



Urban Planning Committee

Agenda: *Urban Planning Committee*

Date: *Monday, 19 December 2005*

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).

Delegated Authority (“D” Items):

To require such investigations, reports or actions as considered necessary in respect of matters contained with the Business Agendas (and as may be limited by specific Council resolutions).
Confirmation of Minutes of its Meeting.

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 below:

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.

Committee Membership:

7 Councillors

Quorum:

The quorum for a committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

15 December 2005

To: The Mayor, Councillor Andrew Petrie, ex-officio
Councillors Keri Huxley (Chair)
 John Comino
 Christopher Dawson
 Wilhelmina Gardner
 Geoff Rundle
 Isabelle Shapiro
 David Shoebridge

Dear Councillors

Urban Planning Committee Meeting – 19 December 2005

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 **Council Chambers, 536 New South Head Road, Double Bay, on Monday 19 December 2005 at 6.00pm.**

Gary James
General Manager

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 28 November 2005	1
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Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Tree Preservation Order (2006) – 262.G	2
R2	Watsons Bay Pool – 1080.G	9
R3	Draft White City DCP (Report to be distributed Friday)	60

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 28 November 2005**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 28 November 2005 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 28 November 2005 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: R1 Recommendation to Council
Subject: Tree Preservation Order (2006)
Author: David Sheils - Manager Public Open Space
File No: 262.G
Reason for Report: To recommend the adoption of a revised Tree Preservation Order

Recommendation:

- A. That the draft Tree Preservation Order (2006) be adopted.
- B. That a notation be provided on Council's webpage, and be provided with hard copies of the Exempt and Complying DCP, directing people to the Tree Preservation Order 2006.

Background:

The Urban Planning Committee, at its meeting of 10 October 2005, considered a report on the draft Tree Preservation Order (TPO) - Annexure 1. The Committee recommended various amendments and at its meeting of 31 October 2005, Council subsequently resolved as follows:

"A. That the Draft Tree Preservation Order submitted to the Urban Planning Committee meeting on 10 October 2005 be amended as follows:

1. *Part 3(b) being amended to read:
"Any bushland vegetation irrespective of size."*
- (2) *Part 5.2.3 being amended to read:
"Consent for pruning or removal of trees associated with development may, if granted, be issued concurrently with the development application consent."*
- (3) *Part 5.2.4 being amended to read:
"A copy of the consent must be kept on site and produced on demand to Council's duly authorised officers, servants or agents."*
- (4) *Part 6.1(d) being amended to read:
"The tree is of a species that has been declared a noxious plant under the Noxious Weeds Act 1993 as prescribed for Woollahra Local Government area."*
- (5) *Part 6.2(c) being amended to read:
"Pruning of trees to remove branches no larger than 50mm diameter at the nearest branch collar to maintain distance clearances to powerlines as set out under section 48 of the Electricity Supply Act 1995."*
- (6) *Part 6.2(c) to include a suitable diagram illustrating the requirements of this part.*
- (7) *Part 6.2(e) being amended to read:
"The pruning of any species of parasitic mistletoe or parasitic plant being removed from any part of a tree, only as is necessary, to ameliorate the effects upon the tree of such a parasite."*

(8) *Inclusion of a definition for “Bushland Vegetation”.*

(9) *Inclusion of an additional part titled “Warning” to read:*

“Council may impose or seek to impose a prominent banner, shroud or other form of notice where a tree has been wilfully damaged or removed on public land or land managed by Woollahra Council.”

B. That the draft Woollahra Tree Preservation Order 2005, as amended by Recommendation A, be placed on public exhibition for 28 days.

C. That on the return from public exhibition, Council should include a notation on its internet site, and a note with hard copies of the Exempt and Complying DCP directing people to the TPO 2005.

D. That a further report be submitted to the next available Urban Planning Committee meeting on the consequences that the [Environmental Planning and Assessment \(Infrastructure and Other Planning Reform\) Act 2005](#) has on the Council amending or adopting new DCP’s.

This report addresses parts A to C of the resolution. Part D of the resolution was addressed in a report on the first quarter review of the Built Environment Section in the Management Plan, which the Urban Planning Committee considered at its meeting of 28 November 2005.

Consultation:

The public exhibition period extended from 9 November to 9 December 2005 (31 days). The exhibition period was advertised on Council’s webpage, in the Wentworth Courier and the plan was available at Council’s Customer Service desk. Whilst there was a small number of telephone enquires specifically seeking a copy of the TPO document, no public submissions were received.

Conclusion:

Proposed TPO 2006 (Annexure 2) is clearer and less onerous for residents seeking to remove weed trees, or where branch clearances to buildings for safety and property protection are sought. It will also facilitate Council’s ability to prevent inappropriate tree pruning and removal and to pursue breaches.

It is also proposed to include a notation on Council’s webpage and a note with copies of the Exempt and Complying DCP, directing people to TPO 2006.

David Sheils
Manager Public Open Space

Warwick Hatton
Director Technical Services

ANNEXURES:

1. Urban Planning Report 10 October 2005.
2. Tree Preservation Order 2006.

Item No: R2 Recommendation to Council
Subject: **Watsons Bay Pool**
Author: Jodi Ayre - Strategic Heritage Officer
File No: 1080 G Watsons Bay Potential Heritage Items
Reason for Report: In response to a Notice of Nomination (10/03/2005) regarding the heritage status of the Watson Bay Baths, this report will determine if Watsons Bay Baths meets the criteria for listing on the NSW State Heritage Register.

Recommendation:

That Watsons Bay Pool be listed as an item of local cultural significance in the new comprehensive LEP based on the standard LEP template to be released by the NSW Department of Planning.

1.0 Background

A brief for the heritage assessment of Watsons Bay Pool was written in February 2004 and Noel Bell Ridley Smith and Partners were subsequently appointed to carry out the assessment. The brief requested a comparative analysis of other harbour pools to assist with establishing the level of cultural significance. The State Heritage listing for Wylie's Baths was also to be considered.

The assessment was presented in the format of the Woollahra heritage inventory form, which is based on the NSW Heritage Office inventory sheet template. The NSW Heritage Office guidelines for assessing cultural significance were used. As required by the brief conservation policies to guide the future maintenance and planning for the pool were also provided.

2.0 Noel Bell Ridley Smith (NBRS) Heritage Assessment Watsons Bay Pool, 2005

The heritage assessment (**annexure 1**) is presented in the format of the Woollahra heritage inventory form, which is based on the NSW Heritage Office inventory sheet template. The historical notes outline both the physical and social development of the pool. A brief summary of the history of construction is summarised below:

1905 Construction of the pool enclosure using timber, tiered timber seating, dressing boxes, boardwalks, diving boards and water slides.

1923 The pool is in disrepair. Council partly demolishes the pool leaving only the shark enclosure.

1927 Concrete pile and beam structure is erected to replace the original pool.

1965 The pool is extended. Separate 50m pool added to the western end. Timber construction; turpentine piles, brush box decking.

1975 The concrete structure of the beach side pool requires extensive repairs. Concrete arches are added to augment the 1927 concrete pile and beam structure.

1993 Construction of disabled access.

The historical development provides evidence of periods of change, demolition, removal of fabric, and the introduction of new fabric over time. This is by virtue of its location and exposure to the marine environment.

The social analysis also outlines the local identities that were associated with the pool, particularly Alf Vockler. The social importance is also linked with the popularity of harbourside swimming in the late nineteenth, early twentieth centuries.

There have been periods of high levels of community interest and awareness in the status of Watsons Bay Pool, particularly in the 1920s and 2000s.

The NBRS heritage assessment has identified the pool to be of local significance, primarily for its historic and social associations of high significance at a local level. In particular, the pool demonstrates *a high level of representative significance at a local level through its ability to record the pattern of development of a harbour pool from the turn of the century to today*¹.

The report found that the significance of the place is not reflected in the existing fabric. A number of strategies were proposed in the report to address the long term needs of the site, and are included in **annexure A**. Intrinsic to all strategies was the continued use of the site as a harbourside pool, continuing the historic and social significance, and community amenity. The retention of the existing fabric was not an issue, with demolition considered an appropriate action, with the provision of a new bathing enclosure, considered as an option.

3.0 Other reports

3.1 The National Trust of Australia (NSW), EJE Landscape Architects, *Survey of Harbourside and Ocean Pools of the Sydney Metropolitan Region 1995*

The report outlined the development of the recreational activity of swimming within Sydney Harbour and ocean side pools. Approximately thirty pools (extant and remains) were identified within Sydney Harbour on the north and south sides. An inventory for each item is contained within the study and provides a brief history, description and statement of significance.

Watsons Bay Pool is included in this report. The statement of significance cites the pool as evidence of harbourside swimming since around the turn of the century; its unusual form of construction not encountered in any other pool²; evidence of rise in popularity of swimming at a competitive level; and associations with well known local identities.

Annexure 2 contains a table summarising information from the National Trust's survey, comparing Watsons Bay Pool with pools of a similar typology.

¹ Noel Bell Ridley Smith *Heritage Assessment Watsons Bay Pool*, 2005.

² What is considered as an unusual form of construction is not qualified in the statement. It is presumably referring to the concrete arches.

3.2 Clement Marine Services, Marine Construction Specialists Condition Report Watsons Bay Public Baths 2003

The report found that the overall condition of the pool is fair to poor, with the outer pool being the worst in terms of condition, requiring immediate attention. The inner pool has an approximate lifespan of five to ten years before significant repair works will be required.

4.0 Comparative analysis with like typologies

The analysis prepared by NBRIS consisted of listing other examples of harbourside pools and the date and type of construction of each pool. However, the analysis provided brief information for each item and it was considered that more analysis, particularly of a comparative nature, was needed to appropriately assess the level of significance of Watsons Bay Pool.

A common feature to all pools documented in the National Trust's *Survey of Harbourside and Ocean Pools of the Sydney Metropolitan Region*³ is their historical representativeness of the pattern of development of harbour pools, providing recreational and leisure facilities.

The study also determined a number of pool typologies, of which the Watsons Bay Pool falls into the *pile and framed enclosure with boardwalk* category. Within this category a number of comparable features have been identified and include fabric, layout, aesthetic and level of significance. **Annexure 2** provides a summary of each pool within the typology.

4.1 Fabric

As indicated by the typology name, the pools are generally of timber construction with a boardwalk surround. There are some variations within the typology where concrete is used and the method of shark proofing differs. However, they all present a similar rusticated aesthetic appeal.

No other tidal pool in the Sydney region displays the concrete arched form of the inner pool at Watsons Bay. The arches were constructed in 1975 when the inner pool was repaired. The use of concrete in the construction of tidal pools is relatively rare, with only a few of the above examples using the material.

4.2 Layout

Generally the pools in this typology are a single enclosure, with a number of different facilities contained within, such as a training area, wading pool and/or diving area. Watsons Bay Pool displays a variation as the training pool is separated from the general/tidal pool by a boardwalk and is clearly an additional structure.

Boardwalks generally surround the entire perimeter of the pool or along both sides of the pool.

³ *The National Trust of Australia (NSW), EJE Landscape Architects, Survey of Harbourside and Ocean Pools of the Sydney Metropolitan Region 1995.*

The comparative analysis demonstrates how the layout of harbourside pools varies, with modifications occurring over time to each. Training areas are a common feature to a number of comparative examples. It is apparent that in the 1960s a number of pools had training areas added to a facility, Watsons Bay Pool included. The addition of training pools is indicative of the rise in popularity of competitive swimming in the mid twentieth century. It is likely that the tidal restrictions at Watsons Bay meant that a deep water training pool could only be accommodated at the west end of the pool area.

4.3 Aesthetic

By virtue of the harbourside location of the pools, the settings exhibit a high level of aesthetic significance for their outward views to the harbour and surrounding landscape. Watsons Bay Pool is an excellent vantage point for views west towards the city skyline.

The aesthetic quality of Watsons Bay Pool is similar to the other pools in that they each present a degree of rustication and weathering, a consequence of their marine environment.

The concrete arch form of the inner pool at Watsons Bay is unique among the group of pools compared, and is considered of some minor aesthetic significance.

4.4 Significance

The pools examined in the comparative analysis present similar themes for significance. They:

- Have been in use for a long period of time (fifty years or more);

- Are serving the local community and have a strong association with the local community; and,

- Demonstrate aesthetic significance by virtue of their harbour setting.

While the pools have been identified by the National Trust in the 1995 study, only a few of them are locally listed on a local environment plan.

5.0 Comparative analysis with pools listed on the State Heritage Register

A comparative analysis has also been undertaken with pools (ocean or tidal) which have been listed on the NSW State Heritage Register (SHR). Presently there are two pools listed on the State Heritage Register which can be compared with Watsons Bay Pool: the Dawn Fraser Pool at Balmain; and Wylie's Baths at Coogee. Refer **annexure 3**. The comparison tabulates the aspects of significance for each of the state listed pools and whether Watsons Bay Pool can be compared for similar values.

When compared with the pools listed on the SHR, it is clear that the items are listed for associations with significant sporting identities, and indeed National icons such as Dawn Fraser. In addition to the historic and social significance they also present a high degree of original fabric and layout design features.

Among the pools, Watsons Bay is the second oldest established swimming site, with the Dawn Fraser Pool the oldest. Watsons Bay Pool was originally constructed in 1905 with Wylie's Baths constructed in 1907. Had the original complex of the baths at Watsons Bay remained today then the findings of the comparative assessment would be different. However, one of the most significant aspects of the Dawn Fraser Pool and Wylie's Baths is the survival of the original pool/bathing complex in both cases. Extracts from the statements of significance for both items follow:

Wylie's Baths, Coogee

*Built in 1907, Wylie's Baths survives as a turn-of-the-century bathing complex, including an Olympic-size pool, elevated boardwalk, change rooms, kiosk and store, which evidences the development of sport and recreational facilities in Sydney.*⁴

Dawn Fraser Pool, Balmain

*The pool is a complete swimming complex extending back to the turn-of-the century. It is an excellent example of pool architecture no longer practiced and a well known Sydney landmark set in an attractive harbourside location which has become a feature of the pool.*⁵

The fabric and its condition is a heritage issue with regard to how the fabric contributes to the understanding and interpretation of a place's cultural significance. The Dawn Fraser Pool is an excellent example of this. However, the fabric of Watsons Bay Pool, having experienced a number of periods of renovations throughout its history, is compromised. In its present state it detracts from the overall significance of the pool.

The ability to contribute to an understanding of pool construction can be better found in other examples in the Sydney Harbour region, such as the Dawn Fraser Pool, where an older style of pool construction and rare examples such as timber slat shark proof fencing can be found.

6.0 NSW Heritage Act 1977

The NSW Heritage Office publication *Assessing Heritage Significance*, 2001, outlines the methodology for determining the level of significance of an item, in particularly whether an item may be considered for listing on the State Heritage Register as outlined in Part 3A of the Heritage Act 1977. Seven criteria have been developed which cover different aspects which contribute to an item's cultural significance. Within each criterion are guidelines for inclusion and exclusion. These are provided as a threshold to determine if an item is of state, local, or of insufficient significance to be considered an item of cultural importance.

When considering whether an item is of state significance, the item must demonstrate importance to the State of New South Wales in one or more of the criteria. To be of local significance, the item can only demonstrate importance to the local area.

Annexure 4 contains two assessments of Watsons Bay Pool. The first is using the criteria to determine if the item is of significance to the local area. The second uses the criteria to determine if the item is important to State of New South Wales. The comment after each criterion is sourced from the Noel Bell Ridley Smith assessment of significance.

The findings of the exercise demonstrate that the item is clearly of local significance. However, when assessed using the inclusion and exclusion guidelines, Watsons Bay Pool does not meet the criteria for listing on the NSW State Heritage Register.

⁴ State Heritage Register, Database No. 01677 *Wylie's Baths* (cited heritage.nsw.gov.au).

⁵ State Heritage Register, Database No. 01398 *Dawn Fraser Pool* (cited heritage.nsw.gov.au).

7.0 Current Listings - Statutory

7.1 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Watsons Bay Pool is listed as an item of heritage significance to the Sydney Harbour region on the Regional Environmental Plan⁶. A number of other pools on the south and north side of the harbour are also included.

The definitions identify Watsons Bay Pool as a *water recreational facility*. Any future works carried out to the pool will be considered as land/water interface development.

The consent authority for land/water interface development is identified as the *council of the local government area*, where no other environmental planning instrument relates to the site.

In assessing any future land/water interface development the principles as outlined in clause 15 of the REP, Heritage Conservation, will be followed:

The planning principles for heritage conservation are as follows:

- (a) Sydney Harbor and its islands and foreshores should be recognised and protected as places of exceptional heritage significance,*
- (b) the heritage significance of particular heritage items in and around Sydney Harbour should be recognised and conserved.*

7.2 Woollahra Local Environment Plan 1995

Marine Parade Promenade is listed in Schedule 3 Heritage – Heritage Items, as an item of local significance. The Parade extends the full length of Watsons Bay.

By listing the Promenade as an item of local significance, any development on the Promenade, at the east end of the pool, will require consent from Council.

Development applications will need to include a statement of heritage impact. Development should not impinge on the open area and passageway of Marine Parade. All additional elements such as lighting and street furniture should be complimentary to the existing character of the area.

8.0 Current Listings – Non Statutory

8.1 Watsons Bay Heritage Conservation Area Development Control Plan 2003

Watsons Bay Pool is identified as a contributory item in the Watsons Bay Heritage Conservation Area Development Control Plan (DCP). Located in Precinct 0 – Gibsons Beach Waterfront and Marine Parade South Precinct.

The DCP lists the concrete arched pool structure with timber balustrade as elements of Watsons Bay Pool which are important to its listing as a contributory item.

⁶ Schedule 4 Part 2 Heritage items identified in Sydney and Middle Harbour Areas, item No. 50 *Watsons Bay Pool, Marine Parade, Watsons Bay.*

Compliance with the DCP requires retention of the item of significance. In essence, the DCP requires the conservation of the heritage significance of the Heritage Conservation Area, along with the identified heritage items and those buildings identified as contributory items. Generally the built features and fabric of an item contribute to heritage significance. This report and the Noel Bell Ridley Smith heritage assessment conclude that the pool has historical and social significance, but that the fabric is not significant.

In this instance, therefore, the retention of an enclosed shark proof harbour pool would satisfy the requirement to conserve the item. Improvements in the condition, possibly through demolition and/or replacement of sections, will no doubt improve the presentation and amenity of the pool, thus preserving and enhancing the historical and social significance of the pool.

8.2 National Trust of Australia (NSW)

Watsons Bay Pool is a classified item which was listed by the National Trust in 1994.

Listing on the National Trust's Register of significant places has no legal status. However, the aim of the Trust is to ensure that owners of places identified as culturally significant act in a responsible manner in owning and managing the place.

9.0 Summary of Statutory and Non Statutory listings

The current listings are adequate to effectively protect the cultural significance of Watsons Bay Pool. Listing in the Sydney Harbour Regional Environmental Plan ensures that no development can occur without consent, while the Woollahra LEP 1995 and the Watsons Bay Heritage Conservation Area DCP further provide controls for the protection of the cultural values. General maintenance and repairs of the item can be carried out without development consent providing they do not adversely affect the cultural significance of the pool.

Additional recognition may be given by listing Watsons Bay Pool in a LEP.

It is therefore recommended that Watsons Bay Pool be listed as an item of local significance in the new comprehensive LEP to be prepared under the standard LEP template, which will be released by the NSW Department of Planning.

10.0 Conclusion

The findings of this report concur with the NBRS assessment of significance. Watsons Bay Pool is an item of high local significance for its historical and social importance. In addition to the NBRS assessment, further comparative analysis with other like items and with State listed items has assisted with this conclusion.

The present pool enclosure structure, with the majority of the fabric installed in the 1960s and 1970s, does not meet the criteria for listing on the NSW State Heritage Register. While it is undoubtedly highly significant at a local level, for its historical and social attributes, an assessment of the pool using the inclusion and exclusion criteria for listing on the State Heritage Register indicates that the pool does not meet the requirements for listing on that Register.

Analysis has revealed that the fabric is not culturally significant. The concrete arches were installed in 1975 while carrying out repairs to the 1927 concrete beam pier and beam structure. While unusual and not found in the Sydney Harbour Region, the construction of the inner pool is not significant in terms of the ability to yield potential new or further information regarding the use of concrete. The timber construction of the outer pool is not significant for similar reasons. Clement Marine Services reported in 2003 that: *whilst construction has been carried out using current known techniques in bridge and wharf carpentry, [the] methods of design are quite outdated.*

In its present deteriorated condition the historical and social values of the pool are not fully realised. That is, maximum use of the pool is being impeded by the poor condition of the facility. The poor condition of the outer pool, for example, has required its closure, thus impacting on the community use (social importance) of the pool.

In managing the future use of the pool in terms of cultural significance, the community amenity provided by the pool must be continued. This will perpetuate the historic use and social significance of the pool.

If development is to be undertaken in the future it is essential that the facilities historically provided should be continued. That is, should the training pool structure warrant removal, as indicated by the condition report, the training pool facility should be relocated and/or rebuilt. The retention of the fabric of the outer training pool is not justified on heritage grounds. However, it is important that the provision of such a feature is continued. The training area is a common feature not just within the specific typology, but of harbour pools in general. As demonstrated through the comparative analysis the training area can be provided within the main pool area.

Watsons Bay Pool is adequately protected in its current listing as an item of regional significance under Sydney Regional Environmental Plan – Sydney Harbour Catchment 2005 and through the Woollahra Heritage Conservation DCP. Additional recognition of the pool's local significance may be achieved by listing with a local environmental plan. This may occur under the new comprehensive LEP for Woollahra.

Jodi Ayre
Strategic Heritage Officer

Chris Bluett
Manager Strategic Planning

ANNEXURES:

- 1 Noel Bell Ridley Smith Heritage Assessment of Watsons Bay Pool, 2004
- 2 Summary of information from the National Trust of Australia (NSW), EJE Landscape Architects, *Survey of Harbourside and Ocean Pools of the Sydney Metropolitan Region* 1995
- 3 Comparison between listed items of State significance and Watsons Bay Pool
- 4 Assessment of significance using the inclusion and exclusion guidelines
- 5 Inventory sheets for Watsons Bay Pool

Item No: R3 Recommendation to Council
Subject: **Draft White City DCP**
Author: Allan Coker
File No: 1064.G
Reason for Report: To review the draft DCP, as amended, for the White City site.

Recommendation:

1. That the committee note that the draft DCP (**annexure 2**) is consistent with the recommendation of the Strategic and Corporate Committee of 12 December 2005.
2. That the Draft White City Development Control Plan (**annexure 2**) be publicly exhibited, as soon as possible, in accordance with the requirements of the *Environmental Planning and Assessment Act Regulation 2000*.
3. That a further report be presented to the Urban Planning Committee in February 2006 on the public submissions received in relation to the draft plan.
4. That the recommendation from the Urban Planning Committee be referred to Council as a matter of urgency.

1. Background

At a meeting of the Strategic and Corporate Committee on 12 December 2005 the committee considered a report that outlined the current intentions of the land owner, Sydney Grammar School, for the White City Site. It described a proposal by Sydney Grammar School to subdivide the land and to construct a new soccer field and multi-purpose courts on that part of the land between the stormwater channel and the railway viaduct. The report indicated that the applications for this development were likely to be submitted to Council in the near future prior to it having in place any site specific planning controls for the land. A copy of this report is attached at **annexure 1**.

Following consideration of the report the committee made the following recommendation:

“1. That the Draft White City Development Control Plan be amended as follows:

- provide for development of the site in accordance with its current land use zonings*
- provide for the amendments envisaged by Council in its resolution of 28 November 2005 (as may be possible to meet the timeframe envisaged in point 2. below)*
- delete the ‘third’ pathway shown in Fig 8 from Walker Avenue around the embankment to Mahoney’s Lane*
- amend Part 1.5 (Objectives of this plan) to include:*
 - to prohibit poker machines on the site*
 - to ensure the club building provides for a wide range of physical, cultural and social activities, such as, but not limited to:*
 - *Tennis*
 - *Squash*
 - *Swimming/sauna/spa/hydrotherapy*
 - *Gym/aerobics/exercise programs*

- *Childcare*
- *Medical support facilities*
- *Lounge/meeting rooms*

require design elements for sustainable land use including:

- *energy efficiency*
- *transport access*
- *water treatment/reuse/conservation*
- *Biodiversity principles (use of local indigenous plant species, habitat corridors)*

delete Part 2.0 of the Development Control Plan containing provisions relating to the need for a comprehensive Development Application

amend Part 3.1 (Existing character elements) to include:

- *the continuum of open space along the valley floor between Rushcutters Bay Park and Trumper Park*

amend Part 3.2 (Desired future character) to include

- *retains the continuum of open space along the valley floor between Rushcutters Bay Park and Trumper Park*

amend part 4.0 (Planning principles) to include design elements for sustainable land use including:

- *energy efficiency*
- *transport access/sensitivity*
- *water treatment/reuse/conservation*
- *biodiversity principles (use of local indigenous plant species, habitat corridors)*

amend C7 in Part 5.4 (Heritage Conservation) to include a reference to the provision of public art

amend the sub-heading in Part 5.2 (Building envelope, design and uses) from “Building A – New South Head Road” to “New South Head Road”

amend Part 5.5 (Vehicular access) by deleting Control C7 and providing that there be no motor vehicle access from Alma Street to New South Head Road

delete the residential car parking requirements in Part 5.7 (Car parking and servicing)

amend Control C9 in Part 5.8 (Acoustic and visual privacy and amenity) to include the words “and neighbouring residents” after the words “Sydney Grammar School” at the end of the first sentence

amend Control C9 in Part 5.12 (Stormwater Management) to include “and use in buildings for other non-potable purposes”.

2. *That the Draft White City Development Control Plan, as amended, be submitted to the Urban Planning Committee on 19 December 2005 and dealt with by Council, as a matter of urgency at its ordinary meeting to be held that evening, with the view of placing the draft DCP on public exhibition as soon as possible in the new year.*
3. *That Council indicate to Sydney Grammar School that it would like to enter into a planning agreement under section 93F of the EPA Act for public access and public use of the playing field associated with the development of their land for open space and recreational purposes.*
4. *That Council resolve to prepare a draft LEP based on the draft plan presented to the Urban Planning Committee on 14 November 2005, with the following amendments:*

*provisions be made for the reservation of the proposed public accessways
provisions relating to a comprehensive development application be deleted.*

5. *That Council proceed with the public authority consultation in relation to the draft LEP as a matter of urgency.*”

The recommendation will be considered by Council at its meeting to be held on 19 December 2005. In anticipation of the adoption of the recommendation by Council, we have proceeded with the preparation of an amended DCP for presentation to the Urban Planning Committee in accordance with part 2 of the above recommendation.

2. The draft DCP

The draft DCP has been amended to include the matters referred to in the above recommendation from the Strategic and Corporate Committee and to ensure that it will be consistent with our current LEP. Therefore, all references to residential development have been removed since residential development is not permissible under the existing open space, special uses and business zones of WLEP 1995.

The main amendments are summarised as follows:

1. 1.2 – reference to the statutory controls for the site in Woollahra LEP 1995 deleted.
2. 1.5 – new objectives about a range of recreational facilities and medical facilities added.
3. 2.0 – the provisions relating to the need for a comprehensive development application deleted.
4. 2.1 – existing character element regarding the continuum of open space added.
5. 3.1 – planning principle added about the prohibition of gaming machines.
6. Figs 3, 4, 7, 8 - Maps modified to delete the pathway around the eastern embankment.
7. 4.2 – O4 deleted. This objective related to residential development at the end of Walker Avenue.
8. 4.2 – C1 reference to controls in Woollahra LEP deleted.
9. 4.2 – C5 moved to Section 4.6.
10. 4.2 New South Head Road – C3 reference to retail/commercial uses on carpark site deleted.
11. 4.2 Buildings B1, B2, B3 – C10 deleted as criteria for on-site detention and reuse of stormwater is included in Section 4.12.
12. 4.4 – C1 modified to delete reference to **adopted** Conservation Management Plan and definition of Conservation Management Plan amended to refer to a plan “prepared” rather than a plan adopted.
13. 4.5 – new C7 inserted re vehicular accessway between New South Head Road and Alma Street.
14. 4.7 – C1 Parking requirements for residential uses deleted.
15. 4.7 – C15 added to provide for a decked parking structure to the west of Building B1, in response to the resolution of 14 November 2005 seeking more detail in relation to car parking and vehicular access.
16. 4.8 - C9 and C10 amended to include a reference to neighbouring residences.
17. 4.12 – C9 modified to include water recycling for purposes other than irrigation.

3. Conclusion

The draft DCP has been amended to reflect the recommendations of the Strategic and Corporate Committee and to make it consistent with the land use zones for the site under our current LEP. It is important that the draft LEP be exhibited as soon as possible because it is likely that development applications will be submitted in the near future for the subdivision and development of the land.

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ANNEXURES:

Annexure 1 Report to the Strategic and Corporate Committee of 12 December 2005
Annexure 2 Draft White City Development Control Plan, December 2005