



# Urban Planning Committee

**Agenda:** *Urban Planning Committee*

**Date:** *Monday 11 March 2013*

**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

7 March 2013

To: His Worship the Mayor, Councillor Andrew Petrie ex-officio  
Councillors Greg Levenston (Chair)  
Ted Bennett  
Luise Elsing  
Elena Kirillova  
Katherine O'Regan  
Matthew Robertson  
Toni Zeltzer

Dear Councillors

### **Urban Planning Committee Meeting – 11 March 2013**

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 11 March 2013 at 6.00pm.**

Gary James  
General Manager

# **Additional Information Relating to Committee Matters**

**Site Inspection**

**Other Matters**

## Meeting Agenda

<b>Item</b>	<b>Subject</b>	<b>Pages</b>
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 18 February 2013	1
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### **Items to be Submitted to the Council for Decision with Recommendations from this Committee**

R1	Rose Bay Seawall & Promenade – 900.G	2
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**Item No:** D1 Delegated to Committee  
**Subject:** **Confirmation of Minutes of Meeting held on 18 February 2013**  
**Author:** Les Windle, Manager – Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of Monday 18 February 2013 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 18 February 2013 be taken as read and confirmed.

Les Windle  
Manager - Governance

**Item No:** R1 Recommendation to Council  
**Subject:** **Rose Bay seawall and promenade**  
**Author:** Sara Reilly Strategic Heritage Officer  
**File No:** 900.G  
**Reason for Report:** To respond to an adopted notice of motion requiring a report on the heritage significance of the Rose Bay seawall and promenade

**Recommendation:**

- A. That the heritage assessment and draft heritage inventory sheet for the Rose Bay seawall and promenade be received and noted.
- B. That a state nomination be prepared and submitted to the Heritage Branch of the Office of Environment and Heritage to list the Rose Bay seawall, balustrade and promenade as a heritage item on the State Heritage Register. The listing is to apply to the seawall, balustrade and promenade.
- C. That the inventory sheet be adopted by Council and used to assist with development applications associated with the item.
- D. That a heritage significance of the refreshment pier be carried out at a later date.

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**1. Background**

Council adopted a notice of motion on the 22 October 2012:

*That Council pursue and expedite the process of seeking to have the Rose Bay Sea Wall, Balustrade and Promenade listed as a State Significant item of the NSW State Heritage Register. This process shall be initiated by the production of a report on the heritage significance of the structure and whether it meets the criteria for state heritage listing.*

This heritage assessment responds to this decision.

**2. Introduction**

The length of the Rose Bay seawall, balustrade and promenade extends generally between the south tip of Rose Bay Park in the west, and the west end of Lyne Park in the east. The seawall, balustrade and promenade are mostly located within the road reserve of New South Head Road, and are aligned with the carriageway of New South Head Road. Three concrete sets of stairs are regularly spaced along the promenade (although technically not part of the seawall, balustrade or promenade they are considered to be part of the improvement scheme and thus the 'item'). They extend into the harbour beyond the local government area boundary (the mean water mark) into land owned by the Roads and Maritime Services (RMS). The land parcels on which the stairs are located are leased back from the RMS by Woollahra Council. A fourth set of stairs adjacent the refreshment pier (Pier restaurant) appears to be located within the road reserve.

New South Head Road is a state classified road (as opposed to local or regional). Under NSW Road Management arrangements and the Roads Act 1993, councils are generally the owners and roads authority for state roads (other than freeways). However, the Act allows the RMS to exercise road authority functions in order to fund and manage certain aspects of the road including the main carriageway between the kerbs. Councils retain responsibility for the road reserve of state roads, including service roads, footpaths and so on unless agreed otherwise<sup>1</sup>.

Woollahra Council currently maintains the section of the road reserve upon which the seawall, balustrade and promenade (including the verge of plantings and parking bays) is located.



Woollahra LEP 1995 currently lists the 'Esplanade, concrete balustrade' as a local heritage item in New South Head Road, Rose Bay. The seawall is not included in the listing. There is an inventory sheet available for the item; however, this sheet has not been updated to acknowledge recent works, and contains only minimal information such as a basic description and statement of significance.

The seawall abuts and partially supports the balustrade.

A program of major upgrade works was prepared and executed by Woollahra Council in 2007. The main reconstruction works concerned stabilising the substructure of the footpath following serious subsidence and deconsolidation of the foundation material. Underground water storage units were installed beneath the parking bays. The concrete balustrade was extensively repaired and all lamps and lamp standards renewed. Additional elements included new lighting, landscaping and underground water collection tanks. Conybeare Morrison design consultancy prepared the statement of environmental effects for the works, and Eco Civil were the main contractors.

A heritage report on the Rose Bay seawall and promenade was prepared for Council by Rod Howard Heritage Conservation in October 2001 as part of the initial investigation into the item. The heritage assessment by Rod Howard concluded that the item has state significance under a number of criteria.

<sup>1</sup> Refer to [http://www.rta.nsw.gov.au/doingbusinesswithus/downloads/lgr/road\\_mgmt\\_arrangements.pdf](http://www.rta.nsw.gov.au/doingbusinesswithus/downloads/lgr/road_mgmt_arrangements.pdf)

The National Trust of Australia (NSW) also lists the 'Seawall and Promenade' on the National Trust of Australia Register. Note this is a non-statutory listing. The assessment by the National Trust also indicates some level of potential state significance for the item.

The Rose Bay Preservation Group sought an interim heritage order (IHO) from the Office of Environment and Heritage Heritage Branch to list the Rose Bay promenade, seawall and adjacent water in September 2012 on the New South Wales State Heritage Register.

The Heritage Branch declined to recommend an IHO be imposed; however, they indicated support for the state significance of the item and for a future submission of a State Heritage Register nomination. They indicated that they did not support the inclusion of the adjacent area of water and potential maritime archaeology in any future state listing, and that they supported the potential state listing under the historic and historical association criteria only. The response from the Heritage Branch of the Office of Environment and Heritage is included at **annexure 1**.

### **3. Heritage assessment**

A draft heritage inventory sheet has been prepared by Council's Strategic Heritage Officer. The heritage assessment within the inventory sheet follows the guidelines set out in the NSW Heritage Council *Heritage Manual* and the NSW Heritage Office publication *Assessing Heritage Significance (2001)*. Previous work done by the National Trust and by Rod Howard Heritage Conservation has been used in the preparation of the draft heritage inventory sheet.

The heritage assessment found that the Rose Bay seawall, balustrade and promenade have state significance under two criteria, firstly, as an example of a large early twentieth century civic improvement scheme (historic significance), and secondly, for the associations with Herbert E. Ross, architect and engineer (historical association significance).

The heritage inventory sheet is included as **annexure 2**.

### **4. Conclusion**

The Rose Bay seawall, balustrade and promenade have been identified as having heritage significance at a state level under certain criteria. It would be appropriate to submit a nomination to the Heritage Branch of the Office of Environment and Heritage for inclusion of the item on the State Heritage Register.

Sara Reilly  
Strategic Heritage Officer

Chris Bluett  
Manager Strategic Planning

### **Annexures:**

Annexure 1      Heritage Branch letter dated 27 September 2012  
Annexure 2      Draft heritage inventory sheet for Rose Bay seawall and promenade

**Political Donations – matters to be considered by Councillors at Meetings**

