

**Item No:** R1 Recommendation to Council  
**Subject:** **PLANNING PROPOSAL - HERITAGE LISTING OF THE GEORGE S. GRIMLEY PAVILION AND THE SYDNEY CROQUET CLUB, ROSE BAY**  
**Author:** Shona Lindsay, Heritage Officer  
**Approvers:** Chris Bluett, Manager - Strategic Planning  
Allan Coker, Director - Planning & Development  
**File No:** 20/126417  
**Reason for Report:** To report on the amendments to the planning proposal based on the advice from the Woollahra Local Planning Panel.  
To obtain Council's approval to proceed with 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, lawns, timber shelters and mature trees on the northern, southern and western boundaries at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items in Woollahra Local Environmental Plan 2014.

**Recommendation:**

- 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 mature trees on the northern, southern and western boundaries at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items in Schedule 5 of the Woollahra Local Environmental Plan 2014.*
- 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 mature trees on the northern, southern and western boundaries 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.*

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**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*. The assessment concluded that the *George S. Grimley Pavilion* and *Sydney Croquet Club* have significance at the local level. The *Sydney Croquet Club* also has significance at a State level. *Woollahra Golf Clubhouse* does not have significance at a local or State level and is not recommended for listing as a heritage item.

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) (***Annexure 1***).

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.

Following discussions between the Club and Council staff, the report was presented to the EPC meeting on 16 March 2020 (***Annexure 2***). 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 EPC (**Annexure 3**). That report also included the assessment carried out for the *Woollahra Golf Clubhouse*. The report noted that the *Woollahra Golf Clubhouse* did not reach the threshold of significance to warrant listing as either a local or State heritage item. 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.*

## **2. Planning proposal**

A planning proposal was prepared to list the *George S. Grimley Pavilion* and the *Sydney Croquet Club* as individual heritage items in Woollahra LEP 2014.

The planning proposal was 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).

## **3. Woollahra Local Planning Panel advice**

On 7 May 2020 the *Woollahra Local Planning Panel* (LPP) considered a report on the planning proposal for the *Sydney Croquet Club* (**Annexure 4**).

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 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* (**Annexure 5**).

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 (**Annexure 6**). 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.*

Following the advice of the Woollahra LPP on 7 May 2020 and 21 May 2020 Weir Phillips Heritage and Planning were re-engaged to carry out the following:

George S. Grimley Pavilion

Review and update the heritage significance assessment and inventory form in response to the advice from the Woollahra LPP. This would include:

- Carrying out a further site inspection.
- Investigating the phasing of construction through plans and images and providing diagrams to show this.
- Investigating any original 1926 fabric or form in the changing room areas.
- Nominating the areas to be listed by means of a diagram in the assessment report and inventory sheet, wording for the proposed LEP listing and an updated statement of significance.
- Identifying a setting for the Pavilion which might be included in the listing and shown on the inventory sheets.

Croquet Club

Review and update the heritage significance assessment and inventory form in response to the advice from the Woollahra LPP. This would include:

- Carrying out a further site inspection.
- Working with the Council's arborist to nominate what trees are significant and add them to the proposed LEP listing and statement of significance.
- Investigating the significance of shelters and considering whether they warrant adding to the proposed LEP listing and statement of significance.
- Identifying a setting for the croquet club and what elements to include in the proposed listing.
- Investigating the significance of the rustic benches as part of the moveable heritage elements within the proposed LEP listing.
- Providing a curtilage for the State Heritage Register nomination.
- Clarifying the proposed heritage item LEP site and map reference.
- Providing a diagram for elements of significance in the assessment report and inventory form.

Subsequent to the meetings of the Woollahra LPP on 7 May 2020 and 21 May 2020, the planning proposals for the *George S. Grimley Pavilion* and *Sydney Croquet Club* have been combined into one document and the heritage significance assessments and inventory sheets have been updated to refer to the Panel's advice and to reflect the additional work undertaken by the consultants and the Council's staff.

The changes to the planning proposal include:

- Revised description for the proposed heritage items.
- Revised heritage significance assessments and inventory forms for the proposed heritage items.
- The addition of the setting, view corridors, mature trees and timber shelters for the Sydney Croquet Club.
- The addition of a visual curtilage and management measures for George S. Grimley Pavilion.
- The addition of a diagram of significant elements for George S. Grimley Pavilion.

The updated planning proposal is provided in **Annexure 7**. The updated heritage significance assessment, including the heritage data form, is provided in **Annexure 8** for the *George S. Grimley Pavilion* and **Annexure 9** for *Sydney Croquet Club*.

#### **4. Next steps**

Subject to the Council's decision, the planning proposal will be referred to the Department of Planning, Industry and Environment (the Department) for a gateway determination. This will allow the planning proposal to be placed on public exhibition.

##### **4.1. 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* and the gateway determination issued by the Department as delegate for the Minister. The gateway determination will specify the minimum duration of the public exhibition period. This period is usually a minimum of 28 days, which is consistent with Council's standard practice for the exhibition of a planning proposal.

Public notification of the exhibition will comprise:

- a notice in the Wentworth Courier, if a hardcopy is being published
- a notice to the land owner of the site
- a notice 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:

- 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).

##### **4.2. Making the draft LEP under delegated authority**

If Council resolves to proceed with the planning proposal, it will be forwarded to the Department for a gateway determination under section 3.34 of the Act.

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. This request is addressed through Part C of the recommendation, above.

Following public exhibition, if Council resolves 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 request that the Minister, not proceed with the planning proposal, under section 3.35(4) of the Act.

## 5. Conclusion

The listing 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, lawns, timber shelters and mature trees on the northern, southern and western boundaries* at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items in Woollahra Local Environmental Plan 2014 is supported by an assessment of the heritage significance prepared by Weir Phillips Heritage and Planning. On 7 May 2020 and 21 May 2020, the WLPP provided advice to Council that it supports the planning proposal (with amendments) 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. Report to Environmental Planning Committee 17 February 2020 (annexures removed) [↓](#) 
2. Report to Environmental Planning Committee 16 March 2020 (annexures removed) [↓](#) 
3. Report to Environmental Planning Committee 20 April 2020 (annexures removed) [↓](#) 
4. Report to the Woollahra Local Planning Panel 7 May 2020 (annexures removed) [↓](#) 
5. Report to the Woollahra Local Planning Panel 21 May 2020 (annexures removed) [↓](#) 
6. Report to Environmental Planning Committee 1 June 2020 (annexures removed) [↓](#) 
7. Planning Proposal for the George S. Grimley Pavilion and the Sydney Croquet Club, Rose Bay [↓](#) 
8. Heritage Significance Assessment for George S. Grimley Pavilion [↓](#) 
9. Heritage Significance Assessment for Sydney Croquet Club [↓](#) 