hotel
- Imperial Hotel
- London Tavern Hotel
- The Paddington (formerly Paddington Arms Hotel)
- · Paddington Inn Hotel, and
- the Unicorn Hotel.

We also note that the DCP amendments are intended to provide greater guidance and encourage the retention of significant features of pub buildings in the event of a change of use and/or substantial alterations and additions.

As such, we consider that both the planning proposal and the DCP will have a positive heritage outcome.

Heritage NSW encourages the identification and listing of new heritage items and amendments to planning controls which provide for greater heritage protection, provided that all necessary due diligence, assessments and notifications have been undertaken. Prior to finalisation of the planning proposal, Council should be satisfied that this is the case.

If you have any questions, please don't hesitate to contact me on the details below.

Best regards

James

James Sellwood | Senior Heritage Programs Officer, Heritage Programs

Heritage NSW



I acknowledge and respect the traditional custodians and ancestors of the lands I work across

Heritage NSW The former Office of Environment and Heritage (Heritage Division) is now Heritage NSW. Correspondence should be sent to us via email at au. If you need to provide hard copies, please send to Heritage NSW, Please update your records as using an incorrect name and address could cause significant delays or non-delivery of your correspondence.

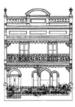
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THE PADDINGTON SOCIETY Inc. For Community and Heritage Est 1964

The General Manager Woollahra Municipal Council PO Box 61, Double Bay NSW 1360

7 December 2020

For the attention of Anne White & Flavia Scardamaglia

Draft WDCP 2015 (Amendment 12) Paddington Pubs Study - Proposed DCP Amendments

Thank you Flavia for letting me know about the above – apologies - none of us had noted that there were Draft Amendment proposals in the system!

On behalf of the Paddington Society I note the following with my **(personal)** comments re the draft: (page numbers noted refer to the pdf pages):

pp7 & 8:

New numbering should be in blue and underlined for consistency and clarity

p8: para 3: (first line)

'Some buildings exhibit original elevation detail ... etc" should be a separate little para, as previously

p9: (make plural the 2nd new point on this page)

This section of the DCP applies to all buildings that are currently or were formerly-a pubs.

p9: (change sub-heading 2.5.1 to match the numbered objectives)

Delete objectives O1 and O4 and renumber O2 as O4 and O3 as O5

p9: (make plural and modify / improve order of sentence)

O1 To ensure that the external integrity, scale, character and relationship of a-pub buildings remain unaltered within the surrounding streetscapes.

p9: (insert)

O2 To ensure that alterations and additions are sympathetic and respect the heritage significance of pub buildings.

p9: (make plural)

O3 To protect interiors that contribute to the heritage significance of—a pubs or that date from significant phases of development.

P10: (insert)

C5 Fire upgrade measures must be done sympathetically and must avoid removal of significant fabric.

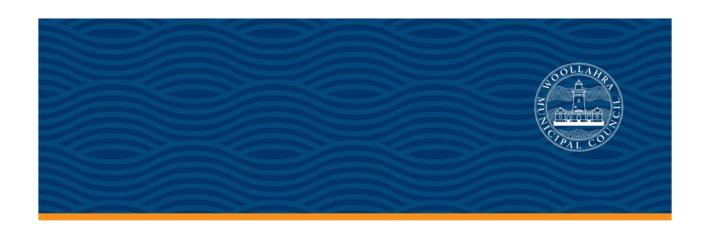
Yours sincerely



Will Mrongovius, President The Paddington Society - per Esther Hayter M



Juniper Hall • Telephone • ABN 99 885 076 141



Draft Woollahra Development Control Plan 2015 (Amendment 12)

Prepared Date:	December 2020	
Prepared Date: Adopted:	December 2020 TBC	
Adopted:	TBC	
Adopted: Commenced:	TBC TBC	
Adopted: Commenced: Division/Department:	TBC TBC Strategic Planning	
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Part 1 Preliminary

1.1 Background

This amendment of Woollahra Development Control Plan 2015 (Woollahra DCP 2015) is in response to a resolution of Council, adopted on 21 May 2018 where Council resolved, in part:

THAT Council:

- 2. Notes the following priorities contained in its Delivery Program 2013 to 2018 and Operation Plan 2017/2018 (the **DPOP**)
 - a) ..
 - b) 4.3.1.1 'Carry out a study of hotels in Paddington to determine and establish more specific conservation controls' (the Paddington Pub Project);
- 5. In preparing the Paddington Pub Project, gives consideration to:
 - a) ...
 - exploring what mechanisms (including but not limited to amending the Woollahra Development Control Plan 2015 (the DCP)) are available to ensure that existing controls and protection that currently apply to pubs continue to apply regardless of any change in use.

Having explored these mechanisms, the amendments contained in *Draft Woollahra Development Control Plan 2015 (Amendment No 12)* update our existing objectives and controls relating to pub buildings in Paddington. These amendments aim to retain significant features of pub buildings in the event of a change of use and/or substantial alterations and additions.

1.2 Name of plan

This plan is the Draft Woollahra Development Control Plan 2015 (Amendment No 12).

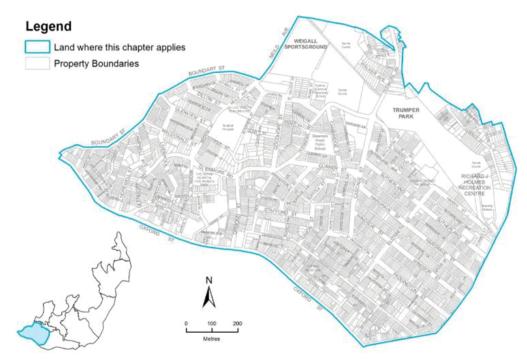
1.3 Objectives of the plan

The objectives of the plan are to:

- a) Ensure pub buildings are protected and retained regardless of any change of use;
- b) Ensure significant fabric of pub buildings is retained;
- c) Ensure the protection of moveable heritage in pub buildings;
- d) Retain the diversity of building types in Paddington, including pub buildings; and
- e) Support the continued role and presence of pub buildings in Paddington.

1.4 Land to which this plan applies

This plan applies to the Paddington Heritage Conservation Area (HCA), as identified on Map 1 below. The HCA incorporates all land in the Paddington suburb in the Woollahra LGA, as well as some land in the suburbs of Edgecliff and Woollahra.



Map 1: Paddington Heritage Conservation Area boundary map

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 as appointed on **TBC** and came into effect on **TBC** as appointed by notification in the local newspaper and on Woollahra Municipal Council's public website.

1.7 How this plan amends Woollahra DCP 2015

This plan amends Woollahra DCP 2015 in the manner set out in Part 2 of this plan.

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20/230417

Part 2 Amendments to Woollahra Development Control Plan 2015

This plan amends Woollahra DCP 2015 in the following manner:

Insertions – <u>identified in blue and underlined</u>
Deletions – <u>identified in red and strikethrough</u>

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 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determinations under section 8.3 of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 12 to this DCP.

22. Amendments to clause A1.4 List of amendments

2.2.1. Insert at the end of the clause

Amendment	Date of approval and	Description of amendment
	commencement	
No. 12	Date approved - TBC	Amend Chapter C1 Paddington Heritage
	Date commenced - TBC	Conservation Area by inserting additional
		objectives and controls relating to the protection
		of pub buildings.

Chapter C1 Paddington Heritage Conservation Area

- 23. Amendments to C1.3.8 Commercial and industrial buildings including shops
- 2.3.1. Remove Control C13 which relates to Pubs and change numbering of following controls
- C13 The diversity of pub buildings and their significant internal and external fabric is to be retained and missing elements reinstated.
- C134-Parapet height and rhythm is to be consistent. Parapets should predominantly be masonry.
- C145–Infill development should include parapets and roof forms that respect the existing conditions in terms of parapet height, pitch and shape of roofs.
- C156—Architectural elements of side elevations are to be retained, restored or reconstructed.
- C167—Corner sites are to be designed to maintain visual prominence in the street wall of Oxford Street. This is generally achieved through architectural elements such as parapet walls.

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C178—New corner buildings are to address both street frontages.

C189—Awnings are reinstated in the original location, where evidence of the original structure exists.

C1920-Rear extensions should be designed to:

- a) improve casual surveillance and vibrancy of rear lanes;
- b) minimise impact to significant landscape elements; and
- c) protect the privacy and amenity of adjoining or adjacent residential uses.

C201-New buildings must maintain and reflect:

- a) the established patterns and proportions of existing elevations which consist of a horizontal orientation below the awning line and a more vertical character above the awning line;
- b) the consistency of horizontal and vertical façade features such as window heights and widths, bay widths, awning and parapet lines;
- the established rhythm and pattern in the street arising from the original subdivision pattern; and
- d) existing setbacks (generally zero setbacks) to front and side boundaries.
- C212 Above awning advertising signs are not permitted.
- C223–Signs and advertising must comply with the controls for advertising signs on buildings in Part E of this DCP, Chapter E7 Signage.

2.4. Amendments to C1.3.9 Pubs (Introduction)

2.4.1. Insert two additional paragraphs in the introductory text and a note at the end recommending a Pre-DA meeting for all proposals:

Pub buildings are located throughout Paddington and have important historical, aesthetic and social significance that contribute to Paddington's character. Most pubs in Paddington are substantial buildings ranging in height from two to four storeys. They date from the 1840s through to the 1940s and are prominent place markers, often located on corner sites.

The pubs have an imposing presence with distinctive parapet profiles, modulated façades, window and door openings and ornate architectural detailing. Building materials include stone, brick, stucco, timber, glazed tiles and terracotta. The pubs display a diverse range of architectural styles including Victorian, Federation and Inter-War buildings.

Some buildings exhibit original elevation detail and a few retain their original interior detail.

Pubs owe their survival to their ability to offer the latest in comfort, service and amenities, consistent with the demands of their customers. To meet these situations and to also comply with legislative requirements relating to matters such as trading hours and public amenity, alterations and additions to pubs occur from time to time. Despite the fact that

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pubs are prone to physical change, a number of Paddington pubs remain close to their original configuration, appearance and use.

Some pubs may have been converted to other uses, including (but not limited to) residential, office premises or community centres. However, their exterior form retains its distinctive pub appearance which contributes to Paddington's character.

This section of the DCP applies to all buildings that are currently or were formerly applies.

Note: A Pre-DA meeting is recommended for major changes to pubs or former pub buildings in Paddington. Council may require the submission of a Conservation Management Plan, subject to the extent of changes.

2.5. Amendments to C1.3.9 Objectives

- 2.5.1. Delete objectives O1, O2, and O4 and renumber O2 as O4 and O3 as O5.
- O1 To conserve the diversity of pubs and their significant internal and external details associated with all periods of construction.
- O2 To retain original names of pubs as part of the historical and social significance of Paddington.
- O4 To facilitate the continued role and presence of pubs in Paddington.
- 2.5.2. Insert new objectives O1 O10 (and maintain O3 as O5).
- O1 To ensure that the external integrity, scale, character and relationship of apub buildings remain unaltered with the surrounding streetscapes remain unaltered.
- O2 To ensure that alterations and additions are sympathetic and respect the heritage significance of pub buildings.
- O3 To protect interiors that contribute to the heritage significance of a-pubs or that date from significant phases of development.
- O4 To retain original names of pubs as part of the historical and social significance of Paddington.
- O5 To retain residential accommodation in pubs.
- O6 To support the continued role and presence of pub buildings in Paddington even in the event of an adaptive re-use.
- O7 To remove uncharacteristic elements or structures.
- O8 To retain original roof forms and appearances of pub buildings in Paddington.
- O9 To protect and retain moveable heritage.
- O10 To ensure that advertising signs and awning structures respect the heritage and architectural character of pub buildings.

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2.6. Amendments to C1.3.9 Controls – Internal

- 2.6.1. Amend C2 (b) to include the terms "significant materials and finishes" and "timber paneling and wall papers".
- C2 Missing significant internal elements, details and finishes should be restored or reconstructed. These include:
 - a) decorative ceilings;
 - b) significant materials and finishes including (but not limited to) tiles, timber paneling and wall papers;
 - c) joinery, including stairways;
 - d) fittings, including light fittings; and
 - e) traditional signs and advertising.
- 2.6.2. Amend C3 to include the term "such as portal frames, nibs or bulkheads".
- C3 Original room configurations must remain discernible. Where new openings are proposed, interpretation of original wall positions and room proportions should be provided, such as portal frames, nibs or bulkheads.
- 2.6.3. Insert two new controls after C3.
- C4 Moveable heritage and other significant heritage artefacts must be retained in their context.
- C5 Fire upgrade measures must be done sympathetically and must avoid removal of significant fabric.

2.7. Amendments to C1.3.9 Controls – External

- 2.7.1. Renumber controls, commencing with control C6 (former C4)
- 2.7.2. Amend new control C8 (former C6) by deleting one and inserting three additional types of significant external features.
- C68 Significant external features are to be retained and restored and maintained. Where appropriate, missing elements, details and finishes should be restored or reconstructed. These include:
 - a) pressed metal ceilings to awnings;
 - b) awnings and balconies;
 - c) wall tiles; and
 - c) d)-traditional signage;
 - d) typical features of an architectural style;
 - e) significant doors and openings; and
 - f) significant materials and finishes (including but not limited to wall tiles).

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- 2.7.3. Amend numberings of existing controls C7 and C8 and add a control to prevent enlargement or filling in of significant openings
- C79 The restoration of missing detail or reversal of unsympathetic work to street front elevations is required when work is undertaken to the principal elevations.
- C810 The original name of a pub must be retained and displayed appropriately in signage.
- 2.7.4. Amend numbering of existing controls C9 (now C12) and amend it to include wall signs and awning signs to be retained, protected and displayed.
- C112-Traditional hotel signage and product advertising, such as painted glass panels advertising beer brands, wall signs and awning signs should be retained, protected and displayed.
- 2.7.5. Add new control C12 for reinstatement of awnings.
- C12 When awnings are to be reinstated, they are to be reinstated in the original location and must complement the existing streetscape character.
- 2.7.6. amend C13 (former C10) by inserting "Additional levels are not to be visible from the public domain" and renumber C11 (to C14)
- C103 The prominence and form of parapets and roof lines must be retained. Additional levels are not to be visible from the public domain.
- C114 The original massing and scale, pattern and modulation of facades and the proportions of openings must be retained.
- 2.7.7. Insert three new controls regarding Mechanical plant equipment, heritage management document policies and reconstruction and repair works.
- C15 Mechanical plant equipment (including communications, electrical, air-conditioning and kitchen exhaust systems) must not adversely impact the roof form or be visible from the public domain.
- C16 Alterations and additions must be consistent with heritage management documents.
- <u>C17 Reconstruction and repair works are to use traditional materials and techniques in accordance with best heritage practice and a heritage management document.</u>

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Item No: R5 Recommendation to Council

Subject: UPDATE - PLANNING PROPOSAL TO INTRODUCE AN 800SQM MINIMUM LOT SIZE FOR ATTACHED DUAL OCCUPANCIES

Author: Kelly McKellar, Team Leader Strategic Planning

Approvers: Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 21/4597

Reason for Report: To report the advice from the Department of Planning, Industry and

Environment regarding Council's planning proposal seeking to introduce

an 800sqm minimum lot size for attached dual occupancies.

Recommendation:

A. THAT the report on the planning proposal to introduce an 800sqm minimum lot size for attached dual occupancies to the Environmental Planning Committee meeting of 1 February 2021 be received and noted.

B. THAT a written request is sent to the Minister for Planning and Public Spaces to formally withdraw the planning proposal seeking to introduce an 800sqm minimum lot size for attached dual occupancies.

1. Summary

Council has received correspondence from the Department of Planning, Industry and Environment (DPIE) in relation to our planning proposal to introduce a minimum lots size of 800sqm for dual occupancy (attached) development into the *Woollahra Local Environmental Plan (LEP) 2014*.

DPIE has raised concerns with the potential for the proposal to impact on housing supply. In their correspondence they have requested additional information to address the concerns raised (see **Annexures 3** and **4**). This report provides information on the correspondence from DPIE and research undertaken by staff.

2. Background

The *Low Rise Housing Diversity Code* commenced in the Woollahra LGA on 1 July 2020 (it was previously known as the *Low Rise Medium Density Housing Code*). The Code is contained in <u>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</u>. Council was previously granted a deferral from the Code when it was introduced in 2018.

Council has consistently raised concerns about the loss of a merit assessment for medium density development which will be permitted by the Code. A summary of Council's correspondence with DPIE and the Minister in relation to the Code and other relevant events is contained in **Annexure 1**.

The Code allows complying development for certain housing types in residential zones

The Code allows dual occupancies, manor houses and terraces that are no more than two storeys in height to be approved under the fast track complying development process. Exclusions to the Code apply for heritage items, heritage conservation areas, foreshore areas, class 1 or 2 acid sulfate soils, unsewered land and battle-axe lots.

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Development under the Code may be undertaken in the following zones in the Woollahra LGA:

- R2 Low Density Residential zone dual occupancies (attached) and dual occupancies (detached)
- R3 Medium Density Residential zone dual occupancies (attached), dual occupancies (detached), manor houses and multi dwelling housing (terraces).

Amendments to the Woollahra LEP 2014 and Woollahra DCP 2015 in response to the Code In response to the Code, Council initiated the following proposals to amend the Woollahra LEP 2014 and the Woollahra Development Control Plan (DCP) 2015. The table below identifies these proposals, and their current status.

Pro	pposal	Status
A.	Planning Proposal to amend the Woollahra LEP 2014 to introduce a 800sqm minimum lot size for dual occupancies (attached).	Planning proposal is the subject of this report.
В.	Planning proposal to amend the Woollahra LEP 2014 to introduce a 700sqm minimum lot size for manor houses and multi dwelling housing (terraces).	These provisions were incorporated into changes to the Code which commenced on 1 July 2020.
C.	Woollahra DCP 2015 (Amendment No. 5) to apply development controls for residential flat buildings and multi dwelling houses to two of the new housing types introduced by the Code, manor houses and terraces.	Having been the subject of public exhibition in mid-2020, these amendments commenced on 7 December 2020.

Additionally, as noted above, Council and Council staff have repeatedly raised concerns about the Code with DPIE and the Minister as summarised in **Annexure 1**.

3. The planning proposal

On 8 July 2019, in response to a Notice of Motion, Council resolved:

THAT Council:

- A. Receives a report, as a matter of urgency, in relation to amending its current Local Environmental Plan 2014 ("LEP") to provide a minimum lot size of 800 square metres or other for dual occupancy (attached) developments in R2 Low Density Residential zones within the municipality.
- B. Considers other amendments to its planning and development controls to give effect to the above, as soon as reasonably practicable, given the introduction of the Low Rise Medium Density Housing Code (part of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008) ("Code") on 1 July 2019.

On 4 November 2019, the Environmental Planning Committee (EPC) considered a report identifying options to amend the current Woollahra LEP 2014 controls. On 11 November 2019, Council resolved, in part:

- C. THAT a planning proposal be prepared to increase the minimum lot size of attached dual occupancies in the R2 zone to 800m².
- D. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.

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Subsequently, Council staff prepared a planning proposal to amend the Woollahra LEP 2014 to introduce a minimum lot size of 800sqm for dual occupancies (attached) in the R2 Low Density Residential Zone.

On 30 January 2020 the planning proposal was reported to the Woollahra Local Planning Panel (LPP) for advice.

THAT the Woollahra Local Planning Panel advises Council that:

- A. It supports the planning proposal to amend clause 4.1A of the Woollahra Local Environmental Plan 2014 to increase the minimum lot size required for dual occupancy (attached) development in the R2 Low Density Residential Zone from 460 square metres to 800 square metres.
- B. The planning proposal should proceed.
- C. In the planning proposal include as appropriate reference to Item 2 of the opportunities listed in Section 8.3 minimum Lot size amendment in the report to the Environmental Planning Committee meeting on 4 November 2019.
- D. Carry out an analysis of options for a range of lot sizes for dual occupancy development (attached) in order to support the justification for the minimum lot size of 800m² and, if beneficial, provide those options to the Department of Planning, Industry and Environment as part of the planning proposal.

In response to this advice, Council staff analysed conceptual built forms for a variety of lot sizes in the LGA. The lots used for comparison were based on the size and dimensions of real examples in the R2 zone. The conceptual built form analysis allowed the calculation of the maximum potential number of mature trees and the maximum achievable number of mature trees

The built form analysis illustrated that on lots smaller than 800sqm, the maximum achievable number of mature trees is reduced due to the insufficient deep soil area dimensions required to sustain mature trees. This was found to adversely impact the capacity for dual occupancy (attached) development to achieve the desired future character of the R2 zone and maintain and enhance a mature tree canopy. Furthermore, smaller lot sizes have reduced side setbacks, resulting in less space to plant screening trees which could reduce potential amenity impacts on privacy and noise.

The advice of the Woollahra LPP and the further staff analysis was reported to EPC on 2 March 2020 and on 9 March 2020 Council resolved:

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 30 January 2020.
- B. THAT the planning proposal attached as Annexure 1 of the report to the Environmental Planning Committee meeting on 17 February 2020 be forwarded to the Department of Planning, Industry and Environment with a request for a gateway determination to allow public exhibition.
- C. THAT Council request the Minister for Planning and Public Spaces authorise Council as the local plan-making authority in relation to the planning proposal, to allow it to make the local environmental plan, under section 3.36 of the Environmental Planning and Assessment Act 1979.

The planning proposal was submitted to DPIE on 16 May 2020. A copy of the planning proposal is contained in **Annexure 2**.

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4. Correspondence from the DPIE

In correspondence dated 10 August 2020 and 6 October 2020, the DPIE expressed concerns that the planning proposal would reduce the number of lots eligible for attached dual occupancy development via both the development application (DA) and complying development certificate (CDC) pathways, thereby reducing the capacity of housing supply. Copies of the correspondence from the DPIE are contained in **Annexures 3** and **4**.

DPIE has requested the following additional information and research to support the planning proposal which, in summary, should address the following:

- How the proposal fits in with Council's overall strategy to meet future housing needs in the LGA, the Department considers that a Local Housing Strategy (LHS) is required to guide the consideration of the proposal. Without a completed LHS, the potential effects on housing needs and delivery could not be ascertained by DPIE.
- The inconsistency with *Ministerial Direction 3.1 Residential Zone*⁴, due to the proposal's impact on housing growth and choice. The proposal in its current form has not provided adequate analysis to demonstrate that a variety of housing types will be provided for existing and future housing needs.
- Further analysis, including design modelling, is required to determine the most appropriate minimum lot size for attached dual occupancies, having regard to the objective of the proposal to protect the environment, residential amenity and local character.

Administrative changes to the planning proposal were also identified in the correspondence from DPIE to rectify minor errors and omissions.

5. Further testing

After receiving the DPIE's request for further analysis, Strategic Planning staff carried out further research and site testing to build on the work originally undertaken for the planning proposal. This testing took into consideration the existing controls, recent developments, development standards in the Code, and the work undertaken for the FSR and Urban Greening project⁵. In particular, staff were looking for possible correlations between site area and the bulk and scale of dual occupancy (attached) development.

In summary, the preliminary site testing and analysis of existing controls, the Code and recent development did not produce any correlation between the proposed 800sqm site area and outcomes for site coverage, driveway area of deep soil area for dual occupancy (attached) development.

Subsequently, staff considered the work undertaken for the FSR and Urban Greening project which principally seeks to introduce a 0.5:1 maximum FSR for dwelling houses and dual occupancies in the R2 Low Density Residential and R3 Medium Density Residential zones.

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⁴ This Direction seeks to encourage a variety and choice of housing types to meet existing and future housing needs. To comply with this direction a planning proposal must not reduce the permissible density of land. The Ministerial Directions are published on the DPIE website: https://www.planning.nsw.gov.au/plans-for-your-area/local-planning-and-zoning/policy-directions-for-plan-making

⁵⁵ On 23 November 2020, Council resolved, in part, to submit an amended planning proposal to the DPIE seeking a Gateway Determination for an amendment to the Woollahra LEP 2014 to introduce an FSR of 0.5:1 for low density residential development in the R2 Low Density Residential Zone and R3 Medium Density Residential Zone and to insert urban greening provisions.

Whilst this analysis identified differences between the development outcomes facilitated by Council's proposed FSR and what is permitted by the Code, there is no direct relationship to the proposed 800sqm minimum lot size.

However, the testing did reveal a relationship between the proposed 0.5:1 FSR and urban greening provisions and site area. As shown in Table 1 below, a key finding was that to achieve a dual occupancy (attached) development with a maximum FSR of 0.5:1 based on the development standards in the Code, the minimum site area should be 1,200sqm.

The Code does not contain a FSR standard for dual occupancy development but relies on a range of provisions such as setbacks to influence the design of the development. This creates a greater range of FSR outcomes when these provisions are applied to different site areas.

una the actorophical standards in the coac		
Site area (sqm) Maximum FSR permissible		
	under the Code	
450	0.92	

Table 1: FSR development outcomes based on site area, and the development standards in the Code

600 0.75 800 0.63 0.55 1000 1200 0.5 1400 0.46 1600 0.44 1800 0.42 2000 0.4

In summary, the preliminary testing has not identified any grounds to specifically support the proposed 800sqm minimum lot size for dual occupancies (attached). This conclusion was based on analysing controls such as site coverage, landscaped area, bulk and scale. However, the testing did find a relationship between site area and density, and a minimum site area of 1200sqm is required to achieve a maximum FSR of 0.5:1 (consistent with the Council resolution of 23 November 2020).

6. Potential impacts on housing supply

In their correspondence, the DPIE raised concerns about the impacts of the proposed 800sqm minimum lot size for dual occupancies (attached) development on housing supply and delivery of housing diversity.

The existing minimum lot size is 460sqm and it is acknowledged that introducing a minimum lot size of 800sqm or 1200sqm will significantly reduce the capacity for dual occupancy development in the R2 Low Density Residential Zone. As shown in **Table 2** below, based on the existing subdivision pattern there are 1,420 lots 800sqm or greater and 336 lots greater than 1200sqm. Introducing a minimum lot size of 800sqm or 1200sqm would result in a capacity reduction of 85% and 96% respectively.

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Tuble 2. It2 20 W Bellstey Hestaelitati 10th by Site Size		
Lot size sqm)	Number of lots	
Less than 460	5,411	
460-800	2,426	
800-930	582	
930-1200	502	
Greater than 1200	336	

Table 2: R2 Low Density Residential lots by site size

Staff note that due to the concerns expressed by the DPIE in relation to the proposed minimum lot size of 800sqm, it is unlikely that a minimum lot size of 1200sqm would be supported. Therefore, as we are unable to address the concerns raised in the correspondence from the DPIE, staff recommend that Council resolve to withdraw the planning proposal at this time.

The local housing strategy

The local housing strategy will consider supply and demand of housing, including different housing types such as dual occupancies. It must set out how we plan to facilitate housing and residential that will:

- meet the needs of our community now and in the future
- best fit with our local character, heritage, infrastructure capacity and scenic landscape
- contribute to housing targets for the Eastern City District
- implement the Woollahra LSPS 2020.

Notwithstanding staff's recommendation to withdraw the planning proposal, should Council resolve to proceed with the planning proposal, the local housing strategy will need to respond to the introduction of a minimum lot size for dual occupancies. Specifically, it will need to identify how the reduction in housing capacity will be offset to ensure that the LGA can provide new and diverse housing that meets demand and District housing supply targets.

The local housing strategy will also address other important considerations for housing including, but not limited to, heritage, local character and landscape.

The local housing strategy will be prepared in 2021 and a draft is expected to be reported to Council mid-2021 prior to public exhibition.

7. Conclusion

On 8 July 2019, in response to a Notice of Motion, Council resolved to investigate introducing an 800sqm or other minimum lot size for dual occupancy development, primarily in response to the LRHD Code.

On 4 November 2019, the EPC considered a report identifying options to amend the current Woollahra LEP 2014 controls. On 11 November 2019, Council resolved, in part to prepare a planning proposal to amend the Woollahra LEP 2014 to introduce a minimum lot size of 800sqm for dual occupancy (attached) developments in R2 Low Density Residential zones within the municipality. On 16 May 2020 the planning proposal was submitted to the DPIE requesting a gateway determination.

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Correspondence from the DPIE raises concerns with the potential for the proposal to impact on housing supply. In their correspondence they have requested that additional justification be provided to support the planning proposal and address the concerns raised.

Preliminary testing undertaken by staff has not identified any grounds to support the proposed 800sqm minimum lot size for dual occupancies (attached) with regard to development outcomes including site coverage, landscapes area or bulk and scale. However, the testing did find a relationship between larger site areas and compliance with the proposed FSR of 0.5:1. Staff note that due to the concerns expressed by the DPIE in relation to the proposed minimum lot size of 800sqm, it is unlikely that a larger minimum lot size would be supported.

A local housing strategy for the Woollahra LGA will be prepared in 2021 and a draft is expected to be reported to Council mid-2021 to allow public exhibition. It will establish the basis for strategic planning for housing and residential development in the LGA consistent with statutory requirements and to meet housing demand and District housing supply targets.

It is noted that introducing a minimum lots size of 800sqm or 1200sqm will significantly reduce the capacity for dual occupancy development in the R2 Low Density Residential Zone, by 85% and 96% respectively. Notwithstanding staff's recommendation to withdraw the planning proposal, should Council resolve to proceed with the planning proposal, the local housing strategy will need to respond to the introduction of a minimum lot size for dual occupancies.

Staff recommend that Council resolve to withdraw the planning proposal at this time.

Annexures

- 1. Summary of Council correspondance and key events for LRHD Code J
- 2. Planning Proposal 😃 🖺
- 3. Response from DPIE dated 10 August 2020 J.
- 4. Further response from DPIE dated 6 October 2020 U

Item No. R5

Low Rise Housing Diversity (LRHD) Code

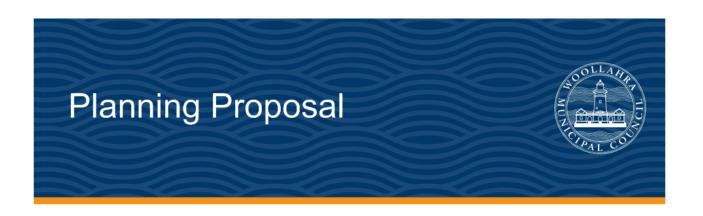


Brief summary of key correspondence and events

1 March 2016	Council submission sent to DPIE in response to the 2015 'Missing middle' discussion paper objecting to introducing complying development for medium density housing.		
9 December 2016	Council submission sent to DPIE objecting to the proposed 'Medium Density Housing' Code and 'Draft Medium Density Design Guide'.		
31 May 2018	Council wrote to the Minister for Planning requesting a deferral from the Code until Council had an opportunity to review its LEP to ensure development is in-line with community expectations		
8 July 2019	In response to a Notice of Motion, Council resolved: THAT Council:		
	A. Receives a report, as a matter of urgency, in relation to amending its current Local Environmental Plan 2014 ("LEP") to provide a minimum lot size of 800 square metres or other for dual occupancy (attached) developments in R2 Low Density Residential zones within the municipality.		
	B. Considers other amendments to its planning and development controls to give effect to the above, as soon as reasonably practicable, given the introduction of the Low Rise Medium Density Housing Code (part of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008) ("Code") on 1 July 2019.		
23 July 2019	Council submission to Professor Roberta Ryan for consideration in the Independent Review of the Code commissioned by the Minister. The report on the review was released September 2019. A key recommendation of the review that was implemented was the deferral of the Code until 1 July 2020.		
4 November 2019 11 November 2019	On 4 November 2019, the Environmental Planning Committee (EPC) considered a report identifying options to amend the current Woollahra LEP 2014 controls.		
	On 11 November 2019, Council resolved, in part: C. THAT a planning proposal be prepared to increase the minimum lot size		
	of attached dual occupancies in the R2 zone to 800m2.		
	D. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.		

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12 December 2019	Mayoral letter to the Minister for planning:
	Requests that the State Government exempt the Woollahra LGA from the Code as it will not deliver an increased diversity of housing.
	2. Does not agree with the independent review of the Code undertaken by Professor Roberta Ryan, that there is strong community support for new multi-dwelling housing in low density R2 zones, particularly within the Woollahra LGA.
20 January 2020	Letter from the Minister of Planning advising that DPIE staff can meet Council staff to discuss options for "local approach" to medium density housing.
30 January 2020	Two planning proposals reported to Woollahra LPP for Advice seeking to amend the Woollahra LEP 2014 to introduce:
	A. Minimum lots size of 800m2 for dual occupancies (attached) B. Minimum lot size of 700m2 for manor houses and multi dwelling housing (terraces)
9 March 2020	Council resolution to forward planning proposal to DPIE requesting gateway determination. The planning proposals were submitted to DPIE on 16 May 2020.
3 June 2020	Letter from the Minister of Planning and Public Spaces advising that the Code would commence on 1 July 2020.
1 July 2020	LRHD Code commenced in the Woollahra LGA.
	Consistent with our planning proposal, the commencement of the Code included an amendment to Clause 4.1A of Woollahra LEP 2014 to introduce a 700 m2 minimum lot size for manor houses and multi dwelling housing (terraces) making our planning proposal for this redundant (subsequently withdrawn on 16 July 2020).
16 July 2020	Letter from DPIE advising that a preliminary assessment had identified some issues with the planning proposal to introduce a minimum lot size of 800m2 for dual occupancies (attached).
20 July 2020	DPIE confirmed that no further deferrals or exemptions to the Code would be issued.



Minimum lot size for dual occupancy (attached) development

Prepared March 2020



[20/41194]

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1 Introduction

1.1 Description of the planning proposal

The objective of the planning proposal is to minimise the potential impact of dual occupancy (attached) development on the natural environment, residential amenity and the desired future character of the R2 Residential Zone (R2 zone) of the *Woollahra Local Environmental Plan 2015* (Woollahra LEP 2014). The desired future character of the R2 zone is to maintain and complement the existing local character of low scale residential uses which respond to the topography, protect views and reinforce the landscaped setting. The desired future character was established in consultation with the local community.

The purpose of the planning proposal is to amend Clause 4.1A 'Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings' of the Woollahra LEP 2014, to increase the minimum lot size required for development consent of dual occupancy (attached) development in the R2 zone from 460 square metres (sqm) to 800sqm.

The planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) and the two documents prepared by the NSW Department of Planning, Industry and Environment titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018).

The requirements for a planning proposal are provided in sections 2 to 9 as follows:

- 2 Existing site and surrounding context
- 3 Existing planning controls
- 4 Objective of planning proposal
- 5 Explanation of provisions
- 6 Justification
- 7 Mapping
- 8 Community consultation
- 9 Project timeline

The planning proposal has strategic merit and the key reasons to amend Woollahra LEP 2014 are discussed in detail in parts 6.1 to 6.4 of the planning proposal, and summarised below.

- 1. The planning proposal seeks to reduce the potential adverse impacts of dual occupancy (attached) development on residential amenity and the existing and desired future character of the R2 zone.
- 2. The planning proposal is of minor significance in terms of the potential housing development in the LGA.
- The planning proposal maintains the permissibility of variety and choice of housing types, particularly dual occupancy (attached) development, to cater for existing and future housing needs.
- The planning proposal will not impact on the efficient use of existing infrastructure and services in the LGA and ensures that new housing has appropriate access to infrastructure and services.

- 5. The planning proposal is comparable in scope to recent planning proposals by other Councils. A similar planning proposal resulted in the amendment of the Sutherland Shire Local Environmental Plan 2015 on 1 February 2019. Several other planning proposals are currently awaiting finalisation or a gateway determination.
- 6. The planning proposal is generally consistent with the relevant objectives and actions contained in applicable State, regional, district and local plans and strategies.

1.2 Background

1.2.1 Minimum lot size standards of 800sqm for dual occupancy (attached) development

1. Council notice of motion - 8 July 2019

On 8 July 2019, in response to a notice of motion Council resolved, in part:

- THAT Council:
 - A. Receives a report, as a matter of urgency, in relation to amending its current Local Environmental Plan 2014 ("LEP") to provide a minimum lot size of 800 square metres or other for dual occupancy (attached) developments in R2 Low Density Residential zones within the municipality.
 - B. Considers other amendments to its planning and development controls to give effect to the above, as soon as reasonably practicable, given the introduction of the Low Rise Medium Density Housing Code (part of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008) ("Code") on 1 July 2019.

The notice of motion was accompanied by the following background notes:

- In October 2016 the Department of Planning and Environment exhibited a Draft Medium Density Housing Code for public comment, which proposed that dual occupancies, manor houses and multi dwelling housing, known as low rise medium density housing, be approved under a Complying Development Approvals pathway and without need for Council approval. The main aim of this was to fast track development and increase housing supply in Greater Sydney.
- The Complying Development Approvals process does not provide sufficient opportunity for community consultation on proposed development, and may result in more rapid densification of the municipality with significant impact and pressure on current infrastructure, which may not be able to keep pace.
- Council's current development and planning controls are delivering housing, sufficient to meet the Greater Sydney State Government Housing target without the need for the Code.
- Council's role as a planning authority is to accommodate the required level of growth in a
 balanced way. Growth needs to be carefully managed so that it responds to community
 expectations and is consistent with the desired future character of neighbourhoods. The
 operation of the Code will severely impact on this.
- In response to a Notice of Motion passed on 21 May 2018, Council obtained a 12-month exemption to the operation of the Code. This exemption will expire on 1 July 2019.

- When the Code commences operation, the mandated minimum lot size for development of a dual occupancy (attached) in an R2 Low Density Residential Zone will be the greater of 400 square meters, or whatever is provided for in Council's LEP. Under the current LEP, that minimum lot size is 460 square meters.¹
- Being able to construct dual occupancy (attached) development in R2 Low Density
 Residential Zones through a Complying Development Approvals process may severely
 impact on the desired and future character of many of the municipality's neighbourhoods,
 most especially in Vaucluse, Rose Bay and Bellevue Hill.
- A way of improving planning outcomes for dual occupancy attached housing is the
 increase of lot sizes required for this type of development. This is because larger lot
 sizes generally allow for greater flexibility in design, resulting in less visually intrusive
 development. Also, larger lots can better accommodate ancillary elements that add bulk.
- On smaller lots, the impacts of dual occupancy attached development in the low-density neighbourhoods are intensified. The low-density neighbourhoods of Woollahra have a distinctive sense of place, which flows from a strong landscape character. The redevelopment of smaller lots to higher density generally fails to achieve an appropriate landscaped context, and magnifies the impacts of change within neighbourhoods. Achieving a balanced outcome for landscaping and quality design on small narrow lots is difficult because there is less area to resolve site-specific design issues. With the doubling or tripling of ancillary features, there is less area for deep soil landscaping and little space for large-scale canopy trees to be maintained and planted on site. Such developments outcomes do not maintain the low-density neighbourhood character, which is an underlying objective of the zone.
- It is recommended that Council limit the extent of medium density development which the Code will allow in R2 Low Density Residential Zones to land sizes of 800 square meters or more in order to maintain the character of the low-density neighbourhoods of Woollahra and better reflect the concerns of its residents. As mentioned above, Council's role as a planning authority is to accommodate the required level of growth in a balanced way. Growth needs to be carefully managed so that it responds to community expectations and is consistent with the desired future character of neighbourhoods. It is therefore entirely appropriate that Council tailors its planning framework to achieve better outcomes in its lower density zones.
- The intention of the proposed amendment is not to stop redevelopment in the lower density neighbourhoods, it merely requires it to be undertaken on larger lots where there is sufficient room to plant trees in the front and rear setback, and reduce the apparent density of development. This will assist in reducing the impacts of medium density developments in the low-density zones of Woollahra.
- The R3 Medium Density Residential zone is tailored to multi dwelling housing. The R3
 zone facilitates a more dense urban form than the R2 zone and provides a transition
 between areas of single dwellings and areas of residential flats. The strategy supports
 Councils obligation to provide for a mix of housing types. The R3 zone has been applied
 to those areas most suitable for a more intense form of development.

¹ Woollahra Local Environmental Plan 2014, Part 4, 4.1A(2)

1.2.2 Low Rise Medium Density Housing Code

The Low Rise Medium Density Housing Code (the Code) is a development code in the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP). The Code is relevant to the planning proposal in that its proposed commencement in the Woollahra LGA is a significant consideration in the notice of motion and resolution of Council on 8 July 2019. When the Code commences, the minimum lot size for dual occupancies (attached) under the Code in the LGA will be the same as that specified under the Woollahra LEP 2015.

The Code applies to three development types, limited to one or two storeys in height:

- Dual occupancy being two dwellings either attached or detached on one lot of land.
- Manor house being a type of residential flat building containing three or four attached dwellings.
- Multi dwelling housing (terraces) being three or more attached dwellings on one lot
 of land, facing and generally aligned along one or more public roads.

Note: For clarity and simplicity, in this report the terms:

- dual occupancy or dual occupancies refer to both dual occupancies (attached) and dual occupancies (detached), unless otherwise specifically stated as being either '(attached)' or '(detached)'.
- terraces refers to multi dwelling housing (terraces).

The Code permits dual occupancies, manor houses and terraces to be carried out under a "fast track" complying development approval process. A complying development approval may be issued in 20 days if the proposal complies with all the relevant requirements in the Codes SEPP. Associated changes to the planning system will also permit manor houses and terraces to be applied for as a development application (DA) if a council's LEP permits multi dwelling housing. For simplicity, in this report the term 'Code' applies to all the amendments to the planning system relating to low rise medium density housing, i.e. both complying development and development that requires consent.

On 6 April 2018 amendments were made to the NSW planning system to facilitate implementation of the Code. The amendments came into effect on 6 July 2018. However, the commencement of the Code has been deferred for Woollahra Council (as one of 45 Councils) on three occasions:

- 1. In July 2018, the Code was deferred until **1 July 2019** to allow councils sufficient time to fully consider the potential impacts of the amendments.
- In June 2019, the Code was deferred until 1 November 2019 to allow an independent review of the progress, impediments and pathways to the implementation of the Code.
- 3. In September 2019, the Code was deferred until 1 July 2020 as recommended by an independent review by Professor Roberta Ryan. The deferral is intended to allow councils to progress their strategic planning initiatives, demonstrate how they intend to meet their local housing needs and work with the Department of Planning, Industry and Environment (DPIE) to identify and map areas of exceptional local character.

When the Code commences, the minimum lot size for dual occupancies (attached) under the Code in the LGA will be the same as that specified under the Woollahra LEP 2015.

1.2.3 Examples of recent dual occupancy (attached) DAs

The public response to two contentious DAs for dual occupancies (attached) were a significant consideration in the notice of motion and resolution of Council on 8 July 2019.

On 12 September 2019, the two DAs were approved by the Woollahra Local Planning Panel under the section 8.2 review pathway after an initial refusal on 21 February 2019 (DAs 347/2018/1 and 348/2018/1). The approvals are conditional on architectural and landscaping modifications to the proposed development. The DAs applied to two adjoining lots in the R2 zone, both with a street address of 12 Greycliffe Avenue, Vaucluse (Lots 28 & 29 DP 7253). The lots were approximately 684sqm and 639sqm in size, one with an existing single detached dwelling and the other vacant.

The DAs were the subject of significant community concern, attracting submissions from 24 objectors and an online petition with 324 signatures.

1.2.4 Council resolution to prepare a planning proposal – 4 November 2019

On 4 November 2019, the Environmental Planning Committee (EPC) of Council considered a report identifying options to amend the current Woollahra LEP 2014 controls, including a minimum lot size of 800 sqm, or other size, for dual occupancy (attached) developments in R2 zone (**Appendix 1**).

On 11 November 2019, Council resolved, in part:

- C. THAT a planning proposal be prepared to increase the minimum lot size of attached dual occupancies in the R2 zone to 800m2.
- D. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- E. THAT the advice of the Woollahra Local Planning Panel be reported back to the Environmental Planning Committee.
- F. THAT Council request the Minister for Planning and Public Spaces to exempt Woollahra Council from the commencement of the Low Rise Medium Density Housing Code for the Woollahra Local Government Area as it fails to deliver an increased diversity of housing.
- G. THAT Council advises the Minister that it does not agree with the independent review that there is strong community support for new multi-dwelling housing in low density R2 zones, particularly within the Woollahra Municipality.

1.2.5 Woollahra Local Planning Panel advice - 30 January 2020

On 30 January 2020 the Woollahra Local Planning Panel (Woollahra LPP) considered a report on the planning proposal. At that meeting the Woollahra LPP provided the following advice:

THAT the Woollahra Local Planning Panel advises Council that:

- A. It supports the planning proposal to amend clause 4.1A of the Woollahra Local Environmental Plan 2014 to increase the minimum lot size required for dual occupancy (attached) development in the R2 Low Density Residential Zone from 460 square metres to 800 square metres.
- B. The planning proposal should proceed.
- C. In the planning proposal include as appropriate reference to Item 2 of the opportunities listed in Section 8.3 minimum Lot size amendment in the report to the Environmental Planning Committee meeting on 4 November 2019.
- D. Carry out an analysis of options for a range of lot sizes for dual occupancy development (attached) in order to support the justification for the minimum lot size of 800m² and, if beneficial, provide those options to the Department of Planning, Industry and Environment as part of the planning proposal.

This planning proposal has been updated consistent with this advice

1.3 Related Council actions

1.3.1 Council request for an exemption to the Code and comment on community support

On 13 December 2019, the Mayor of Woollahra Council wrote to the Minister for Planning and Public Spaces to request consideration of the 11 November 2019 Council resolution (**Appendix 2**). The letter stated that Council:

- Requests that the State Government exempt the Woollahra Local Government Area (LGA) from the Code as it will not deliver an increased diversity of housing.
- Does not agree with the independent review of the Code undertaken by Professor Roberta Ryan, that there is strong community support for new multi-dwelling housing in low density R2 zones, particularly in the Woollahra LGA.

These points are discussed below.

1. Request for exemption

Council requests an exemption from the Code for the following reasons:

a. The Code is designed to deliver diverse housing to meet the needs of a growing and changing population, and the Government's commitment to promoting more 'missing middle' development, such as low-rise dual occupancies, manor houses and terraces through a strategically led planning system.

However, the Code is not required in the Woollahra LGA for these purposes as medium density housing already accounts for more than 30% of all dwellings in the LGA, compared with a Greater Sydney average of approximately only 20%. Additionally, the proportion of medium density housing in the LGA increased by more than 1% from 2011 to 2016.

Housing diversity is also available in the Woollahra LGA as high density housing which accounts for more than 48% of all dwellings in the LGA, compared with a Greater Sydney average of approximately only 23.5%.

Source: Australian Bureau of Statistics 2016, NSW Department of Planning, Industry and Environment 2019, and .id 2019 based on 2016 Census, https://profile.id.com.au/woollahra/dwellings. Refer to **Table 1** below.

Note: The .id 2019 definition of medium density dwelling is consistent with the Code, including townhouses, terraces, villa units and semi-detached dwellings, flats in 1 and 2 storey blocks and flats attached to houses.

Dwelling structure export a reset o 2016 2011 Change Woollahra Municipality - Dwellings (Enumerated) 2011 to 2016 \$ Dwelling type % ± Separate house 19.9 55.0 5.833 22.5 58.9 5.220 7,616 29.4 19.7 a Medium densit 8,069 30.7 +453 a High density 12,632 48.1 23.5 12,273 47.4 20.7 +359 0.0 Caravans, cabin, houseboal 0.2 0.2 Other 0.5 +109 201 0.8 92 0.4 0.4 0.4 54 0.2 0.1 +67 100.0 25,875 Source: Australian Bureau of Statistics, Census of Population and Ho using 2011 and 2016. Compiled and presented by .id , the population experts Please refer to specific data notes for more informati

Table 1: Dwelling structure in the Woollahra LGA

b. Council is working to complete a Housing Strategy and Local Character Statement in 2020. These planning studies will permit Council to determine the optimal type, quantity and location of additional housing, as opposed to the generalised approach offered by the Code.

The Housing Strategy will provide detailed and locally focussed options for potential additional housing in the Woollahra LGA and will include opportunities for further medium density housing which:

- align potential growth with existing and proposed local infrastructure and open space improvements,
- identify the right locations for growth, including areas that are suitable for significant change in the short to medium term, and
- coordinate the planning and delivery of local and State infrastructure.
- Council is concerned about the following consequences of allowing the Code to operate in the LGA:
 - The Code would undermine the precinct-based, fine grain local planning controls developed in consultation with the local community.
 - The Code and design Guide do not address the existing or desired future local character of the LGA, which were established in consultation with the local community.

- The Code does not allow for the assessment of amenity impacts on neighbouring land.
- The existing complying development framework has a significant number of shortfalls which will be amplified by the commencement of the Code.

2. Community support

Council does not agree with the independent review of the Code that there is strong community support for new multi-dwelling housing in low density R2 zones, particularly in the Woollahra LGA.

a. Section 2.4 of the independent review summarises the sources used to understand community views about the provision of medium density housing. These included a 2011 online survey of Sydney and Melbourne residents commissioned by the Grattan Institute (the Grattan Survey), a 2013 statistically representative phone survey of NSW residents by the University of Technology Sydney (the UTS survey), a 2016 online survey of residents Sydney and Melbourne by the Centre for Urban Transitions (the CUT survey), and a 2019 phone survey of Sydney residents by the Committee for Sydney (the CfS survey). The surveys asked respondents about preferred features and locations for low, medium and high density housing (the Grattan Institute, CUT, UTS and CfS surveys), and whether they wish to comment on development applications for different housing types (the UTS survey).

Although the independent review found that "there is strong support from communities for an increase in housing diversity", the survey results do not reflect this finding. In all surveys, less than half of all respondents indicated a personal housing preference for medium density housing, being as low as 16% of respondents in the CUT survey. Additionally, the UTS survey was the only survey to gauge community expectations for input into the approval process for development. It reported that 62% of respondents expected an input into development applications for medium density housing.

b. Council consistently receives strong community opposition to development applications for medium density housing, including dual occupancy development on small lots. As described earlier in this report, a recent example of this opposition was for two development applications for dual occupancy (attached) development on adjoining properties in Vaucluse. Council received 39 individual submission and a 324 signature petition, all of which opposed the applications.

1.3.2 Minimum lot size standards of 700sqm for manor houses and terraces

On 18 June 2018, Council resolved, in part, to undertake a review of the Woollahra LEP 2014 and Woollahra DCP 2015 in relation to the Code.

On 25 March 2019, as a consequence of the review, Council resolved, in part, to:

- A. Prepare a planning proposal to amend clause 4.1A of Woollahra LEP 2014 by inserting minimum lot size standards for manor houses and terraces of 700sqm.
- B. Prepare a draft development control plan to amend various sections of the Woollahra DCP 2015, to insert references to manor houses and terraces.
- C. Refer the planning proposal and draft DCP to the Woollahra Local Planning Panel (WLPP) for advice.

On 18 April 2019, the WLPP advised Council that it supported the planning proposal and draft DCP. On 13 May 2019, Council resolved, in part, to:

- C. Forward a planning proposal to the Department of Planning and Environment requesting a gateway determination to allow public exhibition. The objective of the planning proposal is to amend Woollahra LEP 2014 to add minimum lot size standards of 700sgm for manor houses and terraces.
- E. Publicly exhibit an associated draft development control plan to amend various sections of the Woollahra Development Control Plan 2015, to insert references to manor houses and terraces.

On 16 May 2019, the planning proposal was submitted to the DPIE requesting a gateway determination to allow public exhibition. The DPIE have explained that they are not willing to issue a gateway determination relating to two land use types (manor houses and terraces) which are not currently permitted with consent under Woollahra LEP 2014, and will not be permitted until the Code applies to the Woollahra LGA. Accordingly, the DPIE initially delayed issuing a gateway determination for the planning proposal pending the outcome of the independent review of the Code. As one of the outcomes of the review was to defer the commencement of the Code in the Woollahra LGA until 1 July 2020, the DPIE has further delayed issuing a gateway determination. However, the DPIE has advised Council staff that they will be monitoring the situation.

2 Background research

2.1 Similar planning proposals by other Councils

The independent review of the Code identifies that 17 planning proposals relating to the Code have been submitted to the DPIE from deferred councils, most commonly requesting to:

- Limit the permissibility of different types of multi dwelling housing in certain zones and/or locations, particularly dual occupancies and manor homes.
- Change development standards for some types of medium density housing, particularly minimum lot sizes, frontages, side and rear setbacks, parking, and building heights for dual occupancies and manor houses.
- Restrict the application of the Code to entire zones.

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

 Permanently exempt the Code from applying to existing residential zones whilst adopting some Code into LEP and DCP controls for these zones.

Table 2 summarises examples of these planning proposals and their progress status. It is noted that most examples were, or are being, finalised by the DPIE 12-16 months after their submission date.

Table 2: Current or recent planning proposals relating to the Code

Council / LEP	Control	Status	Request to DPIE / Gateway determination
Amendments to mi	nimum lot size		
Camden Camden LEP 2010	600sqm minimum lot size for dual occupancies (800sqm on corner lots) where they are permissible	Awaiting LEP finalisation	31 August 2018 18 October 2018
Cumberland Auburn LEP 2010 Holroyd LEP 2013	600sqm minimum lot size for dual occupancies in the R2 and R3 zone	Awaiting LEP finalisation	27 July 2018 6 September 2018
Georges River Hurstville LEP 2012 Kogarah LEP 2012	 650sqm minimum lot size for dual occupancies (increased from 630sqm) prohibit dual occupancies and multi dwelling housing in the R2 zone and certain land specified in the Kogarah LEP 2012 	Awaiting LEP finalisation	26 June 2018 31 July 2018
Kiama Kiama LEP 2011	 300sqm minimum lot size for dual occupancies and terraces in all the R2 zones except Jamberoo 400sqm minimum lot size for dual occupancies and terraces in the R2 zone in Jamberoo 200sqm minimum lots size for all types of low rise medium density housing in the R3 zone 	Awaiting LEP finalisation	6 July 2018 31 July 2018
Randwick Randwick LEP 2012	Adopt the minimum strata and Torrens Title subdivision lot size standards of the Codes SEPP for subdivision of dual occupancies	PP approved / LEP made - 17 August 2018	27 April 2018 10 May 2018
Sutherland Sutherland Shire LEP 2015	 600sqm minimum lot size for dual occupancies in R2 zone 1,200sqm minimum lot size for multi dwelling housing in R2 zone 	PP approved / LEP made - 1 February 2019	21 September 2017 6 December 2018
The Hills The Hills LEP 2012	900sqm minimum lot area for manor homes in the R3 zone	Awaiting LEP finalisation	24 October 2018 11 January 2019
Wingecarribee Wingecarribee LEP 2010	1,000sqm minimum lot size for dual occupancies in the R2 and R3 zones	Exhibition	9 April 2019 29 May 2019
Amendment to land	d use permissibility		'
Campbelltown	Prohibit multi dwelling housing in R2 zone	Awaiting LEP finalisation	22 August 2018

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

Council / LEP	Control	Status	Request to DPIE / Gateway determination
Campbelltown LEP 2015			15 October 2018
Canterbury- Bankstown Bankstown LEP 2015	Prohibit multi dwelling housing in R2 zone	Awaiting LEP finalisation	8 May 2018 31 July 2018
Lane Cove Lane Cove LEP 2009	Prohibit multi dwelling housing in R2 zone	PP approved / LEP made 14 June 2019	10 May 2018 6 July 2018
Northern Beaches Manly LEP 2013 Pittwater LEP 2014	 Prohibit dual occupancies and multi dwelling housing in the R2 zone under Manly LEP 2013 Prohibit dual occupancies in the R2 zone under Pittwater LEP 2014 	Pre-exhibition	27 June 2018 31 July 2018

A more detailed description of selected planning proposals is provided below.

2.1.1 Sutherland

On 1 February 2019, the *Sutherland Shire Local Environmental Plan 2015 (Amendment No 14)* introduced the following minimum lot size standards in Sutherland Shire:

- a minimum lot size of 600sqm for the construction of a dual occupancy in the R2 Low Density zone
- a minimum lot size of 1,200sqm for the construction of multi-dwelling housing in the R2 zone.

Sutherland Council noted that the 600sqm minimum lot size requirement had existed previously in Sutherland Local Environmental Plan 2006. The standard was removed in the Sutherland LEP 2015 to encourage additional housing diversity. However, a significant rise (almost a doubling) in dual occupancy DAs was observed on lots considered to be "small" (below 500sqm) following the removal of this standard. This increase in development impacted on residential amenity and local character of low density residential areas in terms of landscaping, privacy and building bulk.

Sutherland Council justified the amendment to minimum lot sizes by reasoning that it would:

- Achieve the objectives of the R2 zone by providing for housing needs in a low density residential environment.
- Improve built form outcomes by providing greater flexibility in design options.
- Lessen the residential amenity impact on neighbouring land.

The DPIE supported the planning proposal finding that it:

- Did not remove the ability to construct dual occupancies or multi dwelling housing.
- Did not alter the permissibility of any development type in the R2 zone.
- On balance would not impede Council's ability to provide housing supply and diversity (despite some implications for supply).
- Will facilitate improved built form outcomes.
- Will lessen the impact of these types of developments on adjacent lots.

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

2.1.2 Camden

On 31 August 2018, Camden Council submitted a planning proposal seeking to amend the *Camden Local Environmental Plan 2010* (Camden LEP 2010) by inserting the following new minimum lot size controls:

- · dual occupancies:
 - 600sqm minimum lot size control and 800sqm for corner lots
 - 18m minimum street frontage control where dwellings are directly adjacent to each other or 22m where dwellings are directly behind one another
- multi-dwelling housing:
 - 1,500sqm minimum lot size control
 - 25m minimum lot frontage control

The DPIE issued a gateway determination on 18 October 2018.

Camden Council noted that the 600sqm and 800sqm minimum lot size requirement for dual occupancies currently exist in the *Camden Development Control Plan 2011*. Translating this control to a standard in the Camden LEP 2010 would introduce stronger planning controls and consistency to dual occupancy applications lodged as DAs and as complying development. The 1,500sqm standard for multi dwelling housing is based on a comparison of standards from other Sydney Councils including Blacktown, Canterbury-Bankstown and Liverpool and some areas controls by the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

Council justified the amendment by including reasoning that it would:

- Introduce appropriate controls to effectively manage low-rise medium-density development when the Code comes into effect.
- Enable sustainable residential growth that is compatible with the character of the established and transitioning areas
- Ensure that sufficient space is provided to accommodate setbacks, private open space, ancillary buildings and driveway access while maintaining the amenity and character of established neighbourhoods.
- Satisfy the objectives of the Camden LEP 2010 to ensure Camden retains its valued character and scenic qualities.

The DPIE considered that the planning proposal was suitable to proceed to exhibition as it had the potential to:

- Provide certainty for the delivery of good urban design outcomes for dual occupancies and multi-dwelling housing.
- Provide a consistent approach to applying a minimum lot size and lot frontage for dual occupancies and multi-dwelling housing.
- Complement the provisions and best-practice principles of the Code.

2.1.3 Lane Cove

On 14 June 2019, the *Lane Cove Local Environmental Plan 2009* was amended to remove "multi dwelling housing" as a permissible use in the R2 Zone, so that manor houses and all multi dwelling housing types would not be permissible in the zone. However, dual occupancies are still permitted with development consent in the zone. The amendment was requested primarily in response to the anticipated introduction of the Code. The amendments to Lane Cove LEP 2009 brings it into line with the permissibility that currently exists in the R2 zone of Woollahra LEP 2014, in which "multi dwelling housing" is not permitted but dual occupancies are permitted.

The DPIE considered that the planning proposal was suitable to proceed to exhibition as:

- The previous LEP planning controls limited the scale of multi-dwelling housing development to a single storey with the intent to maintain the low-density character of the zone.
- The Code was not consistent with Council's intent for single storey villas in the R2 zone.
- Only one DA had been received for multi dwelling housing in the R2 Zone since 2010, therefore the proposal was likely to have a minor impact.

2.1.4 DPIE requirements for justifying planning proposals relating to the Code

In considering the justification of these planning proposals, the DPIE has generally requested the following supporting information from councils:

- The number of dual occupancy and multi-dwelling housing developments approved in the R2 and R3 zones in the LGA in the last 5 years.
- The total area of land (number of lots) currently zoned R2 and R3 Medium Density Residential (R3 zone) in the LGAs.
- The number of lots that would be eligible for low rise medium density housing development (i.e. dual occupancies, manor homes and multi dwelling housing) in the R2 and R3 zones under the Code, taking into account the SEPP exclusions, such as foreshore areas and sites below the minimum lot size.
- Whether the proposal is supported by a local housing strategy that has been developed in consultation with the community.

An analysis of dual occupancy development in the Woollahra LGA is provided below.

2.2 Analysis of dual occupancy development in the Woollahra LGA

An investigation of dual occupancy approvals in the Woollahra LGA, and the potential for dual occupancy approvals under the Code, is provided below.

2.2.1 Number of approved DAs for dual occupancy development

Table 3 shows the number of approved DAs for dual occupancies in the R2 zone in the past 5 years (2014-2019). In summary:

- 17 dual occupancy (attached) DAs were approved during this period,
- 12 (71%) of the 17 approvals were on lots smaller than 800sqm,
- 5 (29%) of the 17 approvals were on lots 800sqm or larger.
- Only 1 dual occupancy (detached) DA was approved in this period.

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

Table 3: Approved dual occupancies in the past 5 years (2014-2019)

DAs	Attached	Detached	% attached
<800sqm	12	0	71%
≥ 800sqm	5	1	29%
Total	17	1	100%

Note: 3 DAs for alterations and additions to dual occupancies were approved in the past 5 years (2014-2019).

2.2.2 Permissibility of dual occupancy development in the Woollahra LGA

Dual occupancies are currently permitted in the R2 and R3 zones under the Woollahra LEP 2014. The Code only permits complying development uses where the same use is already permitted by the LEP. Accordingly, the Code will permit complying development of dual occupancies in the R2 and R3 zones in the Woollahra LGA.

The Code also excludes complying development on certain land, including:

- Land that comprises, or on which there is a heritage item (state or local), a draft heritage item or land subject to an interim heritage order.
- Land in a heritage conservation area or a draft heritage conservation area.
- Land that is reserved for a public purpose.
- Land identified on the Acid Sulfate Soils Map as being Class 1 or Class 2.
- Land in the foreshore area (which is land between a foreshore building line and the mean high water mark).

Additionally, complying development under the Code is linked to certain standards in the Woollahra LEP 2014, including minimum lot size and gross floor area (GFA). Therefore, the minimum lot size and GFA specified for complying development under the Code will be the same as the standards of the LEP.

2.2.3 Lots where dual occupancy development is permitted

Table 4 shows the number of all R2 zoned lots in LGA, and those that are not exempted from complying development under the Code (Code lots), sorted by lot size. The table illustrates that:

All R2 lots

- 42% (26% + 16%) of all R2 lots are 460sqm or larger, permitting dual occupancy (attached) development as a DA. This would be reduced to 16% of lots if a minimum lot size control of 800sqm was introduced for dual occupancy (attached) development in the Woollahra LEP 2014.
- 38% (24% + 14%) of all R2 lots are Code lots that are 460sqm or larger, and will
 permit dual occupancy (attached) development as complying development. This
 would be reduced to 14% of Code lots if a minimum lot size control of 800sqm was
 introduced.

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

Code lots

- 46% of all R2 lots are subject to the Code. It should be noted that this number will be further reduced once other site specific standards and restrictions are considered (such as battle-axe lots and minimum lot widths).
- 82% (52% + 30%) of R2 Code lots would permit dual occupancy (attached) development as complying development. This would be reduced to 30% of Code lots if a minimum lot size control of 800sqm was introduced.

Table 4: Count of all R2 lots and lots to which the Code applies

R2 zone lots and minimum size of lot	All R2 lots	All R2 lots %	R2 Code lots	R2 Code lots as % of all lots	R2 Code lots %
<460sqm	5,409	58	767	8	18
≥ 460sqm - <800sqm	2,444	26	2,241	24	52
≥ 800sqm	1,428	16	1,272	14	30
Total R2 lots	9,281	100	4,280	46	100

2.2.4 Summary of analysis of dual occupancies in the Woollahra LGA

The tables show that the number of dual occupancy developments in the Woollahra LGA is low and an amendment to the minimum lot size controls for approval is unlikely to have a significant impact on development. A summary of the analysis reveals that:

- The number of dual occupancy DA approvals in the LGA in the past 5 years (2014-2019) is low at 17. Only 3 DAs for alterations and additions to dual occupancies were approved in the past 5 years (2014-2019).
- The number of all R2 lots on which dual occupancies are currently permitted as DAs is almost the same as the number of lots on which dual occupancies will be permitted under the Code, that is:
 - 42% compared to 38% on lots which are 460sqm or larger
 - 16% compared to 14% on lots which are 800sqm or larger

2.2.5 Development scale of dual occupancies

The development scale achievable on a site can be expressed as a maximum GFA. There are different methods for calculating GFA for dual occupancy development in the WLEP 2014, Woollahra DCP 2015 and the Code.

GFA controls can be expressed as a formula, a specific number (sqm) or, as in most LEPs, as a ratio between GFA and lot size, known as a floor space ratio (FSR). For example, an FSR of 0.5:1 on an 800sqm lot would permit a GFA of 400sqm.

Currently, the GFA for DAs in the Woollahra LGA is determined by floorplate controls set out in the Woollahra DCP 2015. However, on 30 July 2019 staff submitted a planning proposal seeking a floor space ratio (FSR) control of 0.5:1 to apply to low density residential development (which includes dual occupancies) to the DPIE. The planning proposal seeks to amend the Woollahra LEP 2014, and the new FSR control would replace the floorplate

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

controls in the Woollahra DCP 2015. However, the DPIE has requested further information before it will provide a Gateway Determination. An update on the planning proposal was reported to the EPC on 28 October 2019.

The Code provides its own standards for the permissible GFA of dual occupancies. This is based on the formulae below:

- Dual occupancy (attached) (side by side)
 GFA = 25% of lot area + 300sqm to a maximum of 800sqm
- Dual occupancy (attached) (above and below)
 GFA = 25% of lot area + 150sgm to a maximum of 400sgm
- Dual occupancy (detached)
 GFA = 25% of lot area + 300sqm to a maximum of 800sqm

Table 5 compares the development scale of dual occupancy development for complying development under the Code with that for DAs under the DCP floorplate controls and the proposed LEP FSR controls. For additional comparison, the GFA was calculated for the largest minimum lot size permitted for each type of land use listed below and for an 800sqm lot size:

- Dual occupancy (attached) (side by side) 460sqm
- Dual occupancy (attached) (above and below) 460sqm
- Dual occupancy (detached) 930sqm

The table illustrates that the development scale of dual occupancy development under the Code is greater in almost all cases than that permitted under the existing DCP floorplate controls and proposed LEP FSR standard. This suggests that complying development under the Code will become more attractive to developers than DAs for dual occupancies, assuming developers will seek to maximise the GFA and financial returns on their developments. If this outcome is realised, the larger GFA complying development dual occupancies will undermine the existing and desired future character, residential amenity and landscaped environment of the R2 zone.

Table 5: Maximum GFA for dual occupancy development in the R2 zone (greatest GFA per type shown in bold)

Dual occupancy type	Lot size ¹	Code	WDCP 2015 (floorplate) ²	WLEP 2014 (0.5:1 FSR) ³
Dual occupancy (attached)	460sqm	415sqm	253sqm	230sqm
(side by side)	800sqm	500sqm	440sqm	400sqm
Dual occupancy (attached)	460sqm	265sqm	253sqm	230sqm
(above and below)	800sqm	350sqm	440sqm	400sqm
Dual occupancy (detached)	930sqm	532.5sqm	511.5sqm	465sqm

Notes:

- The minimum lot sizes permissible for complying development under the Code is the same as that permissible for development consent under Woollahra LEP 2014.
- The Woollahra DCP 2015 floorplate controls exclude outbuildings such a decks, sheds, garages and detached studios. The floorplate controls translate to the equivalent of an FSR of approximately 0.55:1.
- The GFA calculations for dual occupancies in the WLEP 2014 column is based on an FSR of 0.5:1, which is the subject of current planning proposal request to DPIE.

2.2.6 Impacts of the planning proposal on the R2 zone

The analyses above show that increasing the minimum lot size for dual occupancy (attached) development will have a minor significance. However, the development scale impact of retaining the existing minimum lot sizes could be significant in terms of larger complying development dual occupancies undermining the existing and desired future character, residential amenity and landscaped environment of the R2 zone. Therefore on balance, increasing the minimum lot size will result in an overall positive impact on the R2 zone.

2.3 Comparison with other Councils' LEPs

Table 6 summarises a review of existing LEPs for various Sydney councils. The 14 LEPs vary in their minimum lot size standard for dual occupancies from 450sqm to 2 hectares in various zones and specific identified areas. Dual occupancies in the R2 zones vary from 450sqm to 1,000sqm.

The largest controls generally relate to the semi-rural areas such as the RU2 Rural Landscape and RU4 Primary Production Small Lots zones, or special areas defined by the LEPs, such as "Area G" and "Area K" in the Hurstville LEP 2012. However, generally the minimum lot size of dual occupancy (attached) development sits around the 600 to 700sqm range, including in LGAs with landscaped, large lot character similar to parts of the Woollahra LGA such as Bellevue Hill, Rose Bay and Vaucluse. The notable exception is the Pittwater LEP 2014 at 800sqm. Woollahra Council believes an increase in the minimum lot size for dual occupancy (attached) development is appropriate, based on achieving parity with other LGAs with a similar built form and landscape character, such as the former Pittwater LGA.

Table 6: Review of LEPs with minimum lot sizes for dual occupancies (sorted from largest lot size to smallest)

LEP	Zone / Area / Condition Minimum lot		or dual occupancies
		Attached	Detached
Fairfield LEP 2013	As mapped (Permitted in RU2, RU4, R2 and R4 zones)	600sqm, 900sqm or 2 ha	600sqm, 900sqm or 2 ha
Kogarah LEP 2012	As mapped (Permitted in R2 and R3 zones)	650sqm or 1,000sqm	650sqm or 1,000sqm Dual occupancies (detached) must have 2 road frontages
Hurstville LEP 2012	R2 and R3 zone: Mapped Area G R2 zone: Mapped Area K	• 630sqm • 1,000sqm	• 630sqm • 1,000sqm
Woollahra LEP 2014	R2 zone R3 zone	• 460sqm • 460sqm	• 930sqm • 460sqm
Pittwater LEP 2014	RU2, R2 and R3 zones	800sqm	800sqm
Hunters Hill LEP 2012	R2 and R3 zones	700sqm	900sqm
Willoughby LEP 2012	R2 and E4 zones	700sqm	900sqm
The Hills LEP 2012	R2 and R3 zones	600sqm	700sqm
	R4 zone	R4 zone 1,800sqm	
Canterbury LEP 2012	R2, R3 and R4 zones	R2, R3 and R4 zones 600sqm	
Bankstown LEP 2015	R2 zone	500sqm - 15m lot	
Blacktown LEP 2015	R2 zone	500sqm	600sqm
Burwood LEP 2012	R1, R2 and R3 zones	500sqm	600sqm
Ryde LEP 2014	R2 zone	580sqm	Not permitted
Randwick LEP 2012	R2 zone	450sqm	No control
North Sydney LEP 2013	R2, R3, R4 and IN2 zones	450sqm	450sqm
Hornsby LEP	No clause	N/A	N/A
Ku-ring-gai LEP 2015	No clause N/A N		N/A
Lane Cove LEP 2009	No clause	N/A	N/A
Manly LEP 2013	No clause	N/A N/A	
Mosman LEP 2012	No clause	N/A	N/A
Warringah LEP 2011	No clause	N/A	N/A

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

3 Existing relevant planning controls

The existing relevant planning standards to the planning proposal contained in Clause 4.1A of the Woollahra LEP 2014, shown below.

4.1A Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

- (1) The objective of this clause is to achieve planned residential density in certain zones consistent with the desired future character of the neighbourhood.
- (2) Development consent may be granted to development on a lot in a zone shown in Column 2 of the table to this clause for a purpose shown in Column 1 of the table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the table.

Column 1	Column 2	Column 3
Dual occupancy (attached)	Zone R2 Low Density Residential	460 square metres
Dual occupancy (detached)	Zone R2 Low Density Residential	930 square metres
Dual occupancy (attached)	Zone R3 Medium Density Residential	460 square metres
Dual occupancy (detached)	Zone R3 Medium Density Residential	460 square metres
Multi dwelling housing	Zone R3 Medium Density Residential	700 square metres
Residential flat building	Zone R3 Medium Density Residential	700 square metres

4 Objectives of planning proposal

The objective of the planning proposal is to minimise the potential impact of dual occupancy (attached) development on the natural environment, residential amenity and the desired future character of the R2 zone. The desired future character of the R2 zone is to maintain and complement the existing local character of low scale residential uses which respond to the topography, protect views and reinforce the landscaped setting. The desired future character was established in consultation with the local community.

5 Explanation of provisions

The objective of the planning proposal can be achieved by an amendment to clause 4.1A of the Woollahra LEP 2014. Clause 4.1A deals with minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings.

Under clause 4.1A development consent for these three land uses can only be granted if the lot on which they are erected has a nominated minimum lot size. In the case of a dual occupancy (attached) in the R2 zone, the minimum lot size is currently 460 sqm. The proposed amendment will replace 460sqm with 800sqm.

The recommended amendments are shown as inserted text coloured in blue and underlined: inserted text and deleted text show in red strikethrough: deleted text.

Column 1	Column 2	Column 3
Dual occupancy (attached)	Zone R2 Low Density Residential	800 460 square metres
Dual occupancy (detached)	Zone R2 Low Density Residential	930 square metres
Dual occupancy (attached)	Zone R3 Medium Density Residential	460 square metres
Dual occupancy (detached)	Zone R3 Medium Density Residential	460 square metres
Multi dwelling housing	Zone R3 Medium Density Residential	700 square metres
Residential flat building	Zone R3 Medium Density Residential	700 square metres

6 Justification

The planning proposal has strategic merit and the key reasons to amend Woollahra LEP 2014 are discussed below in part 6.1 to 6.3.

6.1 Need for planning proposal

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

No. Council is currently developing a housing strategy for the Woollahra LGA as part of the LEP review process. When the housing strategy is endorsed by Council, it will provided to the DPIE for review.

The planning proposal is the result of Council's goal to minimise the potential impact of dual occupancy (attached) development on the residential amenity and desired future character of the R2 zone of the Woollahra LGA. An explanation of how the planning proposal will achieve this goal while maintaining the opportunities to develop appropriate housing in the R2 zone is described below.

a. Residential amenity and desired future character

Dual occupancy (attached) development on lots smaller than 800sqm in size in the R2 zone, may result in an adverse impact on the residential amenity and the existing and desired future character of the R2 zone. The desired future character of the R2 zone is to maintain and complement the existing local character of low scale residential uses which respond to the topography, protect views and reinforce the landscaped setting. The desired future character was established in consultation with the local community.

The planning proposal seeks to reduce these potential impacts by ensuring larger lot sizes for the construction of dual occupancies (attached) in the R2 zone. The larger lot sizes will allow for greater flexibility in the design and siting of dwellings on a site, encourage larger building setbacks to which can mitigate privacy and noise impacts and ensure larger areas of deep soil landscaping than those on smaller sites. The larger landscaped areas will have greater capacity to accommodate large mature trees and other large plants which will:

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

- support biodiversity
- maintain and enhance landscaping and the urban tree canopy
- · maintain the residential amenity of the R2 zone.

However, the amenity and desired future character impacts of DAs for dual occupancies (attached) will still be determined on a case by case basis.

Methodology to identify appropriate lot sizes to achieve the desired future character with regard to mature trees

As identified above, the desired future character of the R2 zone is to maintain and complement the existing local character of low scale residential uses which respond to the topography, protect views and reinforce landscape setting. Of particular importance is the capacity of a lot to facilitate landscaped areas which can sustain mature trees.

In order to identify an appropriate lot size for dual occupancies (attached) an analysis was carried out for conceptual built forms on a variety of lot sizes in the LGA. This conceptual built form analysis allowed the calculation of the:

- maximum potential number of mature trees
- maximum achievable number of mature trees

The analysis was based on the following three documents:

Woollahra DCP 2015:

The current setback and buildable area controls are set out in the Woollahra DCP 2015.

Chapter B3 – General Development Controls In addition, the Woollahra DCP 2015 requires a minimum deep soil landscape area of 50% of non-buildable area. The minimum deep soil landscaped area determines the space for the potential trees that can be planted and sustained on a lot.

However, there are no controls that identify how many trees could or should be planted on a lot.

Low Rise Medium Density Design Guide for Development Applications (2018) (DA Guide) The DA Guide is a DPIE document which provides consistent planning and design standards for low rise medium density housing across NSW. This document is relevant because it contains elements that are relevant to dual occupancies (attached).

In the absence of controls in the Woollahra DCP 2015 relating to the number and size of trees, this guide was used to inform the planning proposal in order to compare the minimum soil area required for different tree sizes.

Parts

- 2.1 Design Criteria
- Dual Occupancy
- 3C Landscaped

Area

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

The minimum soil size guide for large, medium and small trees for dual occupancies is shown below:

Tree Size	Height	Spread	Min. soil area
Large	>12m	>8m	10 x 10m or equivalent
Medium	8-12m	4-8m	6 x 6m or equivalent
Small	5-8m	<4m	3.5 x 3.5m or equivalent

Australian Standard AS 4970-2009 -Protection of trees on development sites (AS 4970) The standard provides guidance on the principles for protecting trees on land subject to development. This document is relevant because it identifies the minimum dimension required to support and sustain a mature tree.

Section 3.2

The standard defines the Structure Root Zone (SRZ) as the area required for the stability of a viable mature tree. The minimum recommended diameter of the SRZ is 3 metres.

ii. Built form analysis of dual occupancies (attached) on different size lots

Having applied the above control set, the:

- maximum potential number of mature trees was determined by dividing the minimum deep soil landscaped area of a lot under the Woollahra DCP 2015 controls, by the minimum soil area size required for each tree under the DA Guide.
 The 3m diameter recommended for the SRZ was not considered.
- maximum achievable number of mature trees was determined by considering the 3m diameter recommended for the SRZ.

Table 7 below compares the maximum potential and maximum achievable mature trees that can be planted on various lot sizes. This conceptual analysis uses lot sizes and dimensions of existing sites in the R2 zone.

Table 7: Maximum potential and achievable mature tree planting for various lot sizes

Lot size	Mature tree number	Indicative achievable trees
1. 460-500sqm		
470sqm site		uniters.
Max. achievable trees	1 large	
Max. potential trees	1 large 1 medium	
2. 500-600sqm		
553sqm site		
Max. achievable trees	1 large	
Max. potential trees	1 large 1 medium 1 small	
3. 600-700sqm		
685sqm site		
Max. achievable trees	1 large	
Max. potential trees	2 large	
4. 700-800sqm		
727sqm site		
Max. achievable trees	2 large	
Max. potential trees	2 large 1 small	
5. >800sqm		The state of the s
905sqm site		
Max. achievable trees	2 large 2 medium	
Max. potential trees	2 large 2 medium	

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

iii. Outcomes

The built form analysis above illustrates that on lots smaller than 800sqm, the maximum achievable number of mature trees is reduced from the maximum potential number due to the insufficient deep soil area dimensions required by the SRZ.

For example, in the third example from the Figure 1 (the 685sqm site), a maximum potential of 2 large trees could be provided on the lot, but the maximum achievable number of mature trees is reduced to only 1 large tree.

Therefore, development of dual occupancies (attached) on lots smaller than 800sqm will impact on the lot's ability to achieve an important attribute of the desired future character of the R2 zone, and the ability to maintain and enhance a mature tree canopy. Furthermore, the smaller lot sizes have reduced side setbacks (less than 3m), resulting in less space to plant screening trees which could reduce potential amenity impacts on privacy and noise.

A minimum lot size of 800sqm for dual occupancies (attached) is an appropriate size to achieve the objectives of the planning proposal as it increases a lot's ability to accommodate and sustain mature trees. Furthermore, a minimum lot size of 800sqm will minimise the potential impact of dual occupancy (attached) development on the natural environment, residential amenity and is consistent with the desired future character of the R2 zone.

b. Impact of the Code on the number and scale of dual occupancies (attached)

The adverse residential amenity and desired future character impacts of dual occupancy (attached) development will be exacerbated by the commencement of the Code in the Woollahra LGA. Under the Code dual occupancies (attached) will be permitted as complying development which is:

- issued in 20 days
- · not subject to public exhibition, and
- generally allows a maximum gross floor area greater than that achievable as development consent under a DA.

In addition, the maximum gross floor area achievable for dual occupancies (attached) as complying development is generally greater than that achievable as development consent under a DA, for example on dual occupancies (attached) (side by side):

- On lots of 460sqm, the maximum achievable GFA for complying development is 415sqm compared with 253sqm for DAs
- On lots of 800sqm, the maximum achievable GFA for complying development is 500sqm compared with 440sqm for DAs

Refer to Table 5 of this report for greater detail.

Under these conditions it is likely that complying development under the Code will become more attractive to developers than DAs. This assumes that developers will seek to reduce the time period and risk for approval and maximise the GFA and financial returns of their developments. Therefore, it is likely that these conditions will result in complying development for dual occupancies (attached) having a greater impact in terms of numbers and development size (GFA) on residential amenity and desired future character than development approved as a DA.

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

The minimum lot size for dual occupancy (attached) development under the Code is the same as that specified under the environmental planning instrument (EPI) that applies to the land. In the Woollahra LGA, this EPI is the Woollahra LEP 2014. As the minimum lot size for dual occupancies (attached) under the Code in the LGA will be the same as that specified under the Woollahra LEP 2015, the planning proposal will have the effect of minimising the amenity impact of complying development by requiring dual occupancies (attached) on lots 800sqm or larger, in line with development approved under a DA.

c. Minor impact of the planning proposal on overall housing development

The planning proposal is of minor significance in terms of the overall achievable development of housing in the LGA, for the following reasons:

- Historically, the number of DAs approved for dual occupancies (attached) in the LGA is low and an amendment to the minimum lot size controls for approval is unlikely to have a significant impact on this trend. The number of DAs approved for dual occupancies (attached) for the past 5 years (2014-2019) on lots smaller than 800sqm was very low at 12 (24 dwellings) or just over 2 (4 dwellings) per year. During the same period, the number DAs approved for dual occupancies (attached) on lots 800sqm or greater was also very low at 5 (10 dwellings) or just over 1 (2 dwellings) per year. Refer to section 2.2.1 of this report for greater detail.
- The planning proposal will only have a minor impact on potential to develop dual occupancies (attached) as complying development in the LGA, compared to development permitted under a DA. The number of R2 lots on which dual occupancies will be permitted under the Code is almost the same as the R2 lots on which dual occupancies are currently permitted under a DA. As a percentage of all R2 lots in the LGA (100%) the lots on which dual occupancies (attached) will be permitted are:
 - 42% as DAs compared with 38% under the Code (lots 460sqm or larger)
 - 16% as DAs compared with 14% under the Code (lots 800sqm or larger)

Refer to section 2.2.3 for greater detail.

- The planning proposal will not reduce the permissible residential density of land. The potential number of dwellings in the R2 zone will not be reduced, as secondary dwellings are a permissible use in the zone and are not subject to a minimum lot size control. In this regard, a minimum of two dwellings will remain permissible on all lots in the R2 zone, whether they be dual occupancies or a combination of a principal dwelling and secondary dwelling.
- As a result of these considerations, the planning proposal is unlikely to impact on Council achieving the State government's five year housing target of 300 dwellings by 2021 identified in the Eastern City District Plan. Refer to Table 8 for greater detail.

d. Other considerations

- The planning proposal maintains the permissibility of variety and choice of housing types, particularly dual occupancy (attached) development, to cater for existing and future housing needs.
- The planning proposal will not impact on the efficient use of existing infrastructure and services in the LGA and ensures that new housing has appropriate access to infrastructure and services.
- The planning proposal is comparable in scope to recent planning proposals by other Councils. A similar planning proposal resulted in the amendment of the Sutherland Shire Local Environmental Plan 2015 on 1 February 2019. Several other planning proposals are currently awaiting finalisation or a gateway determination. Refer to section 2.1 of this report for greater detail.

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

Yes. The objective of the planning proposal is to minimise the potential impact of dual occupancy (attached) development on the natural environment, residential amenity and the desired future character of the R2 zone.

Increasing the minimum lot sizes for dual occupancies (attached) in the Woollahra LEP 2014 is the best means of achieving this objective, as larger lot sizes will generally allow for greater flexibility in design options, resulting in less intrusive residential development in terms of larger setbacks from neighbouring properties, greater area for landscaping and additional area for ancillary elements such as outbuildings. Requiring a larger lot size is considered to be a better, more practical and flexible method to manage the impacts of development than prescriptive DCP design controls

6.2 Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, subregional strategy or district plan or strategy (including exhibited draft plans or strategies)?

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

Greater Sydney Region Plan: A Metropolis of Three Cities

The Sydney Region Plan is the Greater Sydney Commission's 40-year vision for Greater Sydney. It is the regional strategic plan that is intended to guide growth and change to meet the needs of Sydney's growing population. The planning proposal is consistent with the objectives of the Sydney Region Plan. The actions and planning principles set out in the District Plans seek to ensure that all councils implement 'A Metropolis of Three Cities'. The Woollahra LGA is located in the Eastern City District.

Eastern City District Plan

The planning proposal is generally consistent with the planning priorities and corresponding actions of the District Plan.

Table 8 considers the Sydney Region Plan's directions and objectives and the District Plan's priorities and actions that are relevant to the planning proposal.

Table 8: Consideration of Greater Sydney Region Plan: A Metropolis of Three Cities and Eastern City District Plan

Greater Sydney Region Plan	Eastern City District Plan	Comment on consistency
Directions and objectives	Priority and action	
Direction - Housing the city	Liveability - Planning Priority E5	The proposal is generally consistent with the objectives for this priority.
Giving people housing choices	Providing housing supply, choice and affordability, with access to jobs, services and public transport	The planning proposal is unlikely to impact on Council achieving the five year housing target of 300 dwellings by 2021, and / or one of the longer term housing
Objective 10: Greater housing supply Objective 11:	Action 16: Prepare local or district housing strategies that address the following:	The number of dual occupancy (attached) development consents for the past 5
Housing is more diverse and affordable	the delivery of five-year housing supply targets for each local government area	years (2014-2019) on lots smaller than 800sqm was very low at 12 or just over 2 per year. Refer to analysis of dual occupancies in the Woollahra LGA in section 2.2 of this report.
	the delivery of 6-10 year (when agreed) housing supply targets for each local government area	The planning proposal seeks to ensure the ongoing housing supply is provided in a range of housing types in the appropriate locations. The minimum lot
	capacity to contribute to the longer term 20-year strategic housing target for the District	size seeks to ensure that dual occupancies (attached) do not adversely impact on the residential amenity, liveability or local character of the R2
	4. the housing strategy requirements outlined in Objective 10 of A Metropolis of Three Cities that include:	zone, while supporting Greater Sydney's growing population. While the introduction of a minimum lot size may require some sites to be amalgamated for development consent of dual occupancies (attached), it does not
	 i. creating capacity for more housing in the right locations 	remove the ability or permissibility of any form of development.
Direction - A city of great places	Liveability - Planning Priority E6	The proposal is generally consistent with the objectives and actions for this priority.

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Greater Sydney Region Plan	Eastern City District Plan	Comment on consistency
Directions and objectives	Priority and action	
Designing places for people	Creating and renewing great places and local centres, and respecting the District's heritage	The plans acknowledge that Sydney's neighbourhoods each have a unique combination of people, built form and natural features places with
Objective 12: Great places that bring people together	Action 18: Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by: a. prioritising a people-friendly public realm and open spaces as a central organising design principle b. recognising and balancing the dual function of streets as places for people and movement e. recognising and celebrating the character of a place and its people	distinctive identifies and functions. The residents of the Woollahra LGA value the existing local character of the R2 zone which consists of low scale residential uses which responds to the topography, protects views and reinforces a landscaped setting. The planning proposal seeks to build on these values by aligning the objectives and action of the plans by permitting dual occupancies (attached) that will be well designed to maintain the existing and created the desired future character the desired by the residents.
Direction - A city in its landscape	Sustainability - Planning Priority E15	The proposal is generally consistent with the objectives and actions for this priority.
Valuing green spaces and landscape	Protecting and enhancing bushland and biodiversity	The Sydney Region Plan notes that Greater Sydney is one of the world's most attractive and liveable regions with
Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	Action 62: Protect and enhance biodiversity by: a. supporting landscapescale biodiversity conservation and the restoration of bushland corridors b. managing urban bushland and remnant vegetation as green infrastructure c. managing urban development and urban bushland to reduce edge-effect impacts	diverse, beautiful and iconic natural landscapes. The Woollahra landscape is iconic in that it is one recognised locally, nationally and internationally as part of the backdrop for significant cultural events such as the New Year's Eve fireworks, the Sydney to Hobart yacht race and countless images of Sydney Harbour used to promote tourism. The character of the R2 zone is generally one of a mixture of large dwelling immersed in a landscaped setting. Apart from public open spaces, the majority of landscaped areas, mature trees, remnant vegetation and bushland

Greater Sydney Region Plan	Eastern City District Plan	Comment on consistency
Directions and objectives	Priority and action	
Direction - A city in its landscape	Sustainability - Planning Priority E16	edges are contained in the landscaped areas of large lots in the R2 zone. This vegetation is often found in front and
Valuing green spaces and landscape	Protecting and enhancing scenic and cultural landscapes	back yards, on rocky outcrops and along the Sydney Harbour foreshore.
Objective 28: Scenic and cultural landscapes are protected	Action 63: Identify and protect scenic and cultural landscapes. Action 64: Enhance and protect views of scenic and	The planning proposal recognises this and seeks to build on characteristic by requiring larger lot sizes for the construction of dual occupancies (attached) in the R2 zone. The larger lot sizes will allow for greater flexibility in the
	cultural landscapes from the public realm.	design and siting of dwellings on a site. This flexibility will allow for greater areas of deep soil landscaping on sites where
Direction - A city in its landscape	Sustainability - Planning Priority E17	large canopy trees and other large plants can be accommodated. This will allow
Valuing green spaces and landscape	Increasing urban tree canopy cover and delivering Green Grid connections	development which will align with the objectives and priorities of both plans in terms of:
Objective 30: Urban tree canopy cover is increased	Action 65: Expand urban tree canopy in the public realm.	 Supporting biodiversity conservation. Reducing edge-effect impacts. Protecting the cultural and scenic landscapes of the LGA, including views from Sydney Harbour. Maintaining and enhancing the urban tree canopy.

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

Yes. The planning proposal is broadly consistent with Council's local strategies and strategic plans.

Woollahra - 2030: Our community, our place, our plan

The planning proposal is broadly consistent with Council's Community Strategic Plan *Woollahra – 2030: Our community, our place, our plan* (Woollahra CSP). The Woollahra CSP identifies the strategic direction and integrated planning framework for the Woollahra Municipality. The community vision is that:

Woollahra will continue be a great place to live, work and visit where places and spaces are safe, clean and well-maintained.

Our community will offer a unique mix of urban villages with a good range of shops, services and facilities.

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

We will make the most of the natural beauty, leafy streetscapes, open spaces, views and proximity to the water and the city.

We will be a harmonious, engaged and connected community that looks out for each other. (page 6)

Council has been committed to maintaining local character and residential amenity through appropriate urban planning controls. This commitment is measured in Council's annual community surveys and under the categories of:

- The community is more satisfied with the way we regulate the design and quality of new development.
- The community is more satisfied with the way we assess and determine applications for development.

Notably, the planning proposal meets the following strategy goals in the 'Quality places and spaces' theme of the strategy:

- · Goal 4: Well-planned neighbourhood
- 4.1 Encourage and ensure high quality planning and urban design outcomes

The planning proposal will provide the potential to enable a high quality, well designed, urban design outcome which maintains and enhances the existing and desired future character of the R2 zone.

4.4 Encourage diversity in housing choice to suit a changing population

The planning proposal will not affect the permissibility of any housing type in the R2 zone.

- Goal 5: Liveable places
- 5.4 Protect trees, streetscapes and landscapes

The planning proposal will provide the potential to enable protect trees on private land, streetscapes and landscapes in the R2 zone.

5.5 Enhance the physical environment of our local suburbs, neighbourhoods and town centres

The planning proposal will provide the potential to maintain and enhance the physical environment of the R2 zone by requiring development to preserve the existing local character of low scale residential uses which responds to the topography, protects views and reinforces a landscaped setting.

Draft Woollahra Local Strategic Planning Statement

The planning proposal is broadly consistent with the *Draft Woollahra Local Strategic Planning Statement* (Draft Woollahra LSPS).

The Draft Woollahra LSPS is Council's 20-year land use vision for the local area. It contains the planning priorities, strategies and actions for implementing our 20-year vision as well as the *Eastern City District Plan*, linking local strategic planning to regional planning for Greater Sydney.

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The planning proposal relates in particular to Planning Priority 4 under the theme of 'Liveability':

Planning Priority 4

Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes.

The vision for the planning priority (as at 22 January 2020) states that:

Our area is home. It supports our lifestyle and allows people of all capabilities and all ages to participate in community life and live in health and comfort.

Housing is designed to be the right fit for the character, heritage, landscape, and village scale of our area. It is located in well-planned places which are close to villages, services, and public transport hubs. Everything is on our doorstep – shops, cafes, markets, libraries, parks, our foreshore, schools, health services, aged care facilities, and more.

Diverse and affordable housing options in accessible locations provide for a range of needs and incomes. Council collaborates with government agencies, other councils, and organisations on affordable housing programs.

Development that creates new dwellings or commercial buildings contributes to funding upgrades and improvements that enhance the liveability, infrastructure, and amenity of our area. Factors that contribute to the amenity of a neighbourhood include access to green and open space, water and air quality, safety, accessibility, pleasant streetscapes, local villages and opportunities for recreation and social interaction.

Housing developments in and around our villages respect their character and important role in community life. They do not decrease space for employment, community activities, connections, or green spaces. Buildings and sites are designed to enhance the amenity of residents, including noise and light attenuation measures, provision of tree canopy and soft landscaping, and suitable on-site areas to facilitate servicing, storage and deliveries.

Council plans for new housing and renewal using a place-based approach which prioritises our lifestyle, heritage, local character, and scenic landscape. Fine-grain human scale design protects our village character whilst delivering new housing that is the right fit for our area.

The Woollahra Housing Strategy (expected in 2020) will set out where new housing will be located and identifies investigations for longer-term housing outcomes. Sustainable housing is carefully planned so that it is the right fit and is located on suitable, highly accessible and well-serviced sites.

The planning proposal will ensure that dual occupancies (attached) will be directed to locations which be the right fit for the existing and desired future character, heritage, landscape, and village scale of the Woollahra LGA.

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

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies. A detailed compliance table is in **Schedule 1**.

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

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

Yes. The planning proposal is consistent with the terms of direction 3.1 Residential zones, in that it will:

- Not affect the choice of building types and locations available in the housing market.
- Not reduce the efficient use of existing infrastructure and services.
- Not reduce or impact on the consumption of land for housing and associated urban development on the urban fringe.
- · Not impact on the design of development.
- Only apply to the R2 zone in the Woollahra LGA, which is generally adequately serviced.
- Not contain provisions which will reduce the permissible residential density of land. The proposal will not reduce the potential number of dwellings in the R2 zone, as secondary dwellings are a permissible use in the zone and are not subject to a minimum lot size control. In this regard, a minimum of two dwellings will remain permissible on all lots in the R2 zone, whether they be dual occupancies or a combination of a principal dwelling and secondary dwelling.

The planning proposal is consistent with all other applicable section 9.1 directions. A detailed compliance table is in **Schedule 2**.

6.3 Environmental, social and economic impact

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

No. The planning proposal seeks to increase the minimum lot size required for consent of dual occupancy (attached) development in the R2 zone. The LEP amendment will have no impact on any critical habitats to threatened species. It will result in larger lot sizes for the construction of this form of development, allowing more landscaped areas to be maintained across the R2 zone. This will maintain and potentially improve and / or increase the available vegetation and tree canopy habitat for existing ecological communities.

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

No. There are no likely adverse environmental effects associated with the planning proposal. The proposed amendments are administrative in nature and unlikely to result in any environmental effects. Development applications based on the proposed changes to the Woollahra LEP 2014 will be subject to a detailed assessment, where the environmental effects are considered. This assessment will consider consistency with the desired future character of the neighbourhood.

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

Yes. The planning proposal will have a positive social and economic effect. The planning proposal will allow Council to meet the objective of Clause 4.1A of the Woollahra LEP 2014 to achieve planned residential density in certain zones consistent with the desired future character of the neighbourhood. Council seeks to maintain the existing local character and achieve the desired future character of the R2 zone, as described in the Woollahra DCP 2015, as one in which development preserves the existing local character of low scale residential uses which responds to the topography, protects views and reinforces a landscaped setting. The desired future character statements in the Woollahra DCP 2015 were created in cooperation with extensive community engagement, therefore undertaking actions to achieve the desired future character will have a positive social effect.

It is not anticipated that the planning proposal will have any adverse social and economic effects which need to be addressed as part of the proposal.

6.4 State and Commonwealth interests

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

Yes. It is unlikely that the proposal will directly impact on the provision of public infrastructure or significantly increase demand.

If required by the gateway determination, consultation will be undertaken with public utility companies, service providers and emergency services during the public exhibition.

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

No consultation has been carried out with State and Commonwealth public authorities. Any public authorities identified by the DPIE will be consulted during the public exhibition of the planning proposal.

7 Mapping

The purpose of the planning proposal is to amend the Woollahra LEP 2014 to increase the minimum lot size required for consent for dual occupancy (attached) development in the R2 Low Density Residential Zone from 460sqm to 800sqm. There are no mapping amendments proposed or required to Woollahra LEP 2014.

8 Community consultation

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- A weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period.
- A notice on Council's website.
- A notice to local community and business groups such as the Double Bay Residents' Association, West Vaucluse Residents' Association and the Sydney East Business Chamber.
- A notices to any parties who have made a submission to Council about previous reports about the Code or amendment of the minimum lot sizes for dual occupancy, manor house or terraces.

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

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

9 Project timeline

If Council is authorised to exercise the local plan-making functions under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Local Planning Panel advice	30 January 2020
Council resolution to proceed	9 March 2020
Gateway determination	April 2020
Completion of technical assessment	Usually none required
Government agency consultation	May 2020
Public exhibition period	Same time as agency consultation
Submissions assessment	June 2020
Council assessment of planning proposal post exhibition	July 2020
Council decision to make the LEP amendment	August 2020
Council to liaise with Parliamentary Counsel to prepare LEP amendment	September 2020
Forwarding of LEP amendment to DPIE for notification	October 2020
Notification of the approved LEP	November 2020

10 Schedules

10.1 Schedule 1 – Consistency with state environmental planning policies

State environmental planning policy	Comment on consistency	
SEPP No 1 – Development Standards	Not applicable	
SEPP No 19 – Bushland in Urban Areas	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.	
SEPP No 21 – Caravan Parks	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.	
SEPP No 33 – Hazardous and Offensive Development	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.	
SEPP No 36 – Manufactured Home Estates	Not applicable	
SEPP No 44 – Koala Habitat Protection	Not applicable	
SEPP No 47 – Moore Park Showground	Not applicable	
SEPP No 50 – Canal Estate Development	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.	
SEPP No 55 – Remediation of Land	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.	
SEPP No 64 – Advertising and Signage	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.	
SEPP No 65 – Design Quality of Residential Apartment Development	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. See section 6.3 of the planning proposal for more information.	
SEPP No 70 – Affordable Housing (Revised Schemes)	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.	
SEPP (Aboriginal Land) 2019	Not applicable.	
SEPP (Affordable Rental Housing) 2009	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.	

State environmental planning policy	Comment on consistency		
SEPP (Building Sustainability Index: BASIX) 2004	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Coastal Management) 2018	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Concurrences) 2018	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Educational Establishments and Child Care Facilities) 2017	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Exempt and Complying Development Codes) 2008	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Gosford City Centre) 2018	Not applicable.		
SEPP (Housing for Seniors or People with a Disability) 2004	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Infrastructure) 2007	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable		
SEPP (Kurnell Peninsula) 1989	Not applicable		
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Miscellaneous Consent Provisions) 2007	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (Penrith Lakes Scheme) 1989	Not applicable		
SEPP (Primary Production and Rural Development) 2019	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (State and Regional Development) 2011	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.		
SEPP (State Significant Precincts) 2005	Applicable. Consistent. There are currently no identified state significant sites located in the Woollahra Municipality.		
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable		
SEPP (Sydney Region Growth Centres) 2006	Not applicable		

Planning Proposal – Minimum lot size for dual occupancies (attached) [20/41194]

State environmental planning policy	Comment on consistency
SEPP (Three Ports) 2013	Not applicable
SEPP (Urban Renewal) 2010	Not applicable. There are currently no potential urban renewal precincts in the Woollahra Municipality which are identified in the SEPP.
SEPP (Vegetation in Non-Rural Areas) 2017	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable

Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies	Comment on consistency	
SREP No 8 (Central Coast Plateau Areas)	Not applicable	
SREP No 9 - Extractive Industry (No 2 - 1995)	Not applicable	
SREP No 16 – Walsh Bay	Not applicable	
SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)	Not applicable	
SREP No 24 - Homebush Bay Area	Not applicable	
SREP No 26 – City West	Not applicable	
SREP No 30 - St Marys	Not applicable	
SREP No 33 - Cooks Cove	Not applicable	
SREP (Sydney Harbour Catchment) 2005	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. The planning proposal applies to land in the Sydney Harbour Catchment. Therefore the planning principles under Part 2, clause 13 Sydney Harbour Catchment of the SREP have been considered during its preparation. The planning proposal is consistent with the principles.	

10.2 Schedule 2 - Compliance with section 9.1 directions

Planning proposal – Compliance with section 9.1 directions				
Direction Applicable/comment		Applicable/comment		
1	Employment and r	esources		
1	Business and industrial zones	Not applicable. The planning proposal does not apply to any business or industrial zones.		
1.2- 1.5	Directions 1.2-1.5	Not applicable. These directions are not relevant to the Sydney metropolitan area.		
2	Environment and h	neritage		
2.1	Environment protection zones	Not applicable. The planning proposal does not apply to land in an environmental protection zone or land identified for environmental protection.		
2.2	Coastal protection	Applicable. Consistent. The planning proposal does not affect any coastal protection provisions.		
2.3	Heritage conservation	Applicable. Consistent. The planning proposal does not affect any heritage conservation provisions.		
2.4	Recreation vehicle areas	Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area.		
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable. The planning proposal does not apply to land in the Far North Coast.		
3	Housing, infrastructure and urban development			
3.1	Residential zones	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to this direction.		
		(1) The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.		

Planning Proposal –Minimum lot size for dual occupancies (attached) [20/41194]

Planning proposal – Compliance with section 9.1 directions				
Direction		Applicable/comment		
		What a relevant planning authority must do if this direction applies		
		The direction states that:		
		(4) A planning proposal must include provisions that encourage the provision of housing that will:		
		(a) broaden the choice of building types and locations available in the housing market, and		
		(b) make more efficient use of existing infrastructure and services, and		
		(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and		
		(d) be of good design.		
		(5) A planning proposal must, in relation to land to which this direction applies:		
		(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible		
		residential density of land.		
		Consistency		
		The planning proposal is consistent with the direction in that it will:		
		 Not affect the choice of building types and locations available in the housing market. 		
		 Not reduce the efficient use of existing infrastructure and services. 		
		 Not reduce or impact on the consumption of land for housing and associated urban development on the urban fringe. Not impact on the design of development. 		
		Only apply to the R2 zone in the Woollahra LGA, which is generally adequately serviced.		
		Not contain provisions which will reduce the permissible residential density of land. The proposal will not reduce the potential number of dwellings in the R2 zone, as secondary dwellings are a permissible use in the zone and are not subject to a minimum lot size control. In this regard, a minimum of two dwellings will remain permissible on all lots in		
		the R2 zone, whether they be dual occupancies or a combination of a principal dwelling and secondary dwelling.		
3.2	Caravan parks and manufactured home estates	Not applicable. The planning proposal does not affect caravan parks and manufactured home estates.		

Planning Proposal –Minimum lot size for dual occupancies (attached) [20/41194]

Planning proposal – Compliance with section 9.1 directions			
Direct	ion	Applicable/comment	
3.3	Home occupations	Not applicable. The planning proposal does not affect home occupations in dwelling houses.	
3.4	Integrating land use and transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.	
3.5	Development near licensed aerodromes	Not applicable. The planning proposal does not apply to land near a licensed aerodrome.	
3.6	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.	
4	Hazard and risk		
4.1	Acid sulfate soils	Applicable. Consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal.	
4.2	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land in a proclaimed Mine Subsidence District or to land identified as unstable.	
4.3	Flood prone land	Applicable. Consistent. The planning proposal will not create, remove or alter a zone or provision that affects flood prone land.	
4.4	Planning for bushfire protection	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.	
5	Regional planning		
5.1 - 5.9	Strategies 5.1-5.9	Not applicable. These strategies do not apply to the Woollahra LGA.	
5.10	Implementation of Regional Plans	Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Region Plan: A Metropolis of Three Cities</i> , particularly the following objectives:	
		Objective 10: Greater housing supply	
		Objective 11: Housing is more diverse and affordable Objective 12: Organ places that being popula together.	
		Objective 12: Great places that bring people together Objective 27: Bindingstitute protected unban brighted and	
		Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	
		Objective 28: Scenic and cultural landscapes are protected	
		Objective 30: Urban tree canopy cover is increased	
	Refer to Schedule 1 of this report and direction 7.1 of this table.		

Planning proposal – Compliance with section 9.1 directions				
Direction Applicable/comment		Applicable/comment		
6	Local plan making			
6.1	Approval and referral requirements	Not applicable. The proposal does not include provisions that require development applications to be referred externally and is not related to designated development.		
6.2	Reserving land for public purposes	Not applicable. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.		
6.3	Site specific provisions	Not applicable. The planning proposal is not intended to allow a particular development to be carried out. The proposal will permit flexibility in the design of future development proposals and does not impose site specific standards which will restrict development to a particular development outcome.		
7	Metropolitan Plann	Metropolitan Planning		
7.1	Implementation of A Metropolis of Three Cities	Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Region Plan: A Metropolis of Three Cities</i> , particularly the following objectives:		
	(March 2018)	Objective 10: Greater housing supply		
		Objective 11: Housing is more diverse and affordable		
		Objective 12: Great places that bring people together		
		Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced		
		Objective 28: Scenic and cultural landscapes are protected		
		Objective 30: Urban tree canopy cover is increased		
		Refer to Schedule 1 of this report and direction 5.10 of this table.		
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable. This direction does not apply to the Woollahra LGA.		
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable. This strategy does not apply to the Woollahra LGA.		

11 Supplementary material

Appendix	Document
1	Report to the EPC meeting of 4 November 2019 – Low Rise Medium Density Housing Code - Local Housing Strategy, Special Local Character Areas and Minimum lot size standards for attached dual occupancies (Annexures removed)
2	Letter to Minister of Planning and Public Spaces dated 13 December 2019



PP_2020_WOOLL_007_00 (IRF20/3036)

Mr Gary James General Manager Woollahra Municipal Council PO Box 61 DOUBLE BAY NSW 2028

Dear Mr James

Planning proposal PP_2020_WOOLL_007_00 to amend Woollahra Local Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to increase the minimum lot size for dual occupancy (attached) from 460m² to 800m².

The Department appreciates Council's aspirations to protect the natural environment, residential amenity and desired future character of the R2 Low Density Residential Zone and to minimise the potential impact of attached dual occupancy development.

While the objective of the subject planning proposal is acknowledged, by restricting the number of lots eligible for attached dual occupancy development via both the development application (DA) and complying development certificate (CDC) pathways there will be an effect on housing density and diversity across R2 zoned land. The impact on housing delivery and choice is illustrated below:

- While the impact on the potential number of DAs may not be substantial based on past trends, the proposal would result in a decrease in 2,241 lots in the R2 Zone that would otherwise be eligible for a CDC for an attached dual occupancy. This is equivalent to a 64% reduction in the number of eligible "Code lots" from the existing 3,513, and is a significant change when compared to the current minimum lot size control.
- The proposal notes that the change in minimum lot size will not affect Council's ability to achieve the five-year housing target of 300 dwellings identified in the Eastern City District Plan. I note that the five-year housing target is generally consistent with known housing approvals and construction activity. As such there will be limited effect on the ability to achieve this target with or without the planning proposal. However, the proposal may have a bearing on medium and longer term housing delivery in the Woollahra LGA.

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• The proposal also states that the potential number of dwellings in the R2 zone will not be reduced, as secondary dwellings will continue to be permissible. The Woollahra LEP stipulates the maximum floor area of secondary dwellings of 60m2 or 5% of the total floor area of the principal dwelling, whichever is the greater. Secondary dwellings are a type of residential accommodation that is significantly different from attached dual occupancies in terms of form and size. Secondary dwellings and dual occupancies are not considered to be direct substitutes.

Based on the above, the proposal in its current form is not considered to be consistent with Section 9.1 Ministerial Direction 3.1 – Residential Zones, and there is inadequate analysis and reasons to justify against the inconsistency.

Council should consider, among other things, whether there will be adequate capacity to deliver a variety of low rise medium density housing in other zones in the LGA, such as the R3 Medium Density Residential zones, if the minimum lot size for attached dual occupancies in R2 zones is to be increased. This is to ensure that housing growth and diversity over the medium and longer term will not be unduly affected.

Additionally, Council should provide further analysis to determine the most appropriate minimum lot size for attached dual occupancy in the light of the intent to protect the desired future character of the R2 zone. The key issues with the current analysis are as follows:

- The analysis in Part 6 of the planning proposal relates to mature tree
 planting only and should be broadened in scope. The proposal requires an
 analysis to illustrate the built form, landscaped area and setback outcomes
 resulting from different lot sizes, together with a comparison between
 Council's controls and the Code. Detailed modelling supported by examples
 of actual developments should be included.
- More information is required to explain how the Structure Root Zone (as per Australian Standard 4970: Protection of trees on development sites) is applied to the analysis, and the difference between "maximum potential mature trees" and "maximum achievable mature trees". Relevant diagrams should be included to illustrate the methodology used in the analysis.

The analysis should include testing of a range of lot size options to determine the most appropriate control, consistent with the advice of the Woollahra Local Planning Panel of 30 January 2020.

It is also noted that certain comparative analysis in the planning proposal relating to other local government area's lot size controls although appreciated are not relevant. This is because some of those LGAs (such as Kiama and Wingecarribee) have significantly different character and locational and environmental context to Woollahra. The use of these data needs to be qualified and interpreted to account for the above differences.

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The Department considers the planning proposal has not demonstrated its consistency, or adequately justify its inconsistency with Section 9.1 Direction 3.1.

Council is recommended to undertake further analysis having regard to the above issues, address the Ministerial Direction in detail and submit a revised planning proposal.

During review of the planning proposal, several minor errors or omission have been identified (see attachment). Appropriate administrative changes should be made, prior to re-submission of the proposal to the Department.

Should you have any enquiries about this matter, I have arranged for Ms Christina Brooks, Planning Officer, and Mr Simon Ip, Manager Place and Infrastructure to assist you. Ms Brooks and Mr Ip can be contacted on 9274 6045 and 8289 6714 respectively.

Yours sincerely

10 August 2020 Brendan Metcalfe

A/Director, Eastern and South Districts Greater Sydney, Place and Infrastructure

Encl: List of administrative matters

Greneka Metoalph



IRF20/4577

Mr Craig Swift-McNair General Manager Woollahra Municipal Council PO Box 61 DOUBLE BAY NSW 2028

Dear Mr Swift-McNair

Planning proposal PP_2020_WOOLL_007_00 to amend Woollahra Local Environmental Plan 2014

I write in response to Council's request for further advice on pathways to progress the planning proposal to increase the minimum lot size for attached dual occupancies from 460m² to 800m². This matter was discussed at the quarterly meeting between Council's planning officers and the Department's staff on 18 September 2020.

As outlined in our letter dated 10 August 2020 (enclosed), the Department acknowledges Council's intent to protect Woollahra's natural environment, residential amenity and desired future character of the R2 Low Density Residential Zone. However, the planning proposal would reduce the number of lots eligible for attached dual occupancy development via both the development application (DA) and complying development certificate (CDC) pathways, thereby reducing the capacity of housing supply.

In order to determine the impact on housing supply and diversity, and how the proposal fits in with Council's overall strategy to meet future housing needs in the LGA, the Department considers that a Local Housing Strategy (LHS) is required to guide the consideration of the proposal. Without a completed LHS, it would appear to be premature to progress the proposal to increase the minimum lot size requirement, as the potential effects on housing needs and delivery could not be ascertained.

Additionally, the key issues raised in the previous letter will need to be addressed:

- The inconsistency with Ministerial Direction 3.1 Residential Zone, due to the
 proposal's impact on housing growth and choice. The proposal in its current
 form has not provided adequate analysis to demonstrate that a variety of
 housing types will be provided for existing and future housing needs.
- Further analysis, including design modelling, is required to determine the most appropriate minimum lot size for attached dual occupancies, having regard to the objective of the proposal to protect the environment, residential amenity and local character.

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 The planning proposal also requires administrative changes to rectify minor errors and omissions (these are detailed in the attachment to the Department's letter of 10 August).

I encourage Council to continue its work on the Local Housing Strategy and to address the issues raised above. The planning proposal is currently placed on hold, pending resolution of the above matters.

Should you wish to discuss this matter further, please contact Mr Simon Ip, Manager, Place and Infrastructure, at the Department of Planning, Industry and Environment on 8289 6714.

Yours sincerely

6 October 2020 Eva Stanbury

A/Director, Eastern and South Districts
Greater Sydney, Place and Infrastructure

Encl. Department's letter to Council dated 10 August 2020

Item No: R6 Recommendation to Council

Subject: PROPOSED AMENDMENTS TO THE WOOLLAHRA

Author: COMMUNITY PARTICIPATION PLAN 2019
Kelly McKellar, Team Leader Strategic Planning

Approvers: Anne White, Manager - Strategic Planning

Nick Economou, Acting Director Planning & Development

File No: 21/2444

Reason for Report: To obtain Council's approval for an amendment to the Woollahra

Community Participation Plan 2019. The amendment seeks to facilitate the Council resolution of 23 November 2020 to no longer publish

development applications in the local paper.

Recommendation:

THAT Council approve the amendments to the *Woollahra Community Participation Plan 2019*, as contained in **Annexure 1** of the report to the Environmental Planning Committee meeting of 1 February 2020.

1. Summary

On 23 November 2020, Council resolved to no longer publish development applications (DAs) in the local paper and enable notification online via the NSW Planning Portal or Council's website.

Under the *Environmental Planning and Assessment Act 1979* (the Act), Council must ensure that community participation is consistent with the mandatory requirements set out in:

- Part 1 of Schedule 1 of the Act
- the applicable regulations, including the *Environmental Planning and Assessment Regulation* 2000 (the Regulation)
- the Woollahra Community Participation Plan 2019 (Woollahra CPP 2019).

Currently, the Woollahra CPP 2019 requires that a notice be placed in a local paper. Accordingly, an amendment is required to implement the Council resolution of 23 November 2020.

This report identifies the changes drafted by staff for Council's consideration and recommends that Council adopt the amendments to the Woollahra CPP 2019 as contained in **Annexure 1**.

2. Background

On 17 April 2020, the Regulation was amended to remove the requirement to notify DAs and some planning matters in a local newspaper. Instead notices are to be published on a council's website or the NSW Planning Portal.

These changes align with the NSW Government's ePlanning program and also respond to COVID-19 impacts and longer-term structural changes to the news media industry. It is noted that the Wentworth Courier was not in circulation between 8 April 2020 and 22 July 2020.

Since 29 April 2020, in accordance with the Regulation amendments, Council has been publishing notices for new DAs and applications to modify development consents on a dedicated page on Council's website: 'Notification of DAs (Notice of proposed development)' www.woollahra.nsw.gov.au/building_and_development/assessing_and_determining_das/notification_of_das.

On 1 June 2020, the Environmental Planning Committee considered a report on proposed administrative amendments to the Woollahra CPP 2019 to reflect the changes to the Regulation.

The Committee made the following recommendation:

- A. THAT the report on proposed amendments to the Woollahra Community Participation Plan be received and noted.
- B. THAT Council adopt the amendments to the Woollahra Community Participation Plan as contained in Annexure 2 of the report to the Environmental Planning Committee meeting of 1 June 2020, subject to the Plan being amended so that development applications and applications to modify development consents being advertised in an appropriate hardcopy local newspaper which circulates weekly in the Woollahra Municipality when that newspaper is available.

On 22 June 2020, Council staff submitted late correspondence to Council with draft changes to the Woollahra CPP 2019 reflecting the Committee's recommendation. Council resolved, in part,:

B. THAT Council adopt the amendments to the Woollahra Community Participation Plan as contained in the late correspondence to the Council Meeting on 22 June 2020.

On 16 July 2020, the updated Woollahra CPP 2019 was published on the NSW Planning Portal and came into effect.

On 23 November 2020, in response to a report on the Budget Review for the quarter ended 30 September 2020, Council resolved, in part,:

D. THAT Council no longer publish Development Applications in the local paper in accordance with the amendments to the Environmental Planning & Assessment Regulation 2000 which enable notification online via the NSW Planning Portal or Council's website.

3. Proposed changes to the Woollahra Community Participation Plan 2019

Under Section 2.22 Mandatory community participation requirements of the Act, Council must ensure that community participation is consistent with the mandatory requirements set out in Part 1 of Schedule 1 of the Act, relevant sections of the Regulation, and any applicable CPP.

Currently, the Woollahra CPP 2019 requires that notices for DAs and other planning matters are published in the local newspaper. Accordingly, amendments to the Woollahra CPP 2019 are required to facilitate the Council's resolution of 23 November 2020.

Council staff have identified that the following sections of the Woollahra CPP 2019 should be updated to implement the Council resolution:

- Part 5 How will we engage on different types of planning matters?
- Section 6.3 Advertising of public exhibitions
- Notification of determination for a development application or planning matter.

Annexure 1 contains a marked up copy of the Woollahra CPP 2019 with the proposed amendments identified in <u>blue underline</u> for new text and <u>red strikethrough</u> for the deletion of existing text. A summary of the changes is provided in **Table 1** below.

Table 1: Outline of proposed changes to the Woollahra CPP 2019

Section	Proposed change	Page
Part 5 How will we engage on different types of planning matters?	Amend the text for DAs in <i>Table: Potential participation methods based on planning function type</i> as follows: Notification letters, advertising in the local newspaper, notice on Council's website, site signs, Council's DA Tracking website, NSW Planning Portal.	p.12
Section 6.3 Advertising of public exhibitions.	6.3 Advertising of public exhibitions. The notice advertising the public exhibition of development applications, applications to modify a development consent, development control plans, contributions plans and other planning matters to which this plan applies, such as planning proposals, will be published in an appropriate hardcopy local newspaper which circulates weekly in the Woollahra Municipality, when that newspaper is available, and on the Council's website. A public notice advertising the public exhibition of a development application, application to modify a development consent or any other planning matters to which this Plan applies will be published on Council's website and/or the NSW Planning Portal. The public notice advertising the public exhibition of other planning matters to which this plan applies, including planning proposals, development control plans, contributions plans and draft policies, may also be published in in a newspaper that circulates weekly in the Woollahra Municipality. Despite a decision to advertise a planning matter in a newspaper, a public notice on Council's website will suffice if the newspaper is not in circulation or otherwise not reasonably publicly available. In the event that the hardcopy local newspaper is not in publication, publication is suspended or otherwise not reasonably publicly available, the public notice on the Council's website will suffice. For the purpose of fulfilling these requirements, the notice need only occur during the specified advertising period.	p.16
Section 6.14 Notification of determination for a development application or planning matter	6.14 Notification of determination for a development application or planning matter The Council will publish a notice in an appropriate hardcopy local newspaper which circulates weekly in the Woollahra Municipality, when that newspaper is available, and on its website of the determination of a development application and an application to modify a development consent. The Council will publish a notice on its website regarding decisions on a development controls plan, contributions plan and any other planning matter to which this plan applies, such as a planning proposal.	p.19

Section	Proposed change	Page
	Council will publish a notice on its website and/or the NSW Planning	
	Council will publish a notice on its website and/or the NSW Planning Portal of the determination of a development application,	
	determination of an application to modify a development consent and	
	decisions on other planning matters to which this Plan applies,	
	including a development control plan, contributions plan or planning	
	proposal.	
	In the case of other matters to which this plan applies, such as a	
	planning proposal, the Council may also publish a notice of its decision	
	in an appropriate hardcopy local newspaper which circulates weekly in	
	the Woollahra Municipality, when that newspaper is available.	
	In the event that the hardcopy local newspaper is not in publication,	
	publication is suspended or otherwise not reasonably publicly	
	available, the public notice on Council's website will suffice.	
	Despite a decision to advertise a planning matter in a newspaper, a	
	public notice on Council's website will suffice if the newspaper is not	
	in circulation or otherwise not reasonably publicly available.	
	Council will send a notification to each person who made a written	
	submission in relation to a development application, an application to	
	modify a development consent, or a planning matter.	
	This notification must include (directly or by reference to another	
	document):	
	• the decision	
	• the date of the decision	
	 the reasons for the decision 	
	how submissions were considered.	
	Where a petition has been submitted, notification will be sent to the	
	Head Petitioner unless Council is formally advised otherwise	

4. Next steps

Should Council resolve to adopt the amended Woollahra CPP 2019 it will be published on the NSW Planning Portal and Council's website.

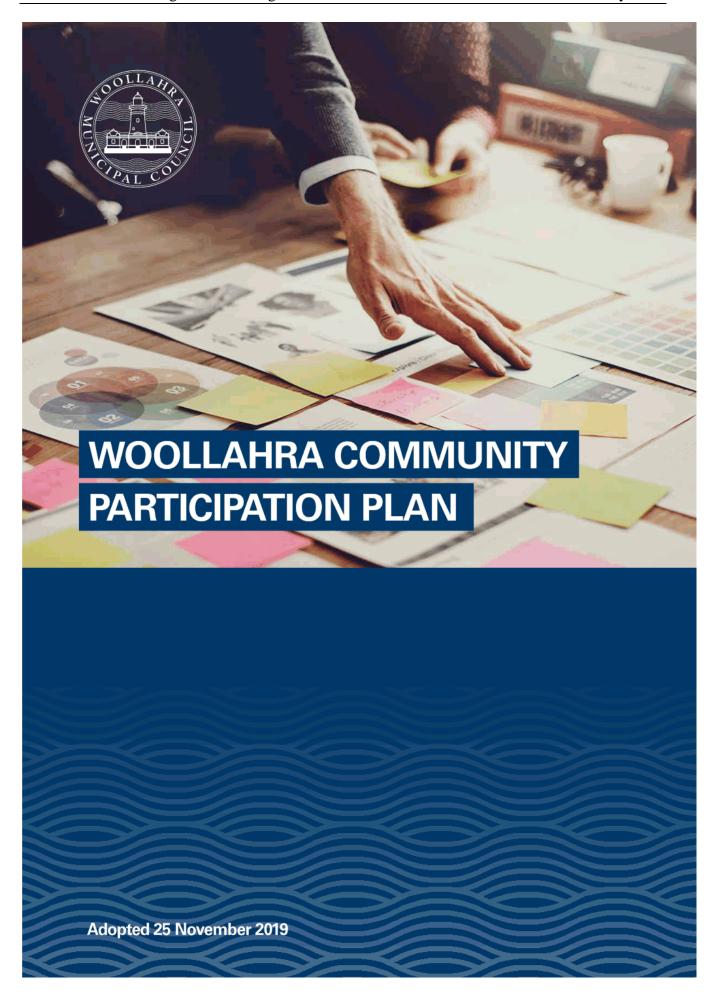
5. Conclusion

On 23 November 2020, Council resolved to no longer publish DAs in the local paper and enable notification online via the NSW Planning Portal or Council's website. Accordingly, amendments to the Woollahra CPP 2019 are required to facilitate the Council resolution.

It is recommended that Council resolve to adopt the amendments to the Woollahra CPP 2019 as contained in **Annexure 1**.

Annexures

1. Proposed amendments to Woollahra CPP 2019 🗓 🖺



Acknowledgement of Country

Woollahra Council acknowledges the Gadigal and Birrabirragal people who are the traditional custodians of this land and pay respects to Elders past, present and emerging.

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Annexure 1 – Proposed Amendments to Woollahra CPP 2019

1

1. Introduction

Decisions about planning and development matters affect the lives of residents, businesses, and people who visit and work in our area.

Community participation is vital to support transparent and appropriate planning and development outcomes that are informed by an engaged community.

Woollahra Council is guided by:

Woollahra 2030

Our organisational values and commitment to engagement

Principles of social justice

The IAP2 principles for community engagement

The Environmental Planning and Assessment Act 1979 (the EP&A Act).

Community participation is a priority for Council

Woollahra 2030 is our community strategic plan that sets out community values, goals and strategies. These guide all of Council's business operations, plans, and activities. It has two goals related to community participation:

Goal 10: Working together

Woollahra will be a place where residents are well informed and able to contribute to their community. Council will listen and respond to requests and concerns through open communication and engagement.

Goal 11: A Well Managed Council

Woollahra Council will be open and accountable to all stakeholders, encourage participation in decision making and make decisions that are in the public interest. Through effective long-term planning, we will develop and implement strategies and ensure ongoing resources to fulfil long-term community goals.



Community Services pop up stall

What is community engagement?

Community engagement can be defined as a two-way process by which:

- the aspirations, concerns, needs and values of citizens and communities are incorporated at all levels and in all sectors in policy development, planning, decisionmaking, service delivery and assessment
- governments and other business and civil society organisations involve citizens, clients, communities and other stakeholders in these processes¹.

Why community engagement is important

Community engagement plays an important role in helping to make our area a great place for residents and the people who work in and visit the area.

Council actively seeks out and listens to the views, concerns and aspirations of our community, to help us make decisions that are informed, representative and in the best interest of the whole community.

United Nations Brisbane Declaration on Community Engagement (International Conference on Engaging Communities, 2005)

Why does Council engage with the community?

Council engages with the community for a range of reasons, including to:

- identify and understand the values, needs, priorities and aspirations of our community
- ensure that Council best meets the changing needs of our community
- hear from a range of voices so that everyone has the opportunity to express their views
- enhance community ownership and acceptance of planning decisions and outcomes
- facilitate ongoing two-way communication between Council and the community
- ensure community feedback informs Council's decision making.

Our community wants to be involved

Our community has told us that engaging with Council is important to them. In the *Community Satisfaction Survey 2018* our community said:

- 80% are somewhat satisfied with Council's level of consultation
- opportunities for community involvement in decision making are a top indicator for overall satisfaction
- letters and emails are preferred for communication, followed by social media and newspapers.

Our community also told us that long-term planning and vision are areas of high importance and they would like more engagement in this area.

Woollahra Library at Double Bay



WOOLLAHRA MUNICIPAL COUNCIL
Woollahra Community Participation Plan Adopted November 2019

2. About this plan

What is a community participation plan?

A community participation plan sets out how and when Council will engage with our community on planning matters.

It provides guidance to our community on how and when they can have a say on different types of planning matters or make a submission on a development application.

Examples of planning functions under the EP&A Act that this plan applies to include:

- · assessment of development applications
- proposals to rezone land under the Woollahra Local Environmental Plan 2014
- amendments to the Woollahra Local Strategic Planning Statement
- amendments to the Woollahra Development Control Plan 2015
- a development contributions plan
- · a local housing strategy.

This plan also explains how community feedback will inform decisions about development applications and strategic planning functions.

Where does this plan apply?

This Woollahra Community Participation Plan is prepared under division 2.6 of Environmental Planning and Assessment Act 1979 (the EP&A Act).

It applies to the Woollahra local government area and only to the exercise of Council's planning functions under the EP&A Act.

Public exhibition of this plan

This community participation plan was publicly exhibited from 2 October to 1 November 2019 in accordance with Schedule 1 of the EP&A Act.

This plan only applies to Council's planning functions under the EP&A Act

This Plan does not apply to:

- the community strategic plan or documents in Council's IP&R framework
- delivery of Council services, functions, or infrastructure
- planning matters under the EP&A Act which are not within the jurisdiction of Council
- general communications between Council and the community
- routine administrative and operational duties.

3. Our approach to community engagement

Council's approach to community engagement is guided by our values, the principles of social justice, the IAP2 spectrum, and the community participation principles of the EP&A Act.

Woollahra Council proactively engages the community using appropriate, effective and inclusive methods to facilitate public participation in decision making that affects residents and the people who work in and visit Woollahra².

Council decisions affect the lives of residents and the people who visit and work in the area.

We value our community as a source of local expertise and actively seek feedback and input to help shape Council decisions.

Council's values are:

- respect for people
- · integrity and excellent performance
- professional, quality services
- · open, accountable communication.

Principles of social justice

Social justice is the political and philosophical concept that all people should have equal access to wealth, health, well-being, justice, and opportunity.

In the context of community engagement, in the exercise of Council's planning functions, social justice is based on the following four principles as taken from the Integrated Planning and Reporting Manual for local government in NSW, consistent with the NSW Government's social justice strategy.

These social justice principles underpin the community engagement principles set out in section 4 of this plan.

Social Justice in an Engagement Context

Principle	Meaning
Equity	Inclusive and representative views from the community
Access	Appropriate methods for engagement selected
Participation	The community has a clear understanding of how they can get involved
Rights	People have a right for their views and voices to be heard

2. Woollahra Community Engagement Policy 2019

IAP2 Spectrum

The International Association for Public Participation (IAP2) is an international peak body that seeks to promote and improve the practice of public participation or community and stakeholder engagement.

The IAP2 Public Participation Spectrum is a best practice tool that helps identify appropriate levels of engagement. It also sets out the promise being made to the public at each participation level. The spectrum is widely used in local government community engagement strategies across Australia.

Not all Council decisions require the same level of community engagement. The spectrum guides our selection of the most appropriate level of engagement for a particular project depending on the goals, time frames, resources and levels of concern in the decision to be made.

Not all spectrum levels are achieved on every engagement project. The spectrum is non-linear, and Council selects the most appropriate technique/s are used on a case-by-case basis, based on objectives, timing and resources.



Community workshop about Woollahra Libraries



Dillon Street Reserve community engagement

Council's approach to engagement and examples of engagement techniques based on the IAP2 public participation spectrum

	Inform	Consult	Involve	Collaborate	Empower
Goal	To provide the community with balanced and objective information to help them understand the planning matter.	To obtain community feedback on a planning matter or development application.	To work directly with the public through a strategic planning process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the community in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the community.
Promise to the community	We will keep you informed.	We will keep you informed, listen to and acknowledge your views, concerns and aspirations, and provide feedback on how community input influenced the decision.	We will work with you to ensure that your views, concerns and aspirations are directly reflected in strategic planning matters and provide feedback on how community input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	Note: this level of engagement is difficult to achieve under the current planning system decision making framework. It is more applicable in other Council service areas.
Examples of engagement techniques	Media releases, letters, emails, Council's website, social media announcements, videos, e-newsletters, public notices and advertisements, information sessions	Public exhibition, online forums and surveys, open days, drop-in sessions, walking tours, surveys, mapping, online polls.	Public meetings and hearings, feedback sessions, workshops, interactive online activities, prioritisation/ trade-off exercises, mapping.	Public meetings, workshops and interactive sessions, community reference groups.	N/A

4. Our community participation principles and objectives

Community participation principles

Community participation is an important object of the EP&A Act:

 (j) to provide increased opportunity for community participation in environmental planning and assessment.

The Act sets out the following principles for community engagement for planning functions. This plan adopts these principles. Below we have identified the consistency of the principles in the Act with the principles of Social Justice in part 3 of this plan:

a) The community has a right to be informed about planning matters that affect it.

Rights	People have a right for their views
	and voices to be heard

 Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.

Equity	Inclusive and representative views
	from the community

 c) Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.

Participation	The community has a clear
	understanding of how they can
	get involved

d) The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.

Rights	People have a right for their views and voices to be heard
--------	--

e) Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.

Equity	Inclusive and representative views from the community
Access	Appropriate methods for engagement selected

f) Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.

Rights People have a right for their view and voices to be heard	vs
---	----

g) Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been taken into account).

Participation	The community has a clear
	understanding of how they can
	get involved

 h) Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.

Access

Appropriate methods for engagement selected

Consistent with these principles the EP&A Act requires that matters raised in submissions must be considered before a decision is made about a development application or planning matter. For development applications this is part of the matters for consideration for assessment under Section 4.15 of the EP&A Act.

Community participation objectives

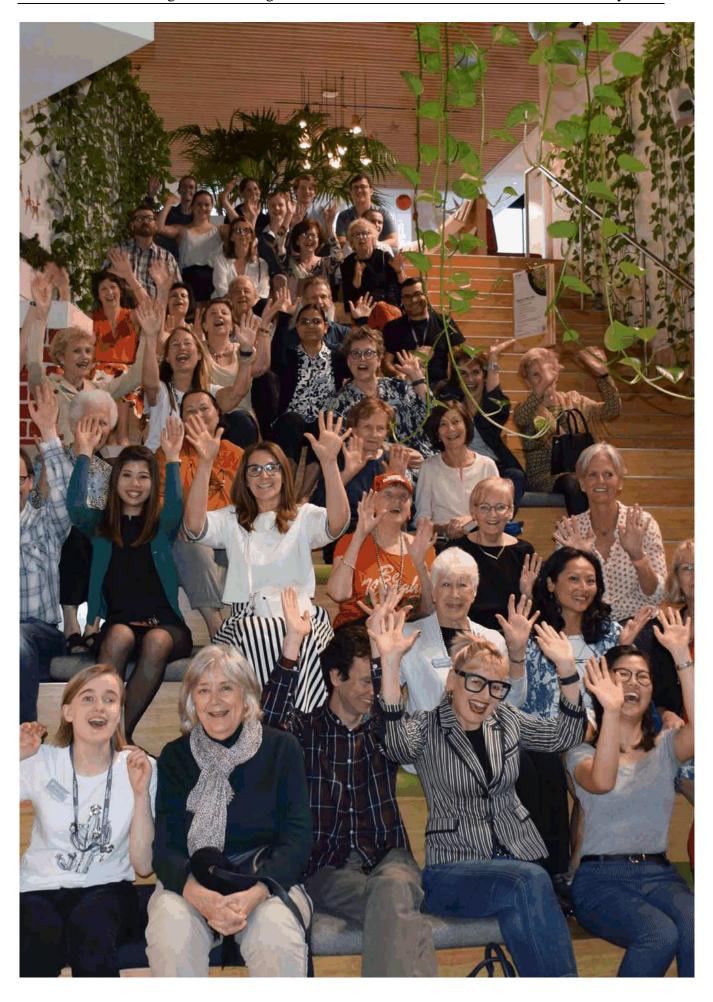
Council's community engagement aims to be open, inclusive, timely and meaningful. Our objectives for community engagement are to:

- ensure Council decisions reflect the whole community by incorporating the community's views, concerns and aspirations into the decisionmaking process
- increase community confidence and trust in Council by building or improving relationships with the community through on-going, open and meaningful two-way conversations
- encourage the community to actively participate in civic life and to take responsibility for identifying and providing solutions to their concerns
- strengthen community capacity to increase knowledge and awareness and/or change behaviours.

Council's scalable community engagement approach aims to ensure people:

- are well informed about issues, strategies or plans that may affect them directly or indirectly
- understand how and when Council will consult them, and when Council will make decisions on their behalf (without consultation)
- are engaged in an effective, appropriate and relevant manner by Councillors, Council employees or agents of Council
- are offered genuine opportunities to participate in Council's decision-making process
- understand how their contributions affect the decision-making process and are informed of outcomes of the engagement process
- are connected, active, informed and engaged.

Volunteers at Woollahra Library, Double Bay



5. How will we engage on different types of planning matters?

To achieve effective and meaningful community engagement, Council will select suitable methods and timeframes appropriate to the type and scale of the planning function.

The table below outlines the opportunities and some methods **we may use** to engage with the community.

It is important to note that the planning process is only one part of an overall project lifecycle in which our community can participate. Outside of this process, in some circumstances we also undertake post-determination, compliance and enforcement activities to ensure that planning laws and decisions are implemented correctly.

Potential participation methods based on planning function type

	Development assessment	Planning proposals (such as applications to rezone land)	Strategic planning
Participation opportunity	Notification and public exhibition inviting written submissions.	Notification and public exhibition inviting written submissions.	Opportunities for community input to shape the preparation of strategies or written submissions in response to exhibition of Council led projects.
When?	Public exhibition, panel meetings, and post determination notification.	Public exhibitions, public hearings, panel and committee meetings, determination notification.	Public exhibitions, engagement activities in the early stages of strategic planning processes, committee meetings, determination notification.
How?	Notification letters, advertising in the local newspaper, notice on Council's website, site signs, Council's DA Tracking website, NSW Planning Portal.	Notification letters, emails, advertising in the local newspaper, notice on the Council's website, notice on other websites, online surveys, open days, drop-in sessions, walking tours, social media, e-newsletters, public notices and advertisements, public hearings, workshops and interactive sessions.	Notification letters, emails, advertising in the local newspaper, notice on the Council's website, notice on other websites, online surveys, open days, drop-in sessions, walking tours, social media, e-newsletters, public notices and advertisements, public hearings, workshops and interactive sessions.

Note: In the case of advertising in the local newspaper, refer to additional points in clauses 6.3 and 6.14 of this plan.



Your Say Woollahra is Council's online engagement platform where we publicly exhibit draft planning strategies, planning proposals, and other Council projects.

After completing a one-time registration process, residents and other people in the community can give feedback on any open consultation published on the site. To keep our community up-to-date on consultations Council sends a bi-monthly e-newsletter to all registered participants.

Engagement activities on Your Say
Woollahra may include taking a survey,
joining a discussion forum, registering
for a workshop or making a submission.
Some engagement activities, particularly
those that involve Woollahra's young
people, may not require registration. The
site is moderated to ensure inappropriate
content is removed.

Council records all feedback, which is reviewed and reported to the project decision makers. This might be Council, a Committee or an independent local planning panel.

To find out what projects have open consultations, or follow the progress of engagement projects visit yoursay.woollahra.nsw.gov.au.

6. Minimum public exhibition timeframes and requirements

Section 2.21(2) and Schedule 1 of the EP&A Act set out minimum exhibition timeframes for certain types of planning functions. These have informed the tables on the following pages.

Council may consider exhibiting for an extended timeframe based on the scale and nature of the matter being exhibited.

Information to note about public exhibitions:

- Timeframes include weekends.
- An exhibition that closes on a weekend or a public holiday may be extended to finish on the first available work day.
- The days between 20 December and 10 January (inclusive) are not counted in the public exhibition period.
- A public authority is not required to make available for public inspection any part of a document whose publication would, in the opinion of the public authority, be contrary to the public interest because of its confidential nature or for any other reason.

6.1 Public exhibition of other planning matters

Several of Council's planning functions and other proposals do not have minimum exhibition timeframes. Consistent with our community participation principles and objectives, we typically exhibit documents related to the exercise of these functions and proposals for the timeframes described in the following tables.

6.2 When public exhibition is not required

Public exhibition is not required for complying development. Notification requirements are set out by the NSW Government under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and are not regulated by Council.

Additionally, there may be some occasions where a government priority or administrative requirement demands immediate action on proposals that prevents the implementation of our usual community participation process. For example this may occur with emergency works.

Plan Making, Planning Policy and Planning Agreement Mandatory Exhibition Timeframes				
Plan	Minimum Timeframe			
Draft community participation plan	28 days			
Draft local strategic planning statement	28 days			
Planning proposal for local environmental plans (subject to a gateway determination)	 28 days or: the period specified in the gateway determination, or no public exhibition, if the gateway specifies no public exhibition is required. 			
Draft development controls plans	28 days			
Draft contribution plans	28 days			
Planning agreement	28 days			

Development Assessment Mandatory Exhibition Timeframes			
Application type	MinimumTimeframe		
Application for development consent (other than for complying development certificate, for designated development or for State significant development)	15 days		
Application for development consent for designated development	28 days		
Application for modification of development consent that is required	15 days		

Non-mandatory Exhibition Timeframes			
Matter	Minimum Timeframe		
Draft local housing strategy	28 days		
Council's draft guides, policies and strategies	Discretionary based on the urgency, scale and nature of the proposal.		
Pre-engagement on strategic planning documents	Discretionary based on the urgency, scale and nature of the proposal.		

6.3 Advertising of public exhibitions

The notice advertising the public exhibition of development applications, applications to modify a development consent, development control plans, contributions plans and other planning matters to which this plan applies, such as planning proposals, will be published in an appropriate hardcopy local newspaper which circulates weekly in the Woollahra Municipality, when that newspaper is available, and on the Council's website.

A public notice advertising the public exhibition of a development application, application to modify a development consent or any other planning matters to which this Plan applies will be published on Council's website and/or the NSW Planning Portal.

The public notice advertising the public exhibition of planning matters to which this plan applies, including planning proposals, development control plans, contributions plans, and draft policies, may also be published in in a newspaper that circulates weekly in the Woollahra Municipality.

Despite a decision to advertise a planning matter in a newspaper, a public notice on Council's website will suffice if the newspaper is not in circulation or otherwise not reasonably publicly available.

In the event that the hardcopy local newspaper is not in publication, publication is suspended or otherwise not reasonably publicly available, the public notice on the Council's website will suffice.

For the purpose of fulfilling these requirements, the notice need only occur during the specified advertising period.

6.4 Notification of public exhibitions

Notification of a development application or other planning matter must occur by one or more of the following methods at Council's discretion by:
a) letter

- b) email
- c) a brochure, leaflet or similar notice
- d) a site notice (for development applications only).

6.5 Who will be notified?

Notifications must be sent to:

- a) the owners of land to which a draft plan, planning proposal, draft policy or other document applies
- b) the owners of land adjoining a site subject to a site-specific planning proposal or a development application (including each owner in a Strata scheme or community land development)
- c) the owners of neighbouring land
- d any public authority that in the opinion of the responsible Council officer may have an interest in, or may be affected by, the draft strategy, planning proposal, draft policy or development application.

Notifications will also be sent to relevant community organisations and other groups who have registered an interest.

Details regarding the owners of adjoining land and neighbouring land are taken from Council's records at the time the notice is produced.

6.6 Will Council notify properties in neighbouring LGAs?

For proposals where the subject site adjoins the boundary of a neighbouring council, we will liaise with the neighbouring council to send notification letters to the impacted properties. Alternatively a letterbox drop to the affected occupiers may be undertaken

6.7 Additional exhibition and notification requirements for development applications

Additional requirements for the exhibition and notification of development applications, amendments to development application, and applications for modification of a development consent are detailed in Schedule 1, including:

- re-exhibition of amended development applications
- notification of applications for modification of development consent
- information to accompany public exhibitions for development applications
- forming an opinion on whether the enjoyment of land may be detrimentally affected
- · requirements for site notices.

6.8 Where to view public exhibition documents

All documents, studies, plans and information lodged with a development application or supporting a planning matter will be available for inspection during the public exhibition period.

Public exhibition documents can be viewed on our website:

- Notification of DAs (Notice of proposed development) page and DA Tracking page for development applications
- Notice on Council's website for other planning matters.

Documents can also be viewed in person during business hours at Council's customer service centre, 536 New South Head Road, Double Bay.



Woollahra Council customer service centre

6.9 Making a submission to a public exhibition

We encourage written submissions on a development application or planning matter during the public exhibition period.

A written submission may be in the form of a letter, email or other like form. It must include the following information:

- reference to the development application or planning matter
- your comments including a statement of the reasons for objection or support
- your contact details such as an email or postal address so we can keep you up to date on the matter.

Council may, depending on the circumstances of the case, accept and consider written submissions that are lodged after the close of the public exhibition.

Subject to the Privacy and Personal Information Protection Act 1998, the names and addresses of the persons making written submissions will be indicated in the assessment report for the development application or planning matter.

6.10 Petitions

Where a petition has been submitted the Head Petitioner will be the only point of contact for ongoing communication with Council staff unless Council is formally advised otherwise.

If the petition does not identify a Head Petitioner, Council will assume the first signatory is the Head Petitioner.

6.11 How will submissions be considered?

A report summarising the submissions made must be prepared and given consideration before a development application or planning matter is determined. Council is not required to adopt or support a submission in making its determination.

6.12 Determination by a panel or committee

Planning matters and development applications may be reported to a Council committee or planning panel for a determination:

- Woollahra Local Planning Panel determines certain development applications and applications to modify a development consent. The Panel also provides advice on strategic planning matters.
- Sydney Eastern City Planning Panel determines certain development applications and applications to modify a development consent that are 'regionally significant' or have a capital investment value over \$30 million.
- Environmental Planning Committee makes recommendations to Council about decisions on planning matters such as planning proposals, strategies, draft policies and other planning documents.

Note that under section 4.8 of the EP&A Act development applications may only be determined by the Woollahra Local Planning Panel, Sydney Eastern City Planning Panel, Council's Application Assessment Panel or under staff delegation.

6.13 Notification of committee and panel agendas and reports

Council will provide a minimum of three days' notice to the applicant and anyone who has made written submission of the date and time of the meeting at which the matter will be considered and a link to our website where a copy of the meeting agenda is available (containing the report on the assessment of the matter, a summary of submissions and a recommendation as well as any annexures).

Access to a report in whole or in part does not apply where material is to remain confidential or privileged in accordance with Council's policy on such matters.

Failure to strictly comply with this section will not render any determination of a development application or planning matter invalid.

Council's website provides more information about Council's committee and panel agendas: **woollahra**. nsw.gov.au/council/meetings_and_committees

6.14 Notification of determination for a development application or planning matter

The Council will publish a notice in an appropriate hardcopy local newspaper which circulates weekly in the Woollahra Municipality, when that newspaper is available, and on its website of the determination of a development application and an application to modify a development consent. The Council will publish a notice on its website regarding decisions on a development controls plan, contributions plan and any other planning matter to which this plan applies, such as a planning proposal.

Council will publish a notice on its website and/or the NSW Planning Portal of the determination of a development application, determination of an application to modify a development consent and decisions on other planning matters to which this Plan applies, including a development control plan, contributions plan or planning proposal.

In the case of other matters to which this plan applies, such as a planning proposal, the Council may also publish a notice of its decisions in an appropriate hardcopy local newspaper which circulates weekly in the Woollahra Municipality, when that newspaper is available.

Despite a decision to advertise a planning matter in a newspaper, a public notice on Council's website will suffice if the newspaper is not in circulation or otherwise not reasonably publicly available.

In the event that the hardcopy local newspaper is not in publication, publication is suspended or otherwise not reasonably publicly available, the public notice on Council's website will suffice.

Council will send a notification to each person who made a written submission in relation to a development application, an application to modify a development consent, or a planning matter.

This notification must include (directly or by reference to another document):

- the decision
- · the date of the decision
- · the reasons for the decision
- · how submissions were considered.

Where a petition has been submitted, notification will be sent to the Head Petitioner unless Council is formally advised otherwise.

7. Summary

This Community Participation Plan outlines our community engagement approach for Council's planning functions under the EP&A Act. Our plan:

- reaffirms our commitment to involving the community in the development of our shared vision and long-term planning matters
- clearly states our statutory engagement requirements and voluntary exhibition timeframes, so our community knows what to expect and when
- explains how the community can have their say on development applications and other planning matters
- explains how Council will keep the community informed of engagement outcomes and how community feedback informed decisions.

Community engagement plays an important role in making our area a great place for people to live, work and visit. For Council, it is the foundation of good decision-making. For our community it is the opportunity to exercise their right to have their views and voices heard in the planning process.

Council looks forward to working with our community to deliver planning outcomes that benefit our community now and for future generations.



Glossary

For the purposes of this community participation plan the following definitions apply unless otherwise defined under the legislation:

Term	Meaning
Contribution plans	A plan developed by councils for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development
Designated development	Designated development refers to developments that are high impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area (e.g. a coastal wetland)
Development control plans	A plan that provides detailed planning and design guidelines to support the planning controls in a LEP
Environmental Planning and Assessment Act 1979 (the EP&A Act)	Legislation that establishes the NSW planning and development system. This Community Participation Plan has been prepared under section 2.23 of the Act.
Gateway determination	A gateway determination is issued following an assessment of the strategic merit of a proposal to amend or create an LEP and allows for the proposal to proceed to public exhibition
Local environmental plan (LEP)	An environmental planning instrument developed by a local planning authority, generally a council. An LEP sets the planning framework for a Local Government Area
Local strategic planning statement	20-year plans that address the community's needs and the requirements of the regional strategic plan that applies to all of Metropolitan Sydney
Responsible Council officer	Any one or a combination of the Council officers who is or are responsible for the processing and assessment of a development application, or an application to modify a development consent, or any other planning matter, and the recommendation of a report regarding that application or planning matter. The responsible Council officers include the Assessment Officer, Team Leader, Manager or Director.
State Environmental Planning Policy (SEPP)	An environmental planning instrument developed by the Department, that relates to planning matters that are state significant or are applicable across the state

Schedule 1

Additional exhibition and notification requirements for development applications

Instances where public exhibition is not required

Public exhibition is not required for development applications where in the opinion of the responsible Council officer, the owners and occupiers of adjoining land and neighbouring land (whether in or outside of the Woollahra LGA) would not be detrimentally affected if the development proposal was carried out.

Additionally, public exhibition is not required for any development application where insufficient information has been provided with the application to enable a proper assessment of that application under the provisions of the Act and the application is to be determined by refusal for that reason.

There may be some occasions where a government priority or administrative requirement demands immediate action on proposals that prevents the implementation of our usual community participation process, such as emergency works.

Forming an opinion on whether the enjoyment of land may be detrimentally affected

In forming an opinion on whether the enjoyment of land may be detrimentally affected by a development application, an amendment to a development application or an application to modify a development application, the responsible Council officer must take into consideration the following criteria:

- a) the views to and from the land
- b) overshadowing
- c) privacy
- d) noise
- e) the design and appearance of the proposal in relation to the streetscape
- f) the scale and bulk of the proposed building or works
- g) the siting of the proposed building or works, including changes to an existing building involving relocation of external walls and other elements that expand the building envelope
- h) excavation, particularly excavation for the purpose of car parking areas, storage areas, plant rooms and voids
- the structural integrity of common or party walls where demolition of floors, ceilings and internal walls is proposed
- j) the heritage significance of the land and any building, work or feature on the land
- k) stormwater drainage.

The opinion formed by the responsible Council officer on whether the enjoyment of land may be detrimentally affected is not to be taken as an assessment of the merits of the development application.

Note: Land means an area of ground together with vegetation, landscaping and buildings erected on the land.

3. Re-exhibition of amended development applications

Where an applicant makes an amendment to a development application prior to the application being determined, re-advertising will only occur where the responsible Council officer is of the opinion that the proposal as amended (replacement) will have no greater impacts than the previously advertised application.

Where a development application is being re-exhibited, notifications must be sent to anyone who:

- · made a submission
- · was notified of the original public exhibition
- may be impacted by the amendments or modifications, including any public authorities.

Submitters may request to be notified of any amendments to a proposal regardless of whether or not re-exhibition is required.

When re-advertising does not occur, the assessment report on the application must include a statement of the reasons why re-advertising was not considered necessary.

Public exhibition of applications for modification of development consent

Where an applicant or any other person entitled to act on a development consent makes an application to the Council to modify a development consent in accordance with the provisions of section 4.55 of the Act, notification must be sent to anyone who may be impacted by the modifications, including:

- a) individuals and organisations that made a written submission previously
- b) owners of adjoining or neighbouring land who, in the opinion of the responsible Council officer, may be detrimentally affected by the modification proposal
- c) relevant public authorities.

Notification need not occur for an application to modify a development consent in order to correct a minor error, misdescription or miscalculation.

When notification does not occur, the assessment report on the application must include a statement of the reasons why notification was not considered necessary.

Information to accompany public exhibitions for development applications

Advertisements notifications and site notices for a public exhibition must contain, but may not be limited to, the following information:

- a) the address of the application site, including where available the name of the building and the name of the business conducted from the building
- b) the application number or Council reference number
- c) a brief description of the development proposal, planning proposal, or document
- d) the name of the Council and the Council's postal address
- e) the place where the application may be freely inspected
- f) the times of the day and the overall period during which the application may be inspected
- g) the period during which written submissions may be lodged with the Council
- h) an invitation to make written submissions on the application during the exhibition period
- i) a statement to the effect that the name and address of any person making a written submission will be included in an assessment report relating to the application and that the report will be publicly accessible
- j) a statement to the effect that the supply of personal information is voluntary. If personal information is not provided, Council may be limited in dealing with a submission. Submissions, summaries of submissions, and/or names and addresses of people making submissions will be included in publicly available reports to Council or Committee meetings

k) a statement to the effect that in accordance with section 18(1)(b) of the *Privacy and Personal Information Protection Act 1998* (NSW), you are advised that all submissions received by Council in relation to any matter will be placed on the appropriate Council file, may be available on our web site and may be disclosed to Councillors, Council officers, consultants to Council or members of the public. In accordance with the *Government Information (Public Access) Act 2009* (GIPA Act) Council is obliged to disclose inspection of its documents, including any submission you may make. Under the GIPA Act, people may also make an application for access to all submissions received.

In addition public exhibitions notices for re-notification of applications or applications to modify a development contents must contain the following information:

- a) a statement to the effect that an amendment to the development application or for modification of a development consent has been lodged
- b) a brief description of the amendment to the development proposal or modification to the development consent
- c) the public exhibition period during which the application can be inspected and submissions lodged with Council.

Site notices for development application public exhibitions

Site notices must be displayed for public exhibitions for development applications, amendments to applications and applications for modification of a development consent. The site notice must:

- a) be exhibited on the land to which the development application relates
- b) must be displayed on a signpost or board
- c) must be clear and legible
- d) must be headed in capital letters and bold type "DEVELOPMENT PROPOSAL"
- e) must, if practicable, be capable of being read from a public place
- f) must be in the form provided by Council.

Council is responsible for preparing the site notice and making the site notices available to the applicant prior to the commencement of the notification period. The applicant is responsible for erecting the site notice and for ensuring that it is displayed during the notification period. The applicant is responsible for removing the notice and returning it to Council after the notification period.

The applicant must provide to Council, prior to determination of any application a Statutory Declaration made under Part 4 of the *Oaths Act 1900* stating under oath, words to the effect that:

"In accordance Schedule 1 (6) of the Woollahra Community Participation Plan, the site notice was erected and maintained during the notification period under this Plan."

OR

"In the event that the site notice was damaged, defaced or removed by a third party that the notice was removed on and replaced on [DATE]."

Appendix

A. Related Council plans, strategies and policies

This Community Participation Plan is informed and supported by a number of strategies and plans including, but not limited to, the following:

- · Aged and Disability Study 2016
- Asset Management Strategy 2011-2021
- Delivery Program 2018-2021 & Operational Plan 2019-2020
- Disability Inclusion Action Plan 2017
- Reconciliation Statement- Action Plan 2012
- Woollahra 2030- Community Strategic Plan-Adopted 18 June 2018
- Woollahra Social and Cultural Plan 2013-2023
- Woollahra Development Control Plan 2015
- Woollahra Local Environmental Plan 2014.

B. Relevant legislation

Further State and Federal legislation and guidelines relating to when Council must initiate community consultation:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Environmental Planning and Assessment (Savings, Transitional and other Provisions) Regulation 2017 (Part 2 Clause 16)
- Privacy and Personal Information Protection Act 1998
- Crown Lands Act 1989
- Roads Act 1993
- Local Government Act 1993
- Local Government Act Amendment (Governance and Planning) 2016
- Local Government Act Amendment (Planning & Reporting) Act 2009.

List of amendments

<u>Amendment</u>	Date of apporval
<u>No. 1</u>	22 June 2020



Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

