



Urban Planning Committee

Agenda: *Urban Planning Committee*

Date: *Monday 14 May 2012*

Time: *6.00pm*

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Recommendation only to the Full Council (“R” Items)

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
 - Town Planning Objectives; and
 - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

Delegated Authority (“D” Items)

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

Committee Membership:

7 Councillors

Quorum:

The quorum for a committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

10 May 2012

To: Her Worship The Mayor, Councillor Susan Wynne ex-officio
Councillors Malcolm Young (Chair)
Chris Howe (Deputy Chair)
Sean Carmichael
Lucienne Edelman
Nicola Grieve
Ian Plater
David Shoebridge

Dear Councillors

Urban Planning Committee Meeting – 14 May 2012

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Urban Planning Committee** to be held in the **Thornton Room (Committee Room), 536 New South Head Road, Double Bay, on Monday 14 May 2012 at 6.00pm.**

Gary James
General Manager

Additional Information Relating to Committee Matters

Site Inspection

Other Matters

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence Note Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 30 April 2012	1
D2	Delivery Program 2009 to 2013 & Operational Plan 2011/12 Quarterly Progress Report March 2012 – Goal (4) – Well Planned Neighbourhoods – 1229.G *Note: Annexure 1 Distributed Under Separate Cover	2

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

R1	Heritage Assessment of 11 Olola Avenue, Vaocluse	13
----	--	----

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting Held on 30 April 2012**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 30 April 2012 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Urban Planning Committee Meeting of 30 April 2012 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: D2 Delegated to Committee

Subject: **Delivery Program 2009 to 2013 and Operational Plan 2011/12 Quarterly Progress Report March 2012 – Goal (4) – Well Planned Neighbourhoods**

Author: Allan Coker - Director Planning & Development
Chris Bluett - Manager Strategic Planning
Patrick Robinson - Manager Development Control

File No: 1229.G

Reason for Report: To review the status of the priorities and actions in Council's Delivery Program 2009 to 2013 and Operational Plan 2011/12 for the three months ending 31 March 2012.

Recommendation:

THAT the March 2012 quarterly progress report on Goal 4 (Well planned neighbourhoods) of Council's Delivery Program 2009 to 2013 and Operational Plan 2011/12 be received and noted and that revised target dates be adopted.

In May 2011 Council adopted its revised Delivery Program 2009 to 2013 and Operational Plan 2011/12 (DPOP) in line with the new Integrated Planning and Reporting Legislation for NSW Local Government.

As a consequence of the Integrated Planning and Reporting Legislation, the *Local Government Act 1993* was amended to require Council to report on the progress of its Delivery Program at least every six months. In response to the amendments, and in order to ensure that Council's reporting to the community remains transparent, timely and manageable under the legislation, progress reports on the DPOP will continue to be presented quarterly for the end of September, December, March and June each year.

The framework for quarterly progress reports is consistent with the structure of the Delivery Program and Operational Plan developed around the following interrelated themes and supporting goals:

Theme: Community well-being
Goal 1: A connected and harmonious community.
Goal 2: A supported community.
Goal 3: A creative and vibrant community.

Theme: Quality places and spaces
Goal 4: Well planned neighbourhoods.
Goal 5: Liveable places.
Goal 6: Getting around.

Theme: A healthy environment
Goal 7: Protecting our environment.
Goal 8: Sustainable use of resources.

Theme: Local prosperity

Goal 9: Community focused economic development.

Theme: Community leadership and participation

Goal 10: Working together.

Goal 11: A well managed Council.

Annexure 1 to this report is Council's Quarterly Progress Report for the period 1 January to 31 March 2012 for Goal 4, being most relevant to the Urban Planning Committee.

Progress comments for all DPOP actions are provided in the tables of **Annexure 1**.

Council staff have provided updates on these comments on an ongoing basis for internal management purposes with the comments then collated at the end of the quarter for reporting to Council and the community. Generally, actions included in the Operational Plan relate to the current financial year. However, there are a number of actions that extend beyond June 2012, as indicated in the Target Date column.

As this is the third quarterly report for 2011/12, the final column in the tables headed "Updated Comments" has been updated to indicate that the comments relating to that action have been updated since the previous quarterly report to Council. The purpose of the tick is to enable Councillors and other readers of the report to easily identify where an action status has been updated.

Adopted notices of motion and other decisions of the Council

To further improve the efficiency and transparency of Council's Integrated Planning and Reporting procedures, notices of motion and other decisions of the Council which are strategic and/or project based are now included as additional actions in the DPOP and reported on through the Quarterly Progress Report.

Adopted notices of motion which are non-strategic in nature, such as placement of an additional agenda item on a meeting or writing a letter to an organisation, will be monitored administratively.

During the period 1 January to 31 March 2012, one new notice of motion has been identified as strategic and/or project based in nature. Details of this new action are provided below.

ACTION ARISING FROM A NOTICE OF MOTION	
Action number in 2011/2012 Quarterly Progress Report	Action description
4.1.1.37	Prepare a report which sets out a strategy to apply a consistent philosophy to parking provision across the Municipality by specifying the maximum car parking requirements for residential developments as contained in the 2011 Car Parking DCP. [Refer NOM 13/02/2012 - Ctrs Grieve & Zeltzer].

Development activity

Annexure 2 provides graphical presentations of development activity turnaround times for the March quarter supporting the Progress Comments relevant to Priority 4.1.2 – Deliver high quality and timely development assessment.

Conclusion

It is recommended that the March 2012 Quarterly Progress Report on Goal 4 (Well planned neighbourhoods) of Council's Delivery Program 2009 to 2013 and Operational Plan 2011/12, be received and noted.

Chris Bluett
Manager Strategic Planning

Patrick Robinson
Manager Development Control

Allan Coker
Director Planning and Development

Annexures:

- 1 DPOP Quarterly Progress Report March 2012 for Goal 4 (Well planned neighbourhoods) – *distributed separately*
- 2 Graphical presentation of development activity turnaround time for the March quarter.

Item No: R1 Recommendation to Council
Subject: **Heritage Assessment of 11 Olola Avenue, Vacluse**
Author: Sara Reilly Strategic Heritage Officer
File No:
Reason for Report: To respond to an adopted notice of motion requiring an investigation into adding 11 Olola Avenue, Vacluse as a heritage item

Recommendation:

- A. That the heritage assessment and draft heritage inventory sheet for 11 Olola Avenue be received and noted.
- B. That a planning proposal be prepared with the aim of amending Woollahra LEP 1995 to list 11 Olola Avenue, Vacluse, as a heritage item as the building and site fulfil sufficient heritage assessment criteria to be listed as an item. The listing is to apply to the land, house and its interior.

1.0 Background

Council adopted a notice of motion on the 30 May 2011:

- A. *That Council as soon as possible investigate adding to our heritage register Nos 11 and 12 Olola Avenue, Vacluse.*
- B. *The Council notify the owners of Nos 11 and 12 Olola Avenue, Vacluse advising them that Council is considering including the properties on the Council heritage register.*

This heritage assessment partially responds to part A of the decision by assessing the significance of 11 Olola Avenue.

The owner of 11 Olola Avenue, Mr Joseph Weinreich, has been notified of Council's intention to consider listing the property in response to part B of the Council's decision.

The potential heritage significance of 11 Olola Avenue arose during a development application for 12 Olola Avenue which was lodged in December 2010. The development application involved the demolition of the building at 12 Olola Avenue, an Inter-War bungalow, and the construction of a new contemporary dwelling.

The assessment of 12 Olola Avenue as a potentially significant Inter-War bungalow has been carried out and was the subject of a separate report presented to the Urban Planning Committee on 25 July 2011. The potential heritage listing of 12 Olola Avenue is not proceeding, as it was assessed as not of sufficient significance to list as a heritage item, based on a heritage assessment which included a preliminary study of similar buildings within the Municipality. The existing Inter-War building at 12 Olola Avenue has been approved for demolition via the Land and Environment Court, and the new building conditionally approved. The new building as approved by the Court will have some negative impact on 11 Olola Avenue due to its increased height and bulk, and the loss of the original building on the site, although it is understood that the view loss and privacy concerns relating to an objection by Mr Weinreich at 11 Olola Avenue have been to some degree addressed and resolved.

The owner of 11 Olola Avenue has now been sent a draft heritage inventory sheet for his property, which was prepared by Council's Strategic Heritage Officer in April 2012 and is attached as **Annexure 1**.

2.0 Introduction

No. 11 Olola Avenue is a single-storey residential dwelling designed by Harry Seidler in 1961. It was approved by Council in 1961 and constructed in 1962.

Mr Joseph Weinreich, the owner of 11 Olola Avenue, indicated to Council that Harry Seidler was the architect of the building, a fact well known to him as he had commissioned Harry Seidler to design the building.

Harry Seidler designed a small number of other residential buildings in the Municipality in the mid-50s to early 60s, including 10 Clarence Place, Double Bay in 1956, and 37 and 39 Benelong Crescent, Bellevue Hill in 1962. He also designed a number of apartment buildings within the Municipality in the mid-60s including 29 Ocean Avenue, Double Bay (1964-66); 351 Edgecliff Road, Woollahra (1966); and 40 Stephen Street, Paddington (1963) which are all listed on the RAI A 20th Century Significant Buildings Register. Harry Seidler's work is relatively rare within the Municipality. Although he designed buildings in a diversity of locations throughout Sydney, the location of his practice on the North Shore meant that the majority of his works from his early residential period of approximately 1949 – 1963 were located on the north side of the Harbour.

3.0 Research methodology

As part of the assessment of the heritage significance of 11 Olola Avenue, documentary research was carried out, including a detailed comparative analysis of the subject building with other Harry Seidler-designed buildings within the Municipality.

3.1 Documentary research

The following sources were used in the research for the preparation of the draft heritage inventory sheet:

- **Spigelman**, Alice, "Almost Full Circle – Harry Seidler, A Biography"
2001 Brandl and Schlesinger
- **Frampton**, Kenneth and **Drew**, Philip, "Harry Seidler – Four Decades of Architecture",
1992 Thames and Hudson
- Ed. by **Dobney**, Steve "The Master Architect Series III – Harry Seidler, Selected and
Current Works,
1997 The Images Publishing Group Pty Ltd/Craftsman House
- Library stack cards detailing Harry Seidler's original drawings relating to works within the
Municipality and held by the Mitchell Library
- The Register of 20th Century Buildings of Significance – produced by the (Royal) Australian
Institute of Architects

- Building and development applications relating to buildings designed by Harry Seidler in Woollahra Municipality – refer to 3.2 of this report for details

3.2 List of building application and development application files viewed

11 Olola Avenue, Vaucluse

[BA253/58 Previous approval for a new three-storey residential building by Fowell, Mansfield and Maclurcan for B.V. Nathan, approval lapsed.]

BA868/61 Design of current building by Harry Seidler for Joseph Weinreich.

BA589/62 Application for installation of air conditioning system.

BA573/73 Garden study to rear of house, by Woodhouse and Danks Architects; approved but appears not proceeded with.

BA795/89 Minor modifications including new entry area and wall, bin store, internal lighting upgrade, driveway and retaining wall works; approved (except new entry area).

DA501/98 New retaining wall at street by Seidler Associates; approved but not proceeded with.

10 Clarence Place, Double Bay

BA 311/56 Design of current building by Harry Seidler for Jack Meller

BA 817/61 Additions to existing dwelling by Seidler's office – extra wing to north of existing building, joined by walkway

BA 134/70 Pool cabana/change room, patio and stairs (pool approval separate)

BA 337/71 Swimming pool

DA 149/10 Demolition of the dwelling and new residential flat building; withdrawn

CDC 25/11 Complying development certificate for demolition of the dwelling, approved

37 + 39 Benelong Crescent, Bellevue Hill

BA 320/62 (enquiry application nos 37-39): sections and site plan submitted for redevelopment of the site and approved in principle by Council

BA 538/62 (no. 39): new dwelling; approved

BA 239/63 (no. 39): heating layout post-construction approval

BA 627/72 (no. 39): application for certificate of compliance

BA 739/73 (no. 39): playroom beneath existing dwelling within footprint; Harry Seidler's office not mentioned on drawings but understood to have overseen some of the works

DA 0925/00 (no. 39): new RFB; withdrawn by applicant

DA 0711/01 (no, 39): new RFB; withdrawn by applicant

Some files for 37 Benelong Crescent were not viewed. Due to the similarity of the design and site conditions it was not considered necessary.

20 Ian Street, Rose Bay

BA 376/82: design for new residence by Harry Seidler

BA 445/82: excavation

BA 565/82: air-conditioning

BA 1700/88: swimming pool and shower room

DA 1006/01: alterations and additions for subdivision into two apartments, by Tony Caro Architecture, some involvement from Harry Seidler's office (carparking arrangement plans); approved; (three further Section 96 applications not viewed).

DA 107/05: Subdivision conversion to strata title.

3.3 Comparative analysis of Seidler's residential works within the Municipality

At least four other residences were constructed by Harry Seidler's firm in the Municipality. The four identified are 10 Clarence Place, Double Bay (1956), 37 and 39 Benelong Crescent, Bellevue Hill (1962) and 20 Ian Street, Rose Bay (1982). A residence in Wunulla Road, Point Piper is known to have been built by Seidler but is yet to be identified. Files with original plans and subsequent applications for each house have been viewed for this analysis, as detailed above. His apartment buildings within the Municipality have not been used in this comparative analysis.

10 Clarence Place, Double Bay (1956) "Meller House"

The building at 10 Clarence Place, Double Bay is likely to be the earliest Seidler house in the Municipality, and is typical of Seidler's early works in that it is designed in the elevated box style. The modest residential dwelling is an elevated single storey with a garage housed underneath. The plan form is a rectangular in-line type, one of Seidler's favoured early plan forms. The main elevation is plain and of modest scale. These features bear much similarity in spirit to 11 Olola Avenue, however, there are differences. Due to the narrowing of this site towards the street, the streetscape lacks presence, and due to the slope of the site sideways the elevation of the box is underplayed. The building has no interplay of geometric and curvilinear forms such as at 11 Olola Avenue. Despite its apparent relative intactness, fine internal planning and sympathetic additions by Seidler's office, 10 Clarence Place is only of moderate representative value in terms of Seidler's work. The building has been recently approved under state government complying development codes for demolition.

37 and 39 Benelong Crescent, Bellevue Hill (1962) "Solel Residence" (no. 37) and "Silver Residence" (no. 39)

The two buildings at 37 and 39 Benelong Crescent, Bellevue Hill were conceived and built in tandem and are of highly similar design, appearing almost identical. Again, Seidler has used the elevated box form, this time of two storeys, with a covered entry path elevated above ground level connecting the houses to the street. The design contains interesting features such as the elevated walkway, and the courtyard/backyard between the building and the garage. There are minimal windows to all side elevations due to the proximity of neighbouring houses. Garages block views of the buildings from the street, and as the site slopes away from the street the two-storey elevated box form is not visible except from the rear gardens. However, because the building was designed as two-storeys with an undercroft, (now enclosed), the building would likely lack the horizontality of the floating box that defined houses such as Rose Seidler House, 11 Olola Avenue and others. Further, the planning, with living, dining and kitchen on one floor and bedrooms on floors above, is of a fairly conventional nature, and not of the sophisticated standard of 11 Olola Avenue or 10 Clarence Place. Again, no juxtaposition of rectilinear and curvilinear forms appears in the design, such as occurs at 11 Olola Avenue.

20 Ian Street, Rose Bay

The building at 20 Ian Street, Rose Bay was designed by Harry Seidler's office in 1982. The building is one of his later residential designs and does not demonstrate his earlier preoccupations with pure form and structure to the same degree as 11 Olola Avenue and others. Further, in 2001 approval was sought to convert the house into two units, which involved substantial changes to the original building including the addition of a third storey and other significant changes. The alterations were drawn up by Harry Seidler's office, and he also provided a letter of endorsement for the alterations at the request Council's Heritage Section in which he stated that the alterations were sympathetic to the existing house and of high quality. The application was approved in the

Land and Environment Court in December 2002. The approval was modified in 2003 to the plans of Tony Caro but the changes were minimal.

The building is difficult to compare with 11 Olola Avenue as it represents a different phase of the architect's body of work, dating from 1982. Seidler's focus and preoccupations would have been vastly different at this time, when his practice was a highly productive office involved in many large and diverse projects. No.11 Olola Avenue contains the simplicity and purity of Seidler's earlier work, which 20 Ian Street lacks.

Summary

No.11 Olola Avenue is without doubt the most important Seidler residential building within the Municipality as far as is known at the time of this study. It has greater architectural significance than 37 and 39 Benelong Crescent, and also 10 Clarence Place, which is still, however, considered a significant and reasonably important early work within the Municipality. However, 10 Clarence Place has been approved for demolition, and is not likely to be listed as an item of significance.

3.4 Schedule of Harry Seidler's known works within the Municipality

Address on stack cards	Building year and name	Building type	Confirmed as by Harry Seidler	Include in analysis	Notes
29 Ocean Ave, Double Bay	1964-1966	Apartments	Yes, on RAIA 20 th Century register	No	
Stephen Street, Paddington (no.40)	Council City Flats	Apartments	Yes, on RAIA 20 th Century register	No	
351 Edgecliff Road, Woollahra	1966 - 'Arlington Apartments'	Apartments	Yes, on RAIA 20 th Century register	No	
(Believed to be 20 Ian Street,) Rose Bay	1961 - 1983	Residence	Yes	Yes	
24 Rosemont Avenue, Edgecliff	Mandl Flats	Apartments		No	
39-41 William Street, Double Bay		Apartments		No	
849 New South Head Road, Rose Bay		Alterations to residence?		No	
352 New South Head Road, Double Bay		Commercial building		No	Ordinary commercial building in Double Bay strip
Double Bay (address not stated)		Apartments		No	
14 Wunulla Road, Point Piper	George Lehrer House	Residence	Not 14A Wunulla Road, details not located	No –details unknown	
37 Benelong Crescent, Bellevue Hill	Solel Residence	Residence	Files from Olola confirm, as referred to	Yes	Remains and appears intact
39 Benelong Crescent, Bellevue Hill	Howard Silvers Residence	Residence, Identical pair to no. 37	Files from Olola confirm, as referred to	Yes	Remains and appears intact
Lot 7, Clarence Place, Double Bay	Jack Meller House	Residence	Yes	Yes	Remains and is generally intact; approved for demolition under complying development certificate in 2011

3.3 *Harry Seidler's other works*

The documentary research carried out also included some study of the Rose Seidler House at Turramurra (1949) and the Meller House at Castlecrag (1950). However, no direct comparative research was carried out relating to these Seidler buildings as they are outside the Municipality. The intention is to assess the significance of Seidler's work within the Woollahra Municipality rather than look at significance at a metropolitan or state level.

Apartment buildings by Harry Seidler within the Municipality were not researched for this heritage assessment, as they are a different building type and thus not suitable for comparison.

All residential dwellings by Harry Seidler within the Municipality were used for the comparative analysis, except for the dwelling in Wunulla Road, Point Piper which could not be located.

4.0 **Physical investigation**

The site was visited on 4 April 2011. The interior of the house was inspected.

5.0 **Consideration**

The assessment of heritage significance for 11 Olola Avenue used the standard heritage assessment criteria set out in the NSW Heritage Office's publication *Assessing heritage significance* (2001).

In terms of the heritage assessment criteria, the conclusions are:

Historical significance: the land and building are of such significant to warrant listing as an item.

Historical association: the land and building are of such significant to warrant listing as an item.

Aesthetic significance: the building is of such significant to warrant listing as an item.

Social significance: the building is of such significant to warrant listing as an item.

Technical/Research significance: the building is of such significant to warrant listing as an item.

Rarity: the building is of such significant to warrant listing as an item.

Representativeness: the building is of such significant to warrant listing as an item.

The full assessment can be seen in the heritage inventory sheet provided in **annexure 1**.

The recent research into and study of the life and work of Harry Seidler, centred on his work in the Municipality, has highlighted the relative rarity of his work within Woollahra. In particular, the research demonstrates the rarity and importance of his early residential works which lay the groundwork for the Modernist themes which would be expounded in larger and larger scale buildings by his practice in the years to follow.

Thus when examining the trajectory of his career and the building types he focused on within the various phases of his career, it becomes clear that the building at 11 Olola Avenue, Vacluse, is a highly intact and highly representative example of the early residential work of Harry Seidler.

The statement of significance from the draft heritage inventory sheet reads:

No. 11 Olola Avenue is a Harry Seidler-designed residence dating from 1962, and reflects the culmination of his early, predominantly residential, career phase. As such, it embodies the themes that he continued to expand upon during the course of his prodigious career. These themes are reflected in the restrained austere expression; the building form as an elevated presence with a large outdoor space in front of the building; the strong geometrical composition echoed in the parts; and the simultaneity of rectilinear and curvilinear motifs.

Harry Seidler AC OBE (1923 – 2006) is an internationally-acclaimed Australian architect who is renowned for introducing the International Modern style to Australia, successfully practicing in an uncompromising modernist aesthetic, and making a major contribution to the architecture of Sydney.

6.0 Conclusion

It is considered that the building has substantial merit as an intact and excellent example of the early residential work of Harry Seidler, and reaches a number of the criteria for listing as a heritage item. The land on which the building is located has both historical significance and historical association significance and is also worthy of inclusion within the listing.

Sara Reilly
Strategic Heritage Officer

Chris Bluett
Manager Strategic Planning

Annexure:

Annexure 1: Draft heritage inventory sheet for 11 Olola Avenue, Vaucluse, dated April 2012

**POLITICAL DONATIONS DECISION MAKING FLOWCHART
FOR THE INFORMATION OF COUNCILLORS**

