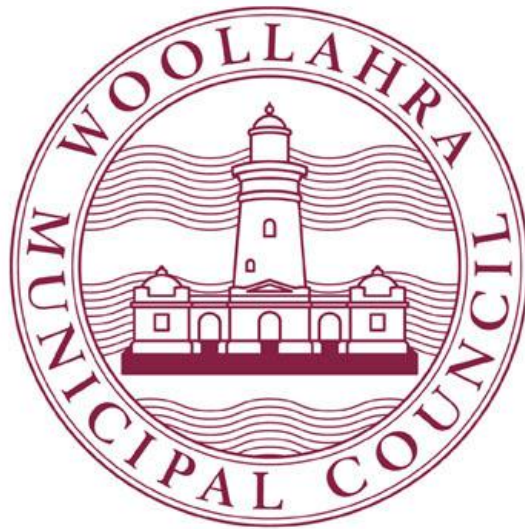




PLANNING PROPOSAL

WHITE CITY, PADDINGTON

OCTOBER 2014

Version date 1 October 2014

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Part 1 – Introduction

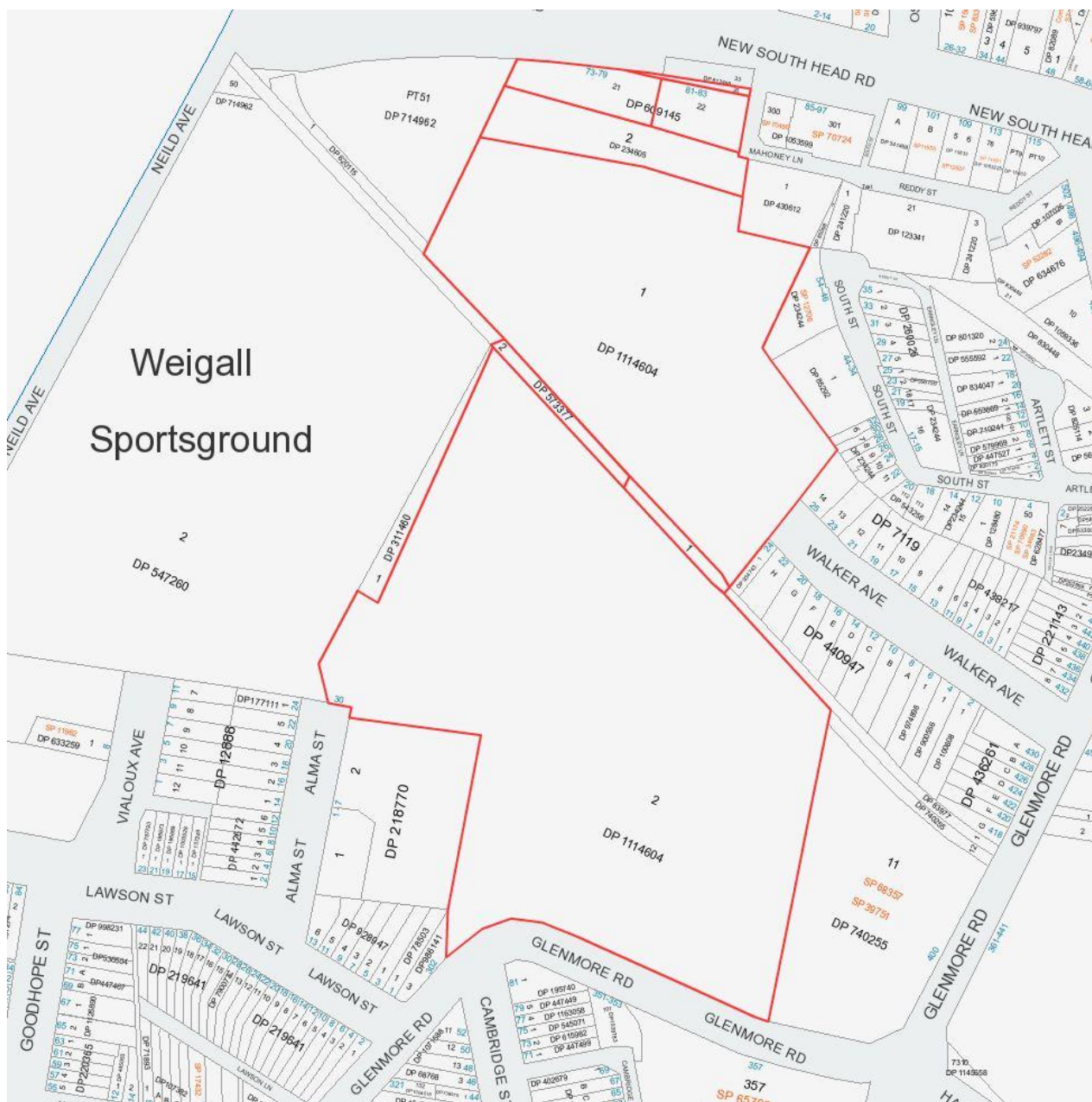
This planning proposal is made in relation to land known as the White City site.

This planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* and the two documents prepared by the NSW Department of Planning and Infrastructure titled *A Guide to Preparing Planning Proposals (October 2012)* and *A Guide to Preparing Local Environmental Plans (April 2013)*.

Part 2 – Site and context description

The planning proposal applies to land in Paddington and Edgecliff. The land is listed in the table below and identified on the Site Map.

Address	Lot	DP
30 Alma Street, Paddington	2	1114604
30a Alma Street, Paddington	1	1114604
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
85a New South Head Road, Edgecliff	30	817499



Site map

2.1 Site description

The White City site is described as 30 and 30a Alma Street, Paddington, 73-79 New South Head Road, 81-83 New South Head Road, 85a New South Head Road, Edgecliff, and includes land beneath the railway viaduct and also the land on which the stormwater channel is located.

A service station is located on the site to the north of the railway viaduct with access from New South Head Road. A car wash is located on the parcel east of the service station fronting New South Head Road. This part of the site is at a high level adjacent New South Head Road, creating a distinctive area separated by the railway viaduct. South of the railway viaduct is a sports field and associated car park. This northern portion of the site is divided from the southern section by the stormwater channel.



Figure 1. Entrance gates to the White City tennis centre- relocated from New South Head Road



Figure 2. Storm water canal.

The centre courts complex is located to the south-east corner of the site, surrounded by tennis courts to the east and north. The centre courts complex is positioned close to the escarpment that marks the distinction between the lower slopes of Paddington and the broad open valley floor of Rushcutters Bay. The centre courts arena consists of two tennis courts: one Classic Clay artificial court laid over the Rebound Ace surface which had replaced the grass courts and one grass court both running north-south. The grass is a mixture of different varieties of couch grass. Surrounding the centre courts on all four sides are four separate grandstands: the oldest stand, the southern grandstand, from 1923; the northern grandstand, from the 1930s and 1970s; and the eastern and western grandstands, from the 1980s. The grandstands have been progressively modified throughout their history.



Figure 3. *The centre courts complex looking at the southern grandstand.*



Figure 4. *The arcade beneath the northern grandstand.*



Figure 5. An arch beneath the northern grandstand providing access to the centre courts complex.



Figure 6. The southern grandstand.

2.2 Context description

The White City site is located within the broad La Crozia valley which extends from Rushcutters Bay south, then south-east to Trumper Park and includes Rushcutters Bay Park, Reg Bartley Oval and Weigall Sports Ground. The valley lies within a natural amphitheatre with an escarpment to the residential areas of Edgecliff and the slopes of Paddington. It is characterised by large areas of open green space for tennis courts and playing fields.



Figure 7. View across valley floor from the Alma Street car park towards Paddington

2.3 Historical overview

The site was originally part of two land grants in the La Crozia Valley, 40 acres granted to Thomas West in 1811 and 40 acres to the east of this granted to William Thomas in 1817. Cooper and Holt acquired the Thomas grant in the 1840s, when Rushcutter's Bay was sparsely populated with only a few buildings along New South Head Road.

The original Thomas grant, owned by Daniel Cooper until his death in 1853, was left in trust to Sarah Booth (nee Cooper). She leased the land to market gardeners, initially Europeans and later Chinese, who came to dominate the supply of fresh fruit and vegetables to the region.

The Booth Estate was subdivided in 1900 but did not sell quickly due to the restrictions of current leases and the considerable cost to make the site fit for building. Some Chinese market gardens remained leased until 1909. In 1903 the AGL company bought land for a gasometer near New South Head Road. The Sydney Grammar School purchased 7.5 acres of the Booth Estate in 1907 for Weigall Sports Ground, naming the ground after headmaster Albert Weigall (1866-1895).

The Sydney Stadium was built in 1908 at the northwest corner of the site as an outdoor boxing arena, which was later enclosed for a variety of entertainment purposes.

Some unsuccessful businesses occupied parts of the site in the 1910s: the Aerated Bread Company in the north, Sydney Croquet and Recreation Lawns Limited in the south.

The White City Amusement Park, opened on the site of the on 3 December 1913, as a marvel of timber and plaster, by Cosens Spencer, a film entrepreneur who established the 'Great American Theatrescope' at the Lyceum Theatre in Sydney. The name White City was derived from a London Amusement Park. The name referring to the all-white buildings created with the use of lath (a thin wood framework on chicken wire base) and a mixture of plaster of Paris and hemp fibre.

The White City Amusement Park was hit by lightning and destroyed by fire in 1917. In 1918 White City Limited went into liquidation and its assets sold.

The Ministry for Housing announced the resumption of the land on both sides of the drainage canal for a housing scheme. The suitability of the site was raised, which prompted the filling of the land with material from Woolloomooloo. By April 1920 the housing scheme was finally rejected.

The NSW Lawn Tennis Association was founded in 1890 with premises acquired in Double Bay in 1907. It outgrew those facilities as the popularity of tennis grew with the success of the Australasian Challengers, Patterson and Anderson in the 1919 Davis Cup.

In 1921 NSW Lawn Tennis Grounds Ltd was formed to purchase, control and run the Rushcutters Bay grounds which became known as White City, taking the name of the former Amusement Park. The official opening of the Sydney Lawn Tennis Ground was on 21 October 1922 by the State Treasurer Mr AA Cocks, and President of NSWLTA. The event was celebrated with a mixed tournament with 96 pairs participating. Thirty seven grass courts and 16 hard courts were envisaged compared to the 15 courts at the Double Bay site. A club house was constructed, at the northern end of the site close to New South Head Road. It was admired as 'one of the best in the world' and 'pleasing to the eye' with an imposing view of the grounds. One month after opening a unique tournament was played with women playing singles for the first time in an Australian Championship.

In 1923 a large 3,500 seat grandstand (the southern grandstand) was built. The roof was constructed of timber trusses which cantilevered part of the stand so that all the seats were covered. Financial difficulties in the late 1920s lead to admission of 'Ground members' with playing rights and members seats in the grandstand. In the late 1920s the popularity of hard court tennis was increasing. 500 more seats were erected at the back and alongside original chair seats of the southern grandstand. Debenture holders were given special seats in perpetuity. By 1924 night tennis lighting was installed on the 5 hard courts.

By the 1930s, Australian players were amongst the top in the world and people flocked to White City to see them play. International players at the centre included Jean Borotra of France, Fred Perry of Britain, Ellsworth Vines of the USA, and Jiroh Satoh of Japan. The Australian tennis players of the 1930s, who played at the Courts included Adrian Quest, Jack Crawford, Harry Hopman and Vivian McGrath. In 1939 A. K. Quist and J. Bromwick won the Davis Cup back for Australia, the first such win since 1919. The outbreak of WWII put tennis on hold.

In the 1930s a small area of land on New South Head Road was leased for use as a service station. It remains in use as a service station.

The northern grandstand was constructed in the 1930s, smaller than the southern grandstand. It was constructed of concrete and timber with a simple corrugated tin roof structure that only covered the centre section of the stand. The eastern and western stands were constructed in the 1940s as simple low timber structures with no roof coverings. They were replaced in the 1980s.

The White City Club (WCC) was established in 1948 as a licensed club unlike the original NSWLTA. The NSWLTA purchased the gasometer site to the west of the club house on the New South Head Road from the AGL Company. The WCC set up in the caretaker cottage located on the AGL land for its club premises. It became a popular venue for young residents of Sydney's eastern suburbs social and celebrity set on Friday nights.

The two clubs did not associate with each other. They continued on separately until the Eastern Suburbs railway overpass resumed a portion of land parallel to New South Head Road, causing both clubhouses to be demolished in 1968. The railway opened on 23 June 1979.

Tennis reached the peak of its popularity, its 'golden age' as a spectator sport in the 1950s. White City became the venue of many international tennis events such as the NSW Open Championships, the Australian Open Championships and the Davis Cup. The centre court was originally planned to host the Davis Cup matches but this did not happen until Boxing Day 1951 when the Australians Frank Sedgman, Ken McGregor and Merryn Rose defeated the United States. In 1954, 25,578 people attended White City when the United States successfully challenged Lew Hoad and Ken Rosewall for the Davis Cup. This is an attendance record for an outdoor Davis Cup match which has not been surpassed.

White City had the first electric scoreboard in Australia which was built by Ted Both in 1952 for the NSW championships. In 1957 the NSW titles were televised live for the first time anywhere in the country as television was just one year old in Australia. The 1960s and 1970s saw many Davis Cup matches held at White City with Australia winning many of them. Local players included Neale Fraser, Rod Laver, Roy Emerson, John Newcombe, Tony Roche and John Alexander.

In 1963 the NSWLTA sold part of its lands on Alma Street to Sydney Grammar School for a preparatory school. During the 1970s the White City grounds were made available for entertainment other than tennis. The first pop concert was held in October 1970 and public protest followed as residents of Edgecliff and beyond were

subjected to the noise of open air pop concerts, wrestling, boxing and basketball. These functions were curtailed and in 1973, the Sydney Stadium was demolished along with the Cinecraft building for the eastern suburbs railway.

In 1970 the NSWLTA and the WCC built their new club house behind and in the airspace under the existing northern stand. More seats were constructed of concrete at a higher level, doubling the seating capacity. The covered roof was also removed. A through roadway was created under the stand.

In the 1970s, 1980s and 1990s many famous Australian tennis players competed at White City including Evonne Goolagong, Pat Cash, John Fitzgerald, Paul MacNamee, Patrick Rafter and the Woodies. International Players included Pete Sampras, Monica Seles, Martina Hingis, Tod Martin, Gabriela Sabatini, Tim Henman, Karol Kucera and Arantxa Sanchez Vicario.

In 1985 the Association celebrated the centenary of the first championships played in NSW. The eastern stand was built, requiring the removal of one of the three courts from the centre court area. In the 1980s the club house under the north stand was renovated and extended to include an eastern end two storeys in height. In 1989 the western stand was rebuilt.

A new rebound ace court was laid at centre court alongside the grass court to match the surface at the Melbourne Park National Tennis Centre in 1989. This surface has now been replaced by a 'Classic Clay' synthetic grass court.

In January 1999, the final International tournament was played at White City prior to its move to Sydney International Tennis Centre, part of the Olympic 2000 facilities at Homebush. Tennis NSW (previously NSWLTA) relocated to the new Tennis Centre at Homebush Bay in 2001. The Tennis NSW memorabilia was moved to Homebush in 2005.

The centre courts complex is now owned by the Hakoah Club Ltd and the Sydney Maccabi Tennis Club Ltd, continuing the use of White City as a tennis venue. The green open space to the north of the stormwater channel is now owned by Sydney Grammar School for use as playing fields, continuing the recreational use of the site. The land under the railway viaduct is owned by Sydney Grammar School and the Rail Corporation of NSW. It is used for carparking for the school. The two allotments of land adjacent New South Head Road are owned by the Crystal Car Wash Pty Ltd and are used as a service station and car wash. Sydney Water owns the land on which the stormwater channel is located.

Part 3 – Objectives of the planning proposal

The objectives of the planning proposal are:

1. to recognise the local heritage significance of the White City site,
2. to provide statutory protection of the White City site as a local heritage item,
3. to provide for the conservation of the White City site.

Objectives 1, 2 and 3 are conditional in that the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates. The description of the item contains these conditional terms.

White City, former tennis centre and grounds has been identified as having local heritage significance. This has been established through an assessment using seven criteria contained in the document titled *Assessing Heritage Significance* (2001) produced by the NSW Heritage Office in 2001.

A copy of the assessment is contained in **Attachment 1**.

The term conservation is defined in the Burra Charter¹ as:

Conservation means all the processes of looking after a place so as to retain its cultural significance.

The processes of conservation include maintenance, preservation, restoration, reconstruction and adaptation. These terms are also defined in the Burra Charter (refer to **Attachment 2**).

Part 4 – Explanation of provisions

The objectives of the planning proposal will be achieved by:

1. Listing the White City site as a heritage item in Woollahra Local Environmental Plan 1995, subject to the condition mentioned in part 3, above, and
2. Utilising the heritage conservation provisions in Woollahra LEP 1995.

Listing of a heritage item occurs within Schedule 3 of the LEP. The listing will identify the site by its street address. The listing will also contain a brief description of the item. The heritage conservation map will be amended to colour the site, thereby identifying it as land on which a heritage item is located.

The listing will be in the form set out below:

¹ *The Burra Charter, 2013, the Australia ICOMOS Charter for Places of Cultural Significance*. ICOMOS is the International Council on Monuments and Sites.

Street of general location	Suburb	Street No.	Description of the heritage item
Alma Street	Paddington	30	White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30a Alma Street, Paddington, 418 Glenmore Road, Paddington, 65 New South Head Road, Paddington, and 73-79, 81-83 and 85a New South Head Road, Edgecliff)
Alma Street	Paddington	30a	White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 Alma Street, Paddington, 418 Glenmore Road, Paddington, 65 New South Head Road, Paddington, and 73-79, 81-83 and 85a New South Head Road, Edgecliff)
Glenmore Road	Paddington	418	White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 and 30a Alma Street, Paddington, 65 New South Head Road, Paddington, and 73-79, 81-83 and 85a New South Head Road, Edgecliff)
New South Head Road	Paddington	65	White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 and 30a Alma Street, Paddington, 418 Glenmore Road, Paddington, and 73-79, 81-83 and 85a New South Head Road, Edgecliff)
New South Head Road	Edgecliff	73-79, 81-83, 85a	White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 and 30a Alma Street, Paddington, 418 Glenmore Road, Paddington and 65 New South Head Road, Paddington)

The heritage conservation provisions are contained in various parts and clauses in Woollahra LEP 1995. In particular, the following clauses will be most relevant in achieving the conservation of the item:

Clause 2 – Aims and objectives

Clause 26 – Heritage items

Clause 31 – Development of known or potential archaeological sites

Clause 32 – Heritage conservation incentives.

Attachment 3 contains extracts from Woollahra LEP 1995 showing the four clauses.

Note:

Draft Woollahra LEP 2014 has been prepared as the new Municipal-wide LEP. Once it is approved and published, Draft Woollahra LEP 2014 will replace Woollahra LEP 1995. The listing of the White City site as a heritage item will be carried over to the new LEP. The relevant heritage conservation provisions are contained in the following clause 1.2 (Aims of Plan) and clause 5.10 (Heritage conservation). These clauses are reproduced in **Attachment 4**.

In Woollahra LEP 2014 the listing would be in the form set out below.

Suburb	Item name	Address	Property description	Significance	Item no
Edgecliff	<i>White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 and 30a Alma Street, Paddington, 418 Glenmore Road, Paddington, 65, 81-83 and 85a New South Head Road, Edgecliff)</i>	73-79 New South Head Road	Lot 21 DP 609145	Local	
Edgecliff	<i>White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 and 30a Alma Street, Paddington, 418 Glenmore Road, Paddington, 65, 73-79 and 85a New South Head Road, Edgecliff)</i>	81-83 New South Head Road	Lot 22 DP 609145	Local	
Edgecliff	<i>White City site – but the</i>	85a New South	Lot 30	Local	

Suburb	Item name	Address	Property description	Significance	Item no
	<i>only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 and 30a Alma Street, Paddington, 418 Glenmore Road, Paddington, 65, 73-79 and 81-83 New South Head Road, Edgecliff)</i>	Head Road	DP 817499		
Paddington	<i>White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30a Alma Street, Paddington, 418 Glenmore Road, Paddington, 65, 73-79, 81-83 and 85a New South Head Road, Edgecliff)</i>	30 Alma Street	Lot 2 DP 1114606	Local	
Paddington	<i>White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 Alma Street, Paddington, 418 Glenmore Road, Paddington, 65, 73-79, 81-83 and 85a New South Head Road, Edgecliff)</i>	30a Alma Street	Lot 1 DP 1114606	Local	
Paddington	<i>White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 and 30a Alma Street, Paddington, 65, 73-79, 81-83 and 85a New South Head Road, Edgecliff)</i>	418 Glenmore Road	Lot 1 and 2 DP 573377	Local	
Paddington	<i>White City site – but the only three items to be retained and/or adapted are specifically the 1923 Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates (see also 30 and 30a Alma Street, Paddington, 65, 73-79, 81-83 and 85a New South Head Road, Edgecliff)</i>	65 New South Head Road	Lot 2 DP 234605	Local	

Suburb	Item name	Address	Property description	Significance	Item no
	<i>Southern grandstand trusses, the Stage 1 Northern grandstand arches and the NSWLTA gates</i> (see also 30 and 30a Alma Street, Paddington, 418 Glenmore Road, Paddington, 73-79, 81-83 and 85a New South Head Road, Edgecliff)				

Note: The item number will be inserted when the LEP is produced.

Part 5 – Justification

Section A – Need for the planning proposal

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

Yes. Numerous reports regarding the heritage listing of the White City site have been prepared by the Council's Strategic Planning Department. The most recent report was prepared in August (**Attachment 5**).

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

Yes. The planning proposal is the best means of achieving the objectives because statutory protection for the site as a local heritage item can only be obtained in a local environmental plan.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. The planning proposal is consistent with the relevant objectives and actions contained in the Metropolitan Plan for Sydney 2036, the Draft Metropolitan Strategy for Sydney and the Draft East Subregional Strategy.

Metropolitan Plan for Sydney 2036

Strategic Direction H- Achieving equity, liveability and social inclusion

Protect places of special cultural, open space and heritage value

The “region’s unique heritage and rich cultural life enhance liveability by connecting people with the past and providing a sense of identity and values to be shared and passed onto future generations.” (p.199)

Objective and action	Comment on consistency
Objective H4 To continue to identify, enliven and protect places of special cultural, social and community value.	The planning proposal seeks to recognise and protect White City, former tennis centre and grounds, which is a place of cultural significance.
Action H4.1 Identify heritage landscapes in Sydney and develop appropriate responses to plan for their protection and interpretation in the preparation of Subregional Strategies and LEPs.	The planning proposal seeks to recognise and protect White City, former tennis centre and grounds, which is a place of cultural significance.

Draft Metropolitan Strategy for Sydney	
Strategy- A liveable City	
Objective	Comment on consistency
Objective 8 Create socially inclusive places that promote social, cultural and recreational opportunities.	The planning proposal seeks to recognise and protect White City, former tennis centre and grounds, which is a place of cultural significance.
Objective 9 Deliver accessible and adaptable recreation and open space.	The planning proposal will not alter the open space zone applying to the site.

Draft East Subregional Strategy	
Strategy E- Environment, Heritage and Resources	
Protect the cultural and heritage elements of the subregion.	
Direction and action	Comment on consistency
Direction Conserve Sydney's cultural heritage.	
Action E6.2 Recognise where Sydney's cultural heritage contributes to its unique character and quality and manage change appropriately to reinforce local distinctiveness.	The planning proposal is consistent with this strategy, direction and action. The planning proposal seeks to list a heritage item, the significance of which has been assessed through criteria used consistently across NSW.

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

Yes. The planning proposal is consistent with the Council's Community Strategic Plan titled *Woollahra 2025 – 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 and residential amenity, including protection of significant architecture and the natural environment.

5. Is the planning proposal consistent with applicable state environmental planning policies?

The planning proposal involves listing White City, former tennis centre and grounds as a heritage item. It does not involve a change in land use zone or is it intended to facilitate a particular development. Numerous state environmental planning policies apply to the land for the purpose of development. No state environmental planning policy applying to the land prevents or restricts the listing of heritage items. The listing of heritage items is consistent with state environmental planning policies. Refer to **Attachment 6**.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with all applicable section 117 directions (refer to **Attachment 7**).

Section C – 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?

The proposal does not apply to land, or is in the vicinity of land, that has been identified as containing critical habitats or threatened species, populations or ecological communities, or their habitats.

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

No. The planning proposal will not result in any detrimental environmental effects.

Council and the other land owners are aware of environmental constraints on the land, such as flood levels and potential acid sulfate soil. These matters will be addressed if a development application is lodged. Various technical reports will be provided at that time, including a flood study prepared by a suitably qualified hydraulic engineer that addresses how property on and off the site will be protected during a 1 in 100 years flood event.

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

The planning proposal has positive social effects in recognising the local heritage significance of the site. The heritage listing will assist in providing a link between past, present and future generations.

The economic effects of heritage listing are variable. However, it is important to note that heritage listing will not prohibit future development on the site. Appropriate development of the site, including demolition, new buildings and uses can be identified within a conservation management plan.

Section D – State and Commonwealth interests

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

Yes. The planning proposal will not result in any additional demand for public infrastructure.

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.

Part 6 – Mapping



Part 7 – Community consultation

Consistent with part 4.5 of *A guide to preparing local environmental plans* and due to likely community interest in this matter, an exhibition period of at least 28 days is intended.

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 letter to the owners of land which is the subject of the planning proposal.
- a letter to the owners of land owners in the vicinity of the site.

Consultation will also have regard to the requirements set down in the gateway determination issued by the Director-General of the NSW Department of Planning and Environment.

During the exhibition period, the planning proposal, gateway determination and other relevant documentation (including an information brochure) will be available on Council's Customer Service Centre and on Council's website.

Attachment 1 White City Assessment of Heritage Significance

Attachment 2 Extract from the Burra Charter

Selected definitions

Conservation means all the processes of looking after a place so as to retain its cultural significance.

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

Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.

Places may have a range of values for different individuals or groups.

Fabric means all the physical material of the place including elements, fixtures, contents and objects.

Maintenance means the continuous protective care of a place, and its setting.

Maintenance is to be distinguished from repair which involves restoration or reconstruction.

Preservation means maintaining a place in its existing state and retarding deterioration.

Restoration means returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.

Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material.

Adaptation means changing a place to suit the existing use or a proposed use.

Place means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.

Source: The Australia ICOMOS Charter for Places of Cultural Significance 2013

Attachment 3 Extract from Woollahra LEP 1995

2. The aims and objectives of this plan

(1) The aims of this plan are -

- (a) to replace all existing local environmental plans and planning schemes which apply to the land to which this plan applies with a single local environmental plan,
- (b) to provide a comprehensive planning instrument that is clear and explicit but which provides flexibility in its application,
- (c) to promote the management, development, conservation and economic use of property within the area of Woollahra,
- (d) to provide for an appropriate balance and distribution of land for commercial, retail, residential and tourist development and for recreation, entertainment and community facilities,
- (e) to ensure that growth within the area of Woollahra occurs in a planned and co-ordinated manner,
- (f) to facilitate the provision of urban infrastructure,
- (g) to conserve the environmental heritage of the area of Woollahra,
- (h) to protect the amenity and natural environment of the area of Woollahra, and
- (i) to provide the framework for more detailed controls to be contained within development control plans.

(2) The objectives of this plan are -

- (g) in relation to heritage conservation –
 - (i) to identify heritage items and heritage conservation areas and to provide measures for their conservation, protection and enhancement,
 - (ii) to ensure that new development is undertaken in a manner that is sympathetic to and does not detract from the heritage significance of heritage items and their settings and of heritage conservation areas,
 - (iii) to encourage the restoration or reconstruction of buildings or works which are heritage items or buildings and works that contribute to the character of heritage conservation areas,
 - (iv) to enable the adaptation of existing non-residential buildings of heritage significance in a manner which is compatible and sympathetic with the fabric and character of the building or works and the use and fabric of neighbouring lands,
 - (v) to provide for the detailed control of development associated with or in proximity to heritage items and heritage conservation areas,
 - (vi) to require, when considered necessary, the consideration of a statement of heritage significance or a conservation plan before consent is granted for development relating to a heritage item or development within a heritage conservation area, and
 - (vii) to protect sites of archaeological significance,

31. Development of known or potential archaeological sites

- (1) The Council may grant consent to the carrying out of development on an archaeological site that has Aboriginal heritage significance (such as a site that is the location of an Aboriginal place or a relic, within the meaning of the *National Parks and Wildlife Act 1974*) or a potential archaeological site that is reasonably likely to have Aboriginal heritage significance only if:
 - (a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Director-General of National Parks and Wildlife, and
 - (b) except where the proposed development is integrated development, it has notified the local Aboriginal communities (in such a way as it thinks appropriate) of the development application and taken into consideration any comments received in response within 21 days after the notice was sent, and
 - (c) it is satisfied that any necessary consent or permission under *the National Parks and Wildlife Act 1974* has been granted.
- (2) The Council may grant consent to the carrying out of development on an archaeological site that has non-Aboriginal heritage or a potential archaeological site that is reasonably likely to have non-Aboriginal heritage significance only if:
 - (a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Heritage Council, and
 - (b) it is satisfied that any necessary excavation permit required by the Heritage Act 1977 has been granted.

32. Heritage conservation incentives

- (1) Nothing in this plan prevents the Council from granting consent to an application for consent to the use, for any purpose, of a building that is a heritage item or the land on which the building is erected if it is satisfied that:
 - (a) the proposed use would have little or no adverse effect on the heritage significance of the heritage item or of any heritage item group of which the item is part, and on the amenity of the neighbouring area, and
 - (b) the conservation of the building will be achieved by the Council granting that consent.
- (2) When considering an application for consent to erect a building on land on which there is situated a building which is a heritage item and of any heritage item group of which the item is part the Council may:
 - (a) for the purpose of determining the floor space ratio, and
 - (b) for the purpose of determining the number of parking spaces to be provided on the site,

exclude from its calculation of the gross floor area of the buildings erected on the land the gross floor area of the heritage item, but only if the Council is satisfied that the conservation of the heritage item will be achieved by the Council granting the exclusion.

Attachment 4 Extract from Draft Woollahra LEP 2014

1.2 Aims of Plan [compulsory]

- (1) This Plan aims to make local environmental planning provisions for land in Woollahra in accordance with the relevant standard environmental planning instrument under section 33A of the Act.
- (2) The particular aims of this Plan are as follows:
 - (a) to ensure that growth within the area of Woollahra occurs in a planned and co-ordinated manner,
 - (b) to promote the management, development, conservation and economic use of property within the area of Woollahra,
 - (c) to provide for an appropriate balance and distribution of land for commercial, retail, residential and tourist development and for recreation, open space, entertainment and community facilities,
 - (d) to provide greater population densities in and around centres that are well serviced by public transport,
 - (e) to facilitate opportunities for diversity in dwelling density and type in locations suitable throughout the area of Woollahra,
 - (f) to conserve the built and natural environmental heritage of Woollahra,
 - (g) to protect the amenity and natural environment of the area of Woollahra,
 - (h) to promote ecologically sustainable development,
 - (i) to minimise and manage stormwater and flooding impacts,
 - (j) to protect and promote public access to and along the foreshores,
 - (k) to promote a high standard of design in the private and public domain,
 - (l) to minimise and manage traffic and parking impacts,
 - (m) to ensure development achieves the desired future character of the neighbourhood,
 - (n) to minimise excavation and manage impacts.

5.10 Heritage conservation [compulsory]

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

Direction. Heritage items as identified in Schedule 5 must be shown on the Heritage Map.

The location and nature of Aboriginal objects and Aboriginal places of heritage significance may be described in Schedule 5 and shown on the Heritage Map (see the direction to Schedule 5).

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Woollahra,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,

- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

- (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
 - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
 - (d) the development is exempt development.
- (4) Effect of proposed development on heritage significance
- The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- (5) Heritage assessment
- The consent authority may, before granting consent to any development:
- (a) on land on which a heritage item is located, or
 - (b) on land that is within a heritage conservation area, or
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (6) Heritage conservation management plans
- The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
- (7) Archaeological sites
- The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):
- (a) notify the Heritage Council of its intention to grant consent, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (8) Aboriginal places of heritage significance
- The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:
- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
 - (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of nominated State heritage items

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Attachment 5 Report to Urban Planning Committee

Attachment 6 Consistency with state environmental planning policies

State environmental planning policy	Comment on consistency
SEPP No 1 - Development Standards	Applicable Consistent. The planning proposal does not contain a provision which affects the operation of this policy.
SEPP N0.14 – Coastal Wetlands	Not applicable
SEPP No 15 - Rural Landsharing Communities	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 26 – Littoral Rainforests	Not applicable
SEPP No 29 - Western Sydney Recreation Area	Not applicable
SEPP No 30 - Intensive Agriculture	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 32.- Urban Consolidation (Redevelopment of Urban Land)	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 39 - Spit Island Bird Habitat	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.

State environmental planning policy	Comment on consistency
	The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 55 - Remediation of Land	Applicable Consistent. The site contains three activities listed in Table 1 of the document titled <i>Managing Land Contamination Planning Guidelines</i>. Part of the site known as 73-79 New South Head Road, Edgecliff, (Lot 21 DP 609145) is occupied by a service station. Part of the site known as 30 Alma Street (Lot 2 DP 1114604) and 30A Alma Street, Paddington (Lot 1 DP 1114604) was used for agricultural activities and has landfill. The following assessment is made under clause 6 of the SEPP: 1. The planning proposal seeks to list elements on the site as a heritage item. 2. The planning proposal does not intend to rezone the land or to include additional uses on the land. Future development applications for the site will be required to undertake appropriate investigations and, if necessary, remediation will occur.
SEPP No 59 - Central Western Sydney Regional Open Space and Residential	Not applicable.
SEPP No 62 - Sustainable Aquaculture	Not applicable.
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 Flat Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 70 - Affordable Housing (Revised Schemes)	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the

State environmental planning policy	Comment on consistency
	operation of this policy.
SEPP No 71 - Coastal Protection	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: BASIX) 2004	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 (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)	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 (Major Development) 2005	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
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 (Rural Lands) 2008	Not applicable

State environmental planning policy	Comment on consistency
SEPP (Transitional Provisions) 2011	Not applicable
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 (Sydney Drinking Water Catchment) 2011	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Three Ports) 2013	Not applicable
SEPP (Urban Renewal) 2010	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 No18 – Public Transport Corridors	Not applicable
SREP No 19 – Rouse Hill Development Area	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.

Attachment 7 Compliance with section 117 directions

Planning proposal –White City		
Direction		Applicable/comment
1	Employment and resources	
1.1	Business and industrial zones	Consistent. Part of the land (Lot 21, DP 609145) is currently zoned Special Business 3(b).The planning proposal will not alter that zone or change the floor space ratio which applies to the lot.
1.2-1.5	Strategies 1.2-1.18	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 protection	Not applicable. The planning proposal does not apply to land within the coastal zone.
2.3	Heritage conservation	Consistent. The planning proposal aims to list the White City site as a heritage item. This will require amendments to Schedule 3 of Woollahra LEP 1995. The existing heritage provisions within Woollahra LEP 1995 will not be altered and will assist with the conservation of the proposed item.
2.4	Recreation vehicle areas	Not applicable. The planning proposal does not apply to an area of significant conservation, nor will it allow land to be developed for a recreation vehicle area.
3	Housing, infrastructure and urban development	
3.1	Residential zones	Consistent. The planning proposal does not apply to a residential zone.
3.2	Caravan parks and manufactured home estates	Consistent. The planning proposal does not relate to 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	Consistent. The planning proposal is consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).
3.5	Development near licensed aerodromes	Not applicable. The planning proposal does not apply to land near a licensed aerodrome.

Planning proposal –White City		
Direction		Applicable/comment
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	Consistent. The planning proposal applies to land identified partly within Class 3 and Class 5 on the Woollahra LEP 1995 Acid Sulfate Soils Map. The planning proposal will not introduce provisions to regulate works in acid sulfate soils or to intensify land uses. Existing acid sulfate soils provisions will not be altered by the planning proposal and will apply to any future development which might intensify the use of the land.
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	Consistent. The planning proposal does not create, remove or alter a zone or a 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.
6	Local plan making	
6.1	Approval and referral requirements	Consistent. 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	Consistent. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site specific provisions	Consistent. The planning proposal does not propose a rezoning or include additional land uses for the land.
7	Metropolitan Planning	
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Consistent. The planning proposal is compatible with the Metropolitan Plan's vision, relevant strategic directions and relevant objectives and actions.