

Item No: Recommendation to Council
Subject: **WHITE CITY - PROPOSED HERITAGE ITEM**
Author: Amelia Parkins- Strategic Heritage Officer
File No: 7.30
Reason for Report: To respond to the Council's decision on 24 March 2014.
To obtain a decision of the Council to proceed with a planning proposal.

Recommendation

- A. That the planning proposal to amend Woollahra LEP 1995 by listing as a heritage item *White City, former tennis centre and grounds* at 30 and 30A Alma Street, Paddington, 73-79 New South Head Road, and 81-83 New South Head Road, and including land beneath the railway viaduct and also the land on which the stormwater channel is located be adopted.
- B. That the owners be encouraged to revise the White City CMP 2008, which would inform a revision of the White City DCP 2007.
- C. That a review of the White City DCP 2007 be carried out and reported to the Urban Planning Committee.
- D. That subject to the White City site being listed as a local heritage item, a report be prepared for the Council's consideration on the possible listing of the site on the State Heritage Register.

1. Background

A report was presented to the UPC on 10 March 2014 (**Annexure 1**) responding to the resolution of 16 December 2014:

- A. That consideration of the matter be deferred to give Council staff time to update the White City Conservation Management Plan to the present time.
- B. The updated plan to set out in more detail the significance of the fabric including fabric of lower and higher significance.
- C. That staff investigate possible State and/or Federal Government funding for the site.

The report continued to recommend that a planning proposal be prepared to list the site as a local heritage item. It explained the role of a conservation management plan (CMP) and the inappropriateness of Council staff updating it. The report also indicated that there are no State/Federal funding options applicable for the site.

The Council's decision on 24 March 2014 was:

- A. That a planning proposal be prepared and submitted to the Urban Planning Committee for consideration, to amend Woollahra LEP 1995 by listing as a heritage item White City, at 30 and 30A Alma Street, Paddington, 73-79 New South Head Road, and 81-83 New South Head Road, and including land beneath the railway viaduct and also the land on which the stormwater channel is located.
- B. That the owners be encouraged to revise the White City CMP, which would inform a revision of the White City DCP 2007.
- C. That a review of the White City DCP 2007 be carried out and reported to the Urban Planning Committee.
- D. If the White City site is listed as a local heritage item, then a report be prepared for the Council's consideration on the possible listing of the site on the State Heritage Register.
- E. That following preparation of the report required by Part A, a site inspection be conducted at an appropriate time to enable all Councillors to attend.

This report responds to part A and E of the resolution.

For the benefit of the Council a short chronology of reports and actions relating to the matter over the past 18 months is provided below.

Date	Event
25 March 2013	Report to the Urban Planning Committee with a heritage assessment and inventory form recommending listing in the Woollahra LEP 1995.
8 April 2013	Council resolved to defer the matter for two weeks and that the matter be resubmitted to UPC on 8 April 2013.
8 April 2013	The same report as that presented on 25 March 2013 was again presented to the Urban Planning Committee for consideration.
22 April 2013	Council resolved to defer the matter for 4 weeks to enable the owner to submit a heritage report. After this report is received a site inspection be conducted.
25 September 2013	The draft heritage report prepared by Urbis was received by Council.
6 November 2013	The final heritage report prepared by Urbis and a covering letter from the Hakoah Club was received by Council.
25 November 2013	A report to the Urban Planning Committee responded to the submission by Urbis and the letter from the Hakoah Club. The Urbis response focused primarily on the policy provided in the existing CMP, which has been translated into the DCP for the site. The report to the Urban Planning Committee maintained the same recommendations as the previous two reports with the additional recommendation that the owners update the CMP and that this be used to inform a revision of the site-specific DCP.
16 December 2013	Council resolved to defer consideration of the matter until staff had time to update the CMP, which should set out in detail the significance of the fabric. Staff were also asked to investigate State/Federal funding for the site.
10 March 2014	A report (Annexure 1) was presented to the Urban Planning Committee addressing the resolution of 16 December 2013.
24 March 2014	Council resolved that a planning proposal be prepared, that the owners revise the CMP, that a review of the DCP be carried out and that a site visit be carried out following preparation of the planning proposal.
13 June 2014	A draft planning proposal was circulated to landowners and Councillors.
20 June 2014	A site inspection was carried out.
7 July 2014	Submission from Urbis titled 'White City- Heritage Listing: Schedule of significant architectural elements CMP survey (based on statement of significance)'
10 July 2014	A meeting of some Councillors and representatives from the Hakoah Club and Sydney Maccabi Tennis Club was held at Council Chambers.
15 July 2014	A meeting with staff and a heritage consultant, engaged by the Hakoah Club, from Urbis was held at Council Chambers.
11 August 2014	Submission from Urbis of suggested amendments to the inventory sheet.

2. Site inspection

A draft planning proposal was prepared and circulated to landowners and Councillors prior to a site visit taking place on 20 June 2014. The site inspection was attended by Councillor Zeltzer, Councillor O'Regan, Councillor Levenston, Councillor Zulman, Councillor Elsing, Councillor Marano, Councillor Robertson, Councillor Bennett, Councillor Boskovitz, Councillor Wynne, representatives (including owners and consultants) of the Hakoah Club, Sydney Maccabi Tennis Club, Sydney Water, Crystal Car Wash and Sydney Grammar School. All those in attendance were walked around the site where the main elements were identified.



Figure 1. Map identifying the extent of the site and the landowners.

The tour began in the Alma Street carpark. It proceeded to the northern portion of the site where the general locations of the White City Amusement Park, the former Tennis NSWTA Club House and former White City Club House were identified.

The tour then moved down to the southern portion of the site towards the centre courts, stopping to identify the stormwater channel and the entry gates to the White City Tennis Centre. These gates have been relocated from the northern entrance to the site. The tour moved into the centre courts

complex where the centre courts and the four grandstands and their various extensions were discussed.

At the conclusion of the tour representatives from the owners of the southern portion of the site, the Hakoah Club and Sydney Maccabi Tennis Club, presented a development concept in the club house.

Following the site inspection the landowners were given the opportunity to respond to the draft planning proposal. The responses received are summarised below:

Owner	Submission summary
Crystal Car Wash 73-83 New South Head Road, Edgecliff	A submission was received from Mike George (Mike George Planning Pty Ltd) on behalf of Crystal Car Wash (Annexure 2). The submission requests that this land be deleted from the planning proposal as it is clearly severed from the rest of the site by the railway viaduct and no physical evidence of the site's use as a tennis centre remains visible. Any historical interpretation or recognition of former uses of the site can be achieved as part of any future development of the site. The submissions states that the portion of land owned by Crystal Car Wash should not form part of the heritage listing.
Sydney Water	An email from Phil Bennett, Program Leader Heritage at Sydney Water, made no objection to a local heritage listing (Annexure 3). The main stormwater channel (not the arm that forms part of the subject site) is already listed on Sydney Water's Section 170 Heritage and Conservation Register¹ as an item of local significance. The submission requests that the channel be removed from any proposal to list the site on the State Heritage Register.
Sydney Grammar School 30A Alma Street, Paddington and 65 New South Head Road, Edgecliff	A submission was received from Lindsay Hunt (Colston Budd Hunt & Kafes Pty Ltd) on behalf of Sydney Grammar School (Annexure 4). The submission states that there is no planning justification that the land be included in a potential heritage listing in relation to White City. The submission goes on to explain that there are no relevant historic structures on the land, and that due to the construction of the railway viaduct there is no longer any physical or visual relationship between the northern and southern portions of the site. The submission states that the portion of land owned by Sydney Grammar should not form part of the heritage listing.

Our response to these submissions is discussed in detail in Section 6 of this report.

3. Meeting with Hakoah Club and Sydney Maccabi Tennis Club

At the site visit it was requested that the owners of the southern portion of the site, the Hakoah Club and Sydney Maccabi Tennis Club, prepare a table identifying and commenting on the significant elements of the site (**Annexure 5**). This document, prepared by Urbis, was received on 7 July 2014.

¹ Under section 170 of the *Heritage Act 1977*, government agencies are required to keep a register of heritage assets owned or managed by the government agency. This is called a Heritage and Conservation Register, or more commonly a section 170 Register.

A meeting of some Councillors, staff and representatives from the Hakoah Club and Sydney Maccabi Tennis Club was held on 10 July 2014. At this meeting the conceptual intentions for future development of the site were discussed. The heritage consultant from Urbis, engaged by the Hakoah Club, agreed with the heritage inventory sheet description and assessment of significance but suggested changes should be made to the recommended management section. These comments have been addressed in the revised inventory sheet (**Annexure 6**).

4. Meeting with Urbis heritage consultant

As a follow up from matters raised at the meeting on 10 July, Council staff met with the heritage consultant from Urbis on 15 July 2014 to discuss the extent of the proposed heritage listing of the site. It was agreed that the heritage listing of individual elements across the site, such as the northern stand's arches, the southern stand's trusses and the entry gates had major shortcomings. The reasons for this view are discussed in detail in section 6 of this report. There was general agreement that the whole site, as originally identified, should be listed. The name of the precinct and the recommended management of the site were discussed without resolution. Following this meeting the heritage consultant from Urbis provided input into the revised inventory sheet.

5. Basis of heritage listing

In NSW the procedure for assessing heritage values, heritage listing sites and managing heritage places is a well-established process guided by the *Australia ICOMOS Burra Charter*² (Burra Charter) and the NSW Heritage Division.

The process used to identify and assess the heritage values of White City, former tennis centre and grounds, has been in accordance with the guidelines and industry standards for best practice as outlined in parts 5.1 and 5.2 of this report.

5.1 The Burra Charter

The Burra Charter is a guide to making good decisions about heritage places. The Burra Charter process describes the steps involved in identifying and managing the cultural significance of a place. Article 6 of the Burra Charter explains the steps involved in identifying and managing the cultural significance of a place (Figure 1). This is known as the Burra Charter process.

The process involves three main stages as summarised below and shown in Figure 2: The Burra Charter Process.

Steps 1 and 2: Understand significance

- Investigate the place
- Assessment of significance

Steps 3, 4 and 5: Develop policy

- Identify all factors and issues
- Develop policy
- Prepare a management plan

Steps 6 and 7: Manage in accordance with policy

- Implement the management plan
- Monitor the results and review the management plan

² The Burra Charter, 2013, The Australia ICOMOS Charter for Places of Cultural Significance

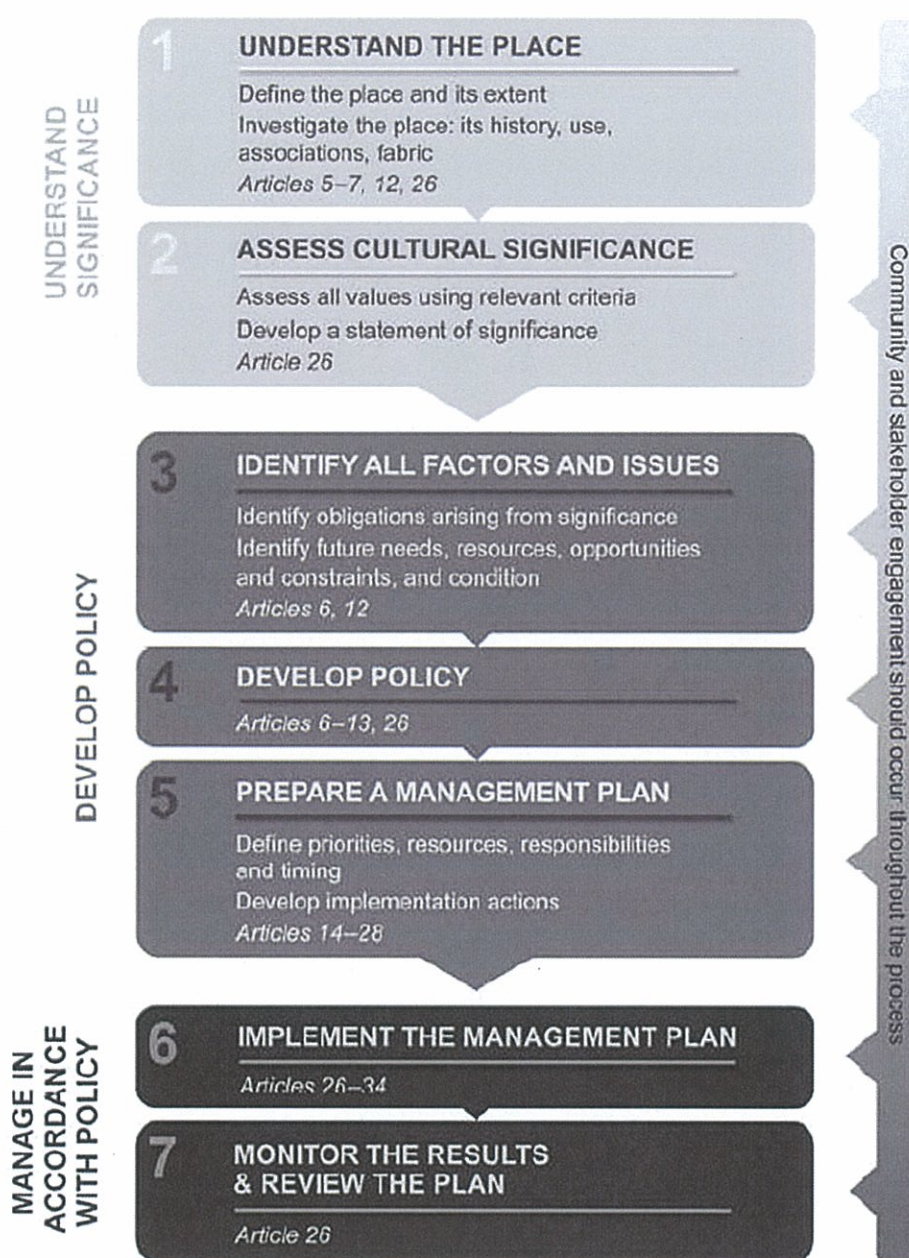


Figure 2. The Burra Charter process (Source: Australia ICOMOS Practice Note- Developing Policy)

The recommendations made to the Urban Planning Committee over the last 18 months have followed the Burra Charter process:

- An investigation of the place, its values, use, history, associations and fabric was undertaken and was used to inform an assessment of cultural significance against the industry standard criteria (*steps 1 and 2 of the Burra Charter process*). The result of steps 1 and 2 was the recommended local heritage listing of the site.
- Following steps 1 and 2 it was also recommended that the existing Conservation Management Plan be updated to reflect the condition of the site and the owners requirements (*steps 3, 4 and 5*).
- In addition to this it was recommended that the existing site-specific DCP be reviewed and updated to reflect the policy outlined in the revised Conservation Management Plan. These two documents would guide the management of the cultural significance of the place (*steps 6 and 7*).

5.2 Assessment of heritage significance

Cultural significance is the sum of the qualities or values that a place has, including the five values described in Article 1.2 of the Burra Charter- aesthetic, historic, scientific, social and spiritual. In NSW these criteria have been expanded to seven as identified in the document *Assessing Heritage Significance*³:

- Criterion (a) Historic
- Criterion (b) Historic Association
- Criterion (c) Aesthetic/Technical
- Criterion (d) Social
- Criterion (e) Research Potential
- Criterion (f) Rarity
- Criterion (g) Representativeness

All criteria are important and one should not be given greater weight than another.

The Burra Charter principles focus on maintaining the cultural significance of a place by retaining and conserving all elements that make up its significance. Article 5 of the Burra Charter explains: '*Conservation of a place should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.*'

If a place has been identified as having cultural significance, all its parts are intrinsic to that significance, although some elements may have different levels of significance. The levels of significance as set out in the publication *Assessing Heritage Significance* include Exceptional, High, Moderate, Little or Intrusive. These gradings are applied to different elements of the site and inform part of the policy and management strategies for the site (steps 3, 4 and 5 of the Burra Charter process described above). The individual elements are not listed independently. The identification of the place as either having or not having cultural significance occurs in steps 1 and 2 of the Burra Charter process.

There is a risk that by not following the Burra Charter process the identified significance of the site will not be managed properly and may be lost. To date there have been no objections raised by any heritage consultants regarding the cultural significance of the site. There has been no additional information or evidence provided to suggest that the assessment is incorrect. We therefore see no reason to alter the recommendation to list the site as an item of environmental heritage in the Woollahra LEP 1995.

6. Planning proposal

The planning proposal to amend the Woollahra LEP 1995 by listing *White City, former tennis centre and grounds* as an item of environmental heritage has been prepared (**Annexure 7**). The extent of the proposed heritage item is shown in Figure 3 and includes the land, buildings and structures, landscape elements and any archaeological remains.

The proposed extent of the listing reflects the primary significance of the site as an internationally renowned tennis centre. The proposed listing includes all of the land that was previously known as the White City Tennis Centre.

³ Assessing Heritage Significance, NSW Heritage Office 2001 (Heritage Manual Update)

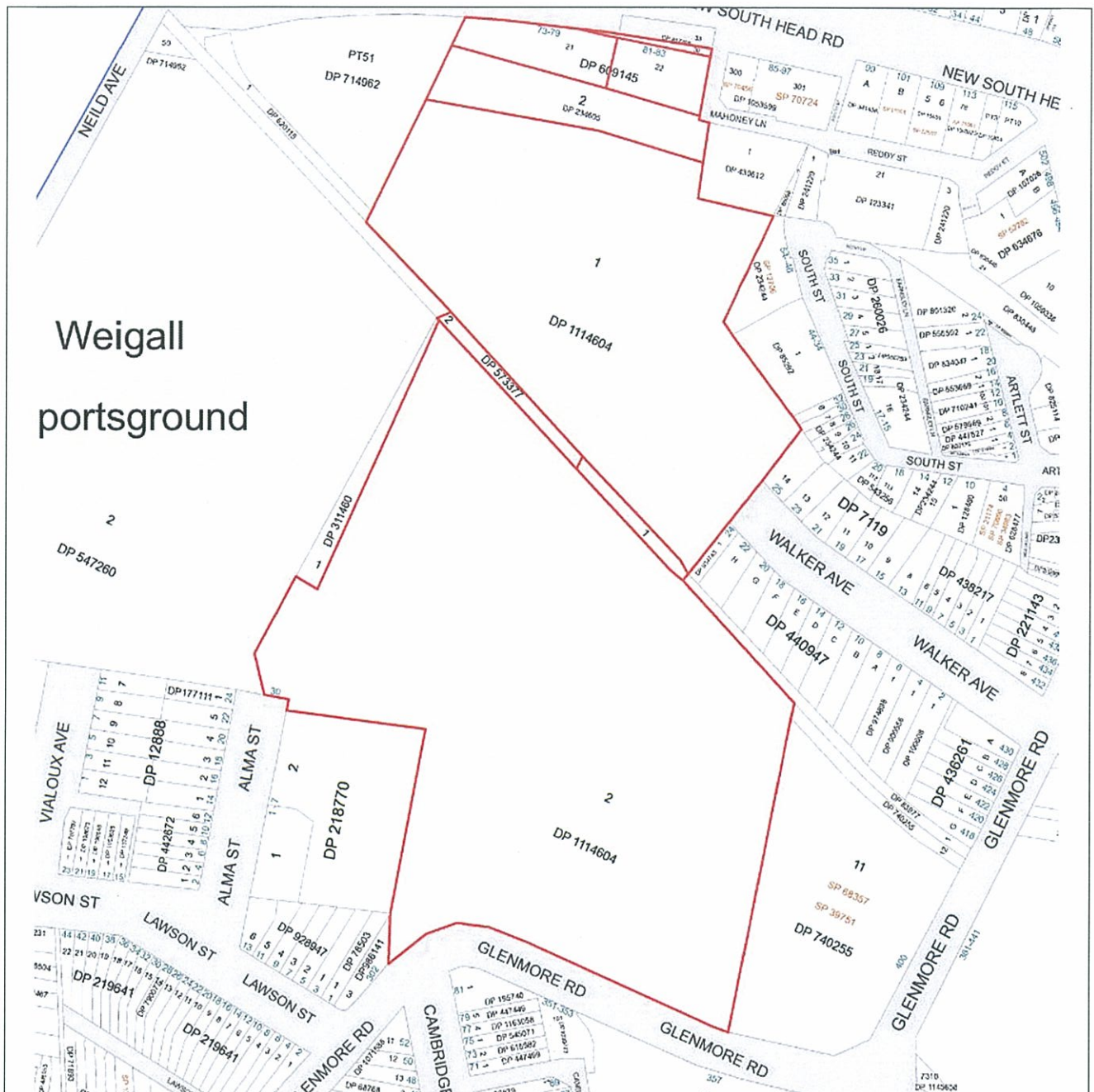


Figure 3. The proposed extent of the site known as White City, former tennis centre and grounds.

Address	Lot	DP
30 Alma Street, Paddington	2	1114604
30a Alma Street, Paddington	1	1114604
85a New South Head Road, Edgecliff	30	817499
418 Glenmore Road, Paddington	1 and 2	573377
65 New South Head Road, Paddington	2	234605
73-79 New South Head Road, Edgecliff	21	609145
81-83 New South Head Road, Edgecliff	22	609145

The extent of the land associated with the activities of White City, former tennis centre and grounds is clearly identified in the 1943 aerial (Figure 4). As described in the inventory sheet, part of the significance of the site is the continued use of the land for open space recreation (Figure 5).



Figure 4. An aerial photograph from 1943 showing the use of the site for tennis. The original Club House is located to the north of the site, fronting New South Head Road and the centre courts to the south of the image.



Figure 5. An aerial photograph from 2011 showing the site and the continued use as open space.

The extent of the proposed heritage item includes all the land, buildings and structures and landscape elements associated with the use of the site as the White City tennis centre, including the grounds. As identified at the site inspection, this includes the portion of land to the north of the stormwater channel for its association with the original clubhouses and entry to the complex. This land is also historically important as the location of the White City Amusement Park where the tennis centre took its name.

As shown in Figure 4 the land to the north of the stormwater channel is also important for its use as lawn tennis courts associated with the White City tennis centre. The land located to the south of the stormwater channel is included in the listing as land that was used for lawn tennis courts and the centre courts arena.

Response to landowners submissions:

Submission	WMC response
Crystal Car Wash Pty Ltd:	
The land owned by Crystal Car Wash Pty Ltd is practically and visually severed from the White City site by the railway viaduct.	Agreed that there is a visual disruption created by the railway viaduct. Despite this, the land in question has historical value associated with the two former club houses and the original entrance to the former White City tennis centre.
The primary heritage values are associated with the land south of the railway.	Disagree. The remaining built elements from the use of the site as a tennis complex are evident to the south of the site, however, the heritage values of the site include built structures, open space, potential archaeological relics and more intangible values such as memories and events, which are embodied across the entire extent of the site.
There are no visible remnants and no visual connection with the White City site.	There is still a visual connection across the valley floor. No visual remnants does not mean no heritage value. Heritage values are embodied in both the visible and non-visible elements of the site.
Historical commemoration of the site can be addressed through future development of the site.	Agreed. However, this does not preclude the land from forming part of the heritage listing for White City, former tennis centre and grounds. Without heritage listing there is no obligation or prompt to include interpretation as part of a future redevelopment.
Sydney Water:	
The stormwater channel should be excluded from any State heritage listing of White City.	The current planning proposal is for a local listing only. If in the future a state nomination is pursued this will be addressed.
Sydney Grammar School:	
All remnant uses and structures relevant to the historic White City are located to the south of the stormwater channel.	Disagree. The heritage significance of the site includes more than the remnant structures located to the south of the stormwater channel. The portion of the site located to the north of the stormwater channel, which is owned by Sydney

Submission	WMC response
The only significant structure that was on the land that relates to White City was on the land that fronts New South Head Road and was demolished for the railway viaduct, so there remains no historic link between the northern and southern portions of the site.	Grammar School, is still open space in nature and is still used for recreational purposes. The fact that the land is now under separate ownership does not extinguish its heritage significance. Disagree. Heritage values are embodied throughout the site, not just in built elements. The land in question is associated with White City, former tennis centre and grounds, as shown in Figure 2, because of its previous use as lawn tennis courts.
The land owned by Sydney Grammar School has been redeveloped previously with consent from Council, for purposes unrelated to former historic uses of the land. Consideration of the heritage impacts of any new development is already required because part of the site is located within the Paddington Heritage Conservation Area.	Disagree. The land reflects the historic use of the site for open space recreation. A portion of the site identified for heritage listing is located within the Paddington HCA. However, this fact does not negate the inclusion of the land in a heritage item listing.

During the site inspection on 20 June 2014 and the meeting of 10 July 2014 three elements were suggested by some Councillors and landowners as the most important to keep. These three elements were the gates to the tennis centre, the arches in the northern grandstand and the timber trusses in the southern grandstand.

As described in section 5 of this report, there are a large collection of elements that contribute to the heritage significance of the site. The industry standards (Burra Charter and NSW Heritage Division publications) emphasise that all layers of significance should be managed. The management processes allow for the differentiation of elements by grading their levels of significance.

In accordance with the Burra Charter process, once the site has been identified as having heritage significance, the individual elements that make up the site (both tangible and intangible) can be graded. The identified significance of the site and grading of components, in conjunction with opportunities and constraints facing the site and the owner's requirements, can be used to develop appropriate policy to manage the significance of the site. As described in the last report to the UPC, this occurs as part of the preparation of the CMP. At White City, former tennis centre and grounds, the grading of elements formed part of the 2008 CMP and were reiterated in the spreadsheet of elements prepared by Urbis (**Annexure 5**). The detailed analysis that grades fabric into levels of significance is not required to be undertaken as part of the listing process.

The heritage significance of the site is not reflected in just three elements. It is embodied throughout the entire site identified in Figure 3. This has been acknowledged in previous studies and consultant's reports. The proper management of elements, including whether they are retained or interpreted in new development is more appropriately dealt with through the CMP process rather than a selective and potentially confusing listing process.

7. Future development on the site

A key message in the Burra Charter is that the significance of a place should guide decisions about it. The Burra Charter process involves identifying significance, then developing policy to manage that significance. Importantly, it is the *significance* of the place and its *values* that the policy aims to retain, which does not equate to the retention of all existing elements or spaces on the site.

The Australia ICOMOS Practice Note- Developing Policy⁴ explains:

Some aspects of significance may be intangible, such as meanings, memories, rituals, and may or may not depend on the fabric, of the place for their retention, while other aspects will be clearly dependant on fabric, form, function, location, setting, use and the spatial qualities of the place. Once these are identified and understood, appropriate conservation processes can be considered for each of them.

The cultural significance of the White City site includes both tangible and intangible values, such as meanings, memories and events that took place at the site. These values and the significance of the site have been identified in the inventory sheet and the 2008 CMP. It is important to review and update the CMP so that the policy for the place reflects the owner's aspirations and the physical condition as explained in Article 6.3 of the Burra Charter:

Policy development should also include consideration of other factors affecting the future of a place such as the owner's needs, resources, external constraints and its physical condition.

At the conclusion of the site inspection on 20 June 2014, a concept scheme for a new development on the land owned by the Hakoah Club and Sydney Maccabi Tennis Club was presented. As discussed at the meeting on 10 July 2014, this part of the site possesses great opportunities for the application of a creative architectural solution that is informed and inspired by the identified heritage significance of the place.

Once the significance of a place has been identified there are numerous ways these values, both tangible and intangible, can be incorporated into a new development on the site. These decisions should be in accordance with the policies set out in the CMP and DCP, and guided by a heritage consultant.

8. Conclusion

Over the last 18 months of discussions relating to the proposed local heritage listing of White City, every heritage consultant has agreed with the assessment of cultural significance outlined in the inventory sheet, which has been revised based on some of the comments from Urbis. There has never been a dispute over the fact that the site should be listed as an item of local heritage significance.

A restrictive listing that focuses on three elements (gates, trusses and arches) is not appropriate. Many more than three elements have been identified as significant by every heritage consultant that has been involved. This is confirmed by the 2008 CMP and the spreadsheet prepared by Urbis, dated July 2014. A comprehensive listing, as recommended, would allow for a greater ability for development that is guided by the CMP and DCP than a listing of three elements in isolation.

Throughout the process, there has been no new evidence or information to suggest that the recommendation or extent of the listing is incorrect. We therefore maintain our position that the

⁴ The Australia ICOMOS Charter for Places of Cultural Significance Practice Note: Developing Policy.

site, known as *White City, former tennis centre and grounds* be listed in the WLEP 1995 as an item of environmental heritage and that in accordance with the Burra Charter process, the appropriate documents be revised to provide relevant policies that retain the significance of the site and allow the owners to achieve their aspirations.



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Annexures

1. Report to UPC dated 24 March 2014 (excluding annexures)
2. Submission from Crystal Car Wash Pty Ltd
3. Submission from Sydney Water
4. Submission from Sydney Grammar School
5. Table of elements prepared by Urbis dated 7 July 2014
6. Heritage Inventory Sheet updated August 2014
7. Planning proposal for White City dated August 2014