

Sydney Grammar School - Weigall Sports Complex

Weigall Playing Fields, Rushcutters Bay

Heritage Impact Statement

Background

Sydney Grammar School are proposing a new sports facility at Weigall Ground, their long-term playing fields located in Rushcutters Bay. The facility is to contain swimming pools at lower ground, three basketball courts above with associated spaces and facilities and on-site parking in a separate structure. The facility has been designed by AJ+C Architects. The DA drawings are referenced at the end of this assessment.

The building will replace a small pavilion of recent date, a group of tennis courts and areas of lawn and minor landscaping.

Project Scope

The project scope is:

1. Demolition of the following existing structures and buildings (which are not heritage significant) at the southern edge of the SGS Weigall Sports Ground:
 - (a) Multipurpose/tennis courts and associated fencing;
 - (b) Barry Pavilion;
 - (c) The existing cricket nets off Alma Street; and
 - (d) Paved car park near Neild Avenue.
2. Construction of the new SGS Weigall Sports Complex comprising the following:
 - (a) Building 1 - Sports facilities building accommodating the following facilities:
 - (i) Ground floor: Main pool, programme pool, terrace/assembly facing Weigall, entry foyer, offices, change rooms, back of house, services and external car parking (5 spaces) and loading
 - (ii) Mezzanine floor: spectator terrace and services

- (iii) First floor: Multipurpose sports hall 01 – basketball and volleyball, Multipurpose sports hall 02 –cardio, weights, taekwondo, fencing, PDHPE, change rooms, storage and services
- (iv) Level 2: Multipurpose room 04; Multipurpose sports hall 03 –cardio, weights, taekwondo, fencing, PDHPE, storage and services
- (v) Driveway entry from Neild Avenue (comprising relocation of the existing driveway southwards with existing driveway potential retained for maintenance access)
- (b) Building 2 – Car park comprising an ancillary car park of one/two split levels accommodating 93 spaces with an additional 4 spaces on grade, accessed from an existing entry from Alma Street (located on the existing cricket nets site). The lower ground level includes the flexibility to be used as an extension of the existing playing fields
- (c) Parking for a total of 102 cars comprising:
 - (i) Building 1: 5 spaces
 - (ii) Building 2: 97 car spaces (93 within the building and four at grade)
- (d) Landscaping of the site including tree removal/retention/replacement, paths, fencing and lighting
- (e) Building identification signage
- (f) New kiosk substation.
- 3. Use of the completed building as an educational establishment with external/community use of the proposed facilities that coordinates with the programming of the SGS.

The proposal does not include any of the following:

- General learning areas (GLA)
- An increase in the existing student or staff population.

LOCATION

The State Significant Development Application (**SSDA**) site is part of the Weigall Playing Fields located on Neild Avenue at Rushcutters Bay.

Weigall is bordered by:

- Neild Avenue to the west (Neild Avenue is classified as a collector road and also forms part of the State Road MR625 managed by Roads and Maritime Services)
- State Rail land and the Eastern Suburbs Railway viaduct to the north
- White City (Hakoah Club and Maccabi Tennis Club), SGS Edgecliff Preparatory School, Vialoux Avenue, Alma Street and residential development to the south
- Residential development to the south and north-east
- A Sydney Water stormwater channel which traverses the site

THE SITE

The Weigall playing fields occupy a large filled and levelled area largely in former swamp land. The site is adjacent to Neild Avenue to the west. The playing fields are set down slightly below street level and below adjacent residential development to the south, reflecting the low-lying character of the basin around the former creek area. The site is traversed by a stormwater channel called Rushcutters Creek and adjoins the former White City tennis courts to the east of the main fields across Alma Avenue. Access to the site is from Alma Street and Neild Avenue.

There are several buildings on the Weigall site, around the periphery, used as seating, small stadiums and change and toilet facilities. The site is presently occupied by fields and courts.

The southern portion of the site is set above the playing field level by several metres and contains 6 tennis courts and a small parking area that is accessed from Neild Avenue. A recently built small pavilion is located at the change of level that can view both the tennis courts and the adjoining playing field. The change of level marks the edge of the rising ground extending south into Paddington and the creek flats that extend to the Harbour and which now contain playing fields and parks.

The northern edge of the site is marked by the elevated Eastern Suburbs Railway viaduct and beyond that New South Head Road, a major traffic artery to the east of Sydney.

THE ADJACENT AREA

The area surrounding the site is mixed in character. To the west across Neild Avenue are residential/commercial buildings of up to 5 storeys in height that form an articulated but quite solid built wall overlooking the fields.

The northern part of the site has the eastern suburbs railway overpass and New South Head Road as the boundary. To the east is the former White City Tennis Courts (now Hakoah Club) and parklands beyond and to the south of the site rising from a slightly elevated level above the fields are Alma Street and Vialoux Avenue that extend north ending at the playing fields and the tennis centre carpark.

Alma Street has 12 houses on the western side of the street facing east and on the eastern side of the road is Sydney Grammar Preparatory School. Vialoux Avenue has 5 houses facing west, the northern most house belonging to the school and a 3 storey block of apartments immediately adjoining the tennis courts.

A large apartment complex is located south of the site extending from Vialoux Avenue to Neild Avenue and fronting Lawson Street (No 29-31). It is of 4 storeys in three wings and is set back from its northern boundary. The buildings are elevated well above playing field level.

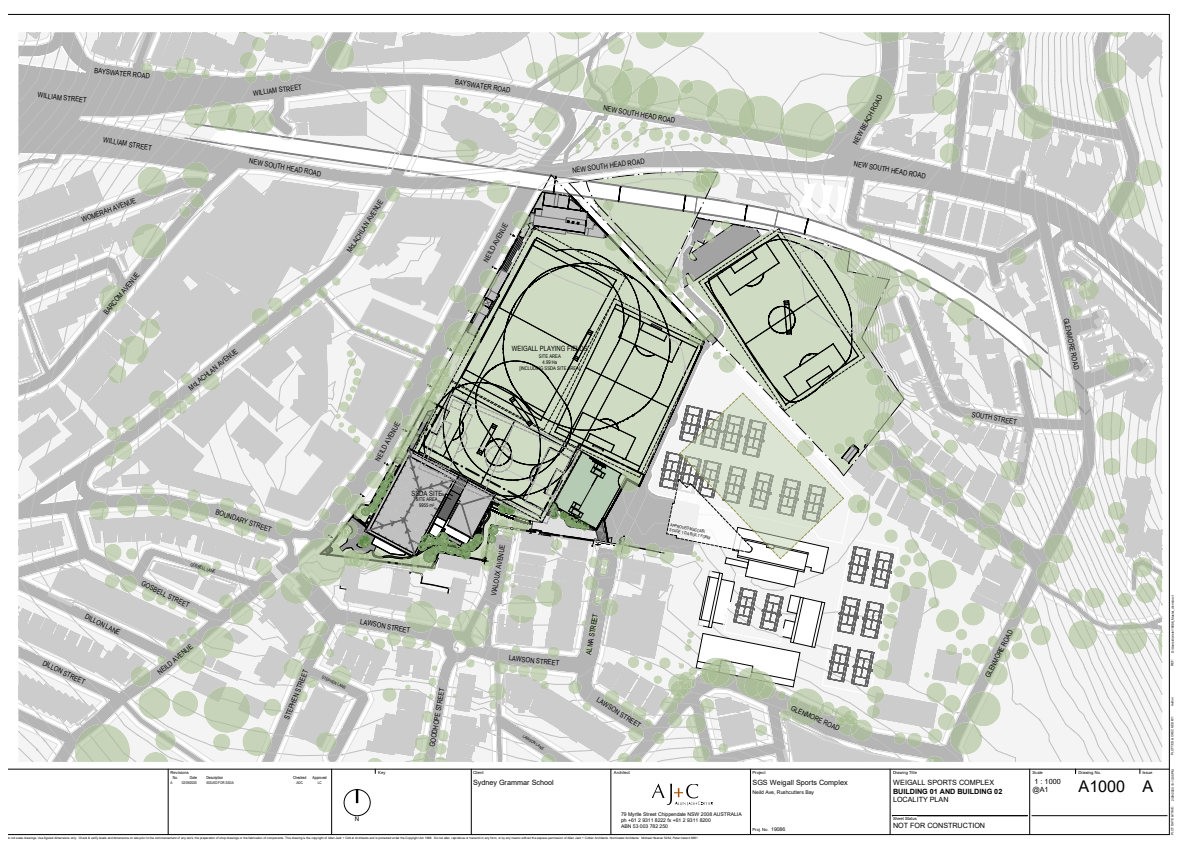


Figure 1 : Site location plan. AJ+C site plan showing site boundaries, locality and proposed buildings.

SITE HISTORY

Rushcutters Bay

Towards the end of his life Obediah West remembered the Rushcutters Bay of his childhood:

Flowing through it is a stream now dirty and miserable looking but at one time a beautiful running creek of pure clear water ...At this time the place had the appearance of a dark and dense forest, immense mahogany trees, blackbutt, and other of the eucalyptus species growing in great profusion... About 200 yards from the mill a large swamp commenced and ran down to where Bentleys Bridge stands... it swarmed with bronze-winged aquatic birds of every description – red bills, water hens, bitterns, quail, frequently all kinds of ducks...Brush wallabies were also very numerous and the head of the swamp was a great resort for dingoes (Sydney Morning Herald, 12 October 1882, p.9).



Figure 2 : Bernard Holtermann, *Rushcutters Creek*, 1878. National Library Australia.

Obediah West was the son of Thomas West, granted land in 1810 to build a flour mill driven by the waters of Rushcutters Creek, running from the sandstone heights of Paddington to the shores of the Bay. Now encased in concrete, the creek marks the western boundary of the Bay hinterland.

In 1817 William Thomas was granted 40 acres (16 hectares) including most of the low-lying land east of Rushcutters Creek. Little is known about Thomas or the reason for his grant except that he had a small farm in the area and that one of his children may have been injured by Governor Macquarie's carriage.

As well as the natural setting, Obediah West remembered the local people fishing and camping around the bay. From the 1850s to about 1890 camps of indigenous people with Sydney connections continued as residents of the area, usually near Rushcutters Creek, at what is now the corner of Neild Avenue and William Street.

Most of William Thomas's land grant was purchased by Daniel Cooper, an emancipist merchant and entrepreneur who amassed vast property holdings in Sydney suburbs. At Cooper's death in 1853 his nephew Sir Daniel Cooper inherited his uncle's estate, although the Rushcutters Bay land was placed in trust to the younger Cooper's sister Sarah Booth, who leased it to market gardeners usually in 50 year terms. The timbered land by the creek was already being cleared for this purpose:

Rushcutters Bay was the scene of what might be called the first regular 'market gardens' in Australia. An immense flat spread away to the south at the head of the bay, and a vast bed of rich alluvial soil accumulated during the course of ages...When the 'new road,' as it was called, from Sydney to South Head was formed, this valley flat was drained and formed into numerous vegetable beds, and fifty years ago these gardens formed the chief source of supply for the city (*Illustrated Sydney News*, 7 March 1889, p.10)

Many of the properties on the Darlinghurst side of the Bay also owned and leased garden land: 'TO LET, for a term, a Four-roomed stone Cottage, with an acre and half of good garden ground near the Toll-gate, Rushcutters Bay. Apply to J. F. WILCOX, Rushcutters Bay' (*Sydney Morning Herald*, 13 March 1858, p.8).



Figure 3 : Map of Sydney and Suburbs, 1854 (detail). National Library of Australia.

The encroachment of suburbia on the bay, combined with increasing pollution of the Harbour, fuelled demands for the beach to be replaced with sea walls. In 1878, 2.8 hectares of the land north of New South Head Road originally granted to William Thomas was resumed and a further six acres of the Bay was filled in. 'NOTICE is hereby given that on and after WEDNESDAY next, the 25th instant, the Government will be prepared to give 1 shilling per load of 27 cubic feet of quarry refuse, sand, or other sound and inoffensive "filling" deposited where directed in Rushcutters Bay' (Sydney Morning Herald, 24 September 1878, p.10).



Figure 4 : Surveyor General, Parish of Alexandria, 1888 (Detail). National Library of Australia.

Chinese Gardens

Rushcutters Bay Park was completed in 1883. By that time Chinese gardeners had replaced Europeans in the plots south of New South Head Road, a common pattern in market gardens across Sydney. In the years following the 1850s Gold Rushes, Chinese who had joined the migration in search of quick riches took advantage of more traditional skills. Plots were generally leased by small groups of men who shared the rent and the profits, offering opportunities for new immigrants to find companionship as well as an income.



Figure 5 : Paddington, Parish of Alexandria, 1890 (detail). Alma Street is in place but Nield Avenue does not exist. National Library of Australia.

The gardener's make-do huts and sheds neighboured the homes of many of Sydney's wealthiest families and by the 1880s a series of deputations and meetings sought their removal: 'A meeting was held at the Paddington Town-hall yesterday evening, the object being to urge upon the Government the necessity of resuming the Chinamen's gardens and low-lying lands near Rushcutters Bay...It was the duty of the borough to take steps to resume the land. It should be filled in, not for the purposes of habitation, but for the purposes of a public recreation reserve' (Daily Telegraph, 20 July 1886, p.7).



A MARKET GARDENER'S HOME, RUSHCUTTER'S BAY.

Figure 6 : Sydney Mail 24 February 1903. National Library of Australia. These buildings are located near the southern edge of the former gardens near Paddington, they indicate the type of development on the site prior to the School use. The exact location of the photograph has not been determined but it is in the general area of the southern edge of the playing fields. SLNSW.

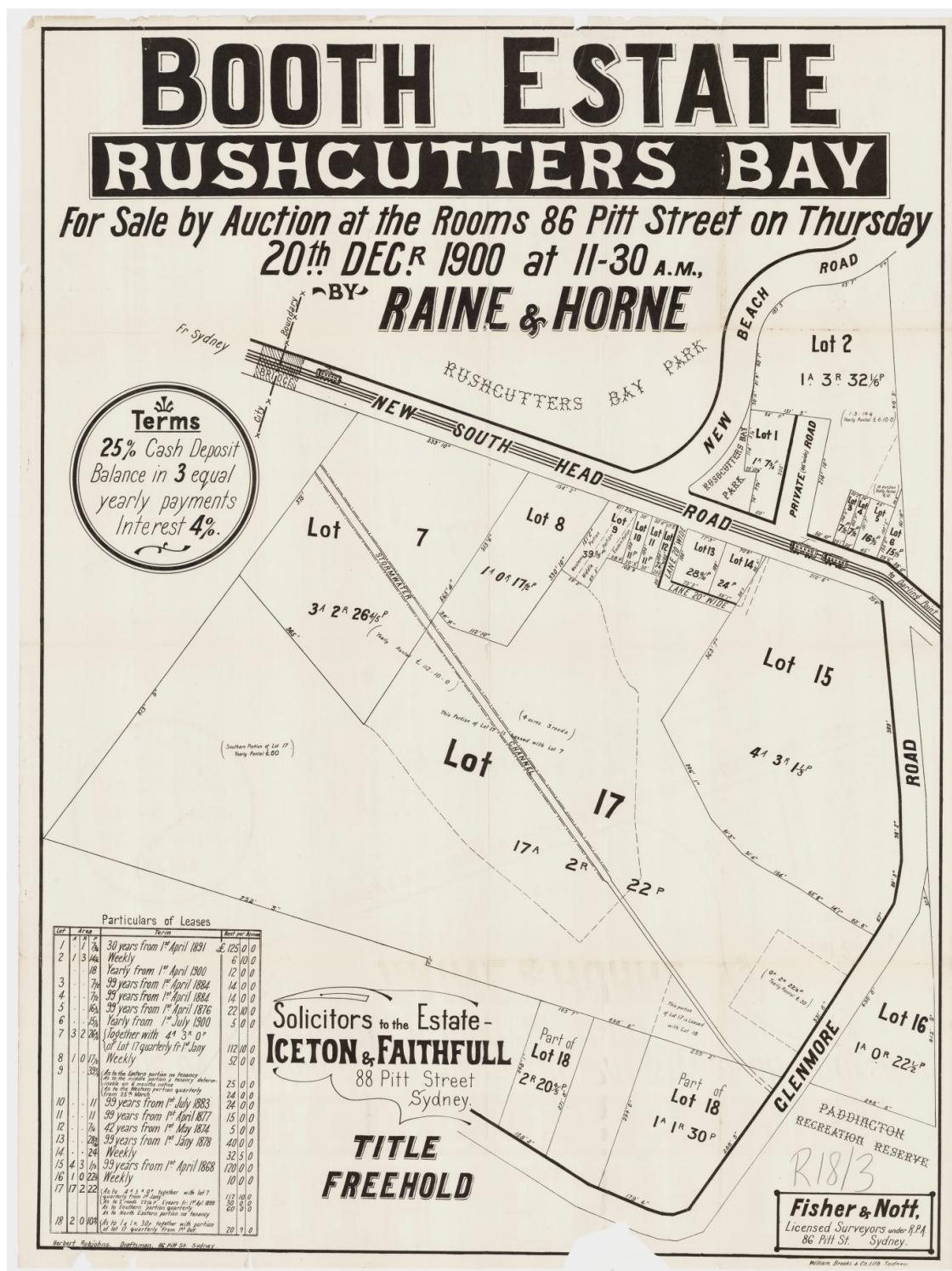


Figure 7 : Booth Estate Rushcutters Bay, 1900. SLNSW.



Figure 8 : Sewerage channels, c1900. Glenmore Road is seen on the right. Sydney City Archives.



Figure 9 : Aerial Survey photo, 1943. SixMaps. This aerial photo is particularly informative in relation to the site of the proposed buildings. By 1943 the early housing stock in Paddington is well-established extending along Alma Avenue and Vialoux Street and their central line of street plantings is clearly visible as mature planting. The site of the Sydney Grammar Edgecliff Preparatory School in Alma Street is occupied by tennis courts, the 3 storey flat building in Vialoux Street has been built but not the slightly later Land and Housing Corporation building and that site is vacant and had been vacant for most of its history. There is also a complex of buildings at the end of Alma Street that are clearly maintenance and service buildings for the fields and probably tennis courts at White City. The stark contrast between row housing to the south (and west behind the industrial buildings) and the open space and industrial sites along Neild Avenue is clearly evident. At this time the school boundary is the fence extending east-west at the end of Vialoux Street.

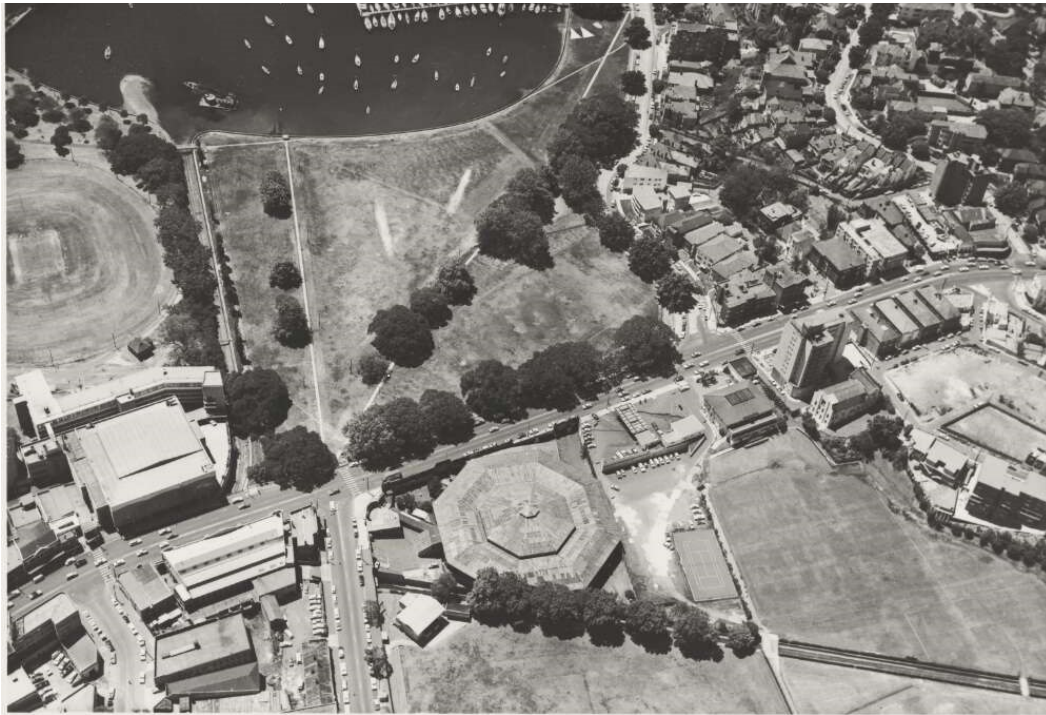


Figure 10 : Ern McQuillan, Sydney Stadium, 1968. National Library of Australia.



Figure 11 : Hood Studio, Weigall Ground, 1930s. SLNSW. Looking north, the stadium is in the background and a school pavilion is in the middle ground. There have a range of sports associated structures on the site since the school acquired the fields.



Figure 12 : Hood Studio, Weigall Ground, 1930. SLNSW. The photo is taken looking south towards Paddington (Town Hall tower visible on horizon). The edge of the rising land can be seen (the site of current tennis courts and the proposed new building).



Figure 13 : Hood Studio, Weigall Ground, 1930. SLNSW.

The gardeners were blamed for all manner of wrongs, 'Mr Alfred Allen, MLA described the land as a hotbed of malaria, which, for the sake of the health of both Woollahra and Paddington, should be resumed' (Sydney Morning Herald, 15 June 1889, p. 13). Others were less decorous in expressing their prejudice:

I wish to call the attention of the police authorities to what appears to be a systematic persecution, by a number of larrikins on a few poor Chinese who have a market garden situated between Rushcutters Bay and the Glenmore Road...These noble-souled youths came down in a body upon these poor gardeners (one of whom is just recovering from a severe illness) with yells and whoops, and the foulest of foul language, hurling stones upon the roof of their dwelling, and at the men who were enraged and driven to desperation, not knowing what to do or where to turn to get redress, seeming too very fearful of making any complaint, and rather inclined to put up with a great deal of annoyance...rather than come into unfriendly collision with us Europeans (Sydney Morning Herald, 19 August 1879, p.6)

However, a succession of Ministers for public works was unconvinced that the resumptions could be afforded: 'It was understood that the Sir Daniel Cooper family had formerly asked an enormous price for the area in question' (Sydney Morning Herald, 15 June 1889, p. 13).

Albert Weigall

Albert Bythessea Weigall (1840-1912) was headmaster of Sydney Grammar School from 1867 to 1912. Sydney Grammar was founded by Act of NSW Parliament in 1854 as a feeder school to the University of Sydney. However, a split among the school trustees had reduced its enrolments and reputation when Weigall became headmaster, a situation he remedied by employing teachers and methods from the English 'Public' schools.

Among these was the centrality of team sport to the school curricula and image, an ideology encapsulated in the quotation 'The battle of Waterloo was won on the playing fields of Eton'. Sport supposedly encouraged leadership, courage, fellowship, loyalty and other worthy qualities, a notion also espoused by Baron Pierre de Coubertin, founder of the modern Olympic Games, who believed these qualities to be threatened by the emergence of professional sport.

From 1889, the school used Rushcutters Bay Oval, built on the reclaimed parklands, as its main sports ground, but was already seeking to own a larger venue. Luckily for Sydney Grammar, following Sarah Booth's death in 1895, her children and other beneficiaries of her estate successfully claimed ownership of the Rushcutters Bay land in the Equity Court. At the same time many of the Cooper leases were expiring. The land was retitled as the Booth Estate and parts were auctioned from 1900 as their leases expired (LRS Primary Application 19715, 17 July 1915). Needless to say, the market garden leases were not renewed.

In the same year the NSW Board of Health declared that the Booth Estate 'was not to be built on', due to its low-lying character and its supposed contamination by the market gardens, substantially reducing its market value (NSW Government Gazette, 19 December 1900, p.9861). In 1907 Sydney Grammar purchased most of the western half of the Booth Estate (LRS Book 840 Number 545, 4 October 1907): 'The chairman announced that the trustees of the school had secured a suitable area of 7 acres at Rushcutters Bay at a cost of £3500. It was rather larger than was originally intended but that was a good fault and would afford ample opportunity for the development of all branches of athletic activity' (Sydney Morning Herald, 5 April 1907 p.7).

Some parts of the land had already been resumed by the NSW Government to construct sewerage infrastructure and roads. During the 1890s a deep stormwater channel had been built across the controversial land encasing an eastern tributary of Rushcutters Creek. In 1901 Neild Avenue was formed parallel to the main Rushcutters Creek drain, 'running through the Chinamen's gardens, and connecting Brown-street and Bayswater-road' (*Daily Telegraph*, 7 February 1901, p.3). Sydney Grammar's acquisition was 4.55 hectares of the land south of the stormwater channel, the present Weigall 1, 2 and 3 fields.

The Sydney Grammar School's new ground is at Rushcutters Bay, on the area of the chinamen's gardens, to the east of Neild Avenue...It is a gift from the old boys to the school - truly a magnificent gift. The first match was played there on Wednesday last between the Grammar School and Mr. J. Searle's team. It was drawn....The pavilion on the new School ground is the old one that served at Rushcutters Bay Oval for so many years. And a compact and useful little building it is (Referee, 28 October 1908, p.8).

Of the departed Chinese gardeners, the Sydney press and Sydney Grammar had nothing to say.

The Stadium

On Boxing Day 1908, Jack Johnson became the first African-American to be crowned World heavyweight boxing champion. Johnson defeated the reigning champion, the Canadian Tommy Burns, at an open-air stadium constructed a few months earlier on the former market gardens at the corner of Neild Avenue and New South Head Road.

Johnson's triumph was, at least until the Melbourne Olympic Games, the most famous sporting event held in Australia. Its fame results mainly from Johnson's extraordinary life and career, documented and celebrated in movies, drama, documentaries and other media. Johnson challenged white America not only by his pugilistic superiority but through his contempt for the prejudices of the Jim Crow era. Notable was Johnson's public flaunting of his wealth and fame while his courtship of a succession of white women eventually saw him convicted under a law intended to hinder prostitution, forcing him to flee the USA.

The stadium was the project of Sydney sporting impresario Hugh Douglas 'Huge Deal' McIntosh, who sought to profit from the 1908 visit to Sydney of the US 'Great White Fleet' by staging a fight between Tommy Burns and local champion Bill Squires. The timber stadium, with a capacity of 20,000, was built for this event in August 1908. Burns, like other white champions, refused to fight black challengers, but McIntosh's offer of a record breaking purse tempted him to break the 'colour bar' and accommodate Johnson, who had pursued the champion around the world, daring him to fight.

During 1912, the stadium was rebuilt with an octagonal roof designed by Sydney architect Thomas Pollard Sampson. Capacity was reduced to 12,000 but the roof required only ten supporting stanchions, creating a mostly unobstructed view of the central stage, which could be rotated. The new stadium was financed by Hugh McIntosh, who leased 7000 square metres at the corner of Neild Avenue from the Booth family (LRS Book 842 No.732, 8 November 1907).

In 1916, the stadium was sold to Stadiums Limited, recently founded by the Melbourne gambling, racing and political figure John Wren (LRS Book 1097 No.416) Stadiums Limited owned venues in Melbourne, Brisbane and Sydney, promoting boxing, the main professional sport in Australia at that time. However, from 1954 the American promoter Lee Gordon took control of the Stadiums Limited

venues and the Stadium became Sydney's main concert venue, hosting musicians and entertainers including Frank Sinatra, the Beatles, Johnny Ray, Chuck Berry, Louis Armstrong, Ella Fitzgerald, Bob Dylan, The Who, Johnny O'Keefe and many others.

Little Weigall

In 1968 the Stadium site was resumed by the Commissioner for Railways and the building demolished for construction of the Eastern Suburbs Line. This was the culmination of decades of debate as to the best route for the long-delayed line. At one time Rushcutters Bay Park and the Weigall Ground were considered for partial resumption (*Sydney Morning Herald*, 1 October 1960, p.14).

Following completion of the new overhead railway in 1978, part of the railway land - Little Weigall - was leased to Sydney Grammar.

Weigall 4

The neighbouring land, part of lot 7 of the Booth Estate, was also resumed for the new railway. This land, between the main drainage channel and New South Head Road, was still leased for market gardens in 1900 and was not part of the original Sydney Grammar purchase. In 1903 the lease expired and the land was purchased by the Australian Gas Light Company which built a large storage cylinder there. By 1940 the tank was gone and the land was acquired by the NSW Lawn Tennis Association which built a two-storey club house there as well as adding further courts to its White City tennis complex on the eastern side of the Weigall Ground.

White City dates from 1913 when an amusement park was built on the site. Following its destruction by fire in 1917 the land was purchased by the Lawn Tennis Association, which leased the courts to the White City Tennis Club from 1948. The stadium was built in 1922 and hosted the NSW Open tournament until 2000, when the NSWTA moved to Olympic Park, creating uncertainty as to the future of the White City complex. A series of proposals were made to redevelop White City as a residential and commercial venue.

During 2007, the Sydney Maccabi Tennis Club and the Hakaoh Club purchased the courts and stadium while Sydney Grammar acquired the 1.5 hectares north of the channel, now Weigall 4, a football and cricket pitch, parking area and two basketball courts.

Weigall 5

The area bounded by Neild Avenue, Lawson Street and Vialoux Avenue had a succession of owners and uses until 1908 when most of the land facing Lawson Street and Neild Avenue was amalgamated by David Jones Limited (LRS Vol.1980, Folio 106, 4 November 1908).

This purchase and succeeding acquisitions by Holden Motor Body Builders Ltd and the motor dealer York Motors appear to have been speculative. In 1943 the land was occupied only by The Alencon flats, built 1930 in Vialoux Avenue and a small row of terrace houses nearby at the Lawson Street corner.

In 1947, the area between Lawson Street and the Weigall ground was resumed by the NSW Government with the exception of The Alencon; the Housing Commission constructed apartments facing Lawson Street. The northern half of the site was part of that declared unfit for buildings in 1900

and remained largely unused until 1956 when Sydney Grammar leased this land from the Housing Commission.

In 1983, the northern half of the site (3261 square metres) was purchased by Sydney Grammar and is used for tennis, basketball and futsal (LRS Vol.15089 Folio 18, July 1983).

References used for this history:

Reference: Old Form Torrens Registers, Old System Deeds, Plan Lodgment Books, Old System purchasers and vendors indexes, Parish and charting maps, 1825-1982.

Source: Land Registry Services, Historical Land Records viewer:

<https://www.nswlrs.com.au/>

Reference: *Sands Sydney Directory*, 1858-1933.

Source: Council of the City of Sydney:

<http://www.cityofsydney.nsw.gov.au/learn/search-our-collections/sands-directory>

Reference: Trove: Digitised newspapers and more

Source: National Library of Australia:

<http://trove.nla.gov.au/>

Reference: Sydney Water Historical Research Archive

archiverequests@sydneywater.com.au

Reference: Aerial photographic survey of Sydney, 1943.

Source: SixMaps, NSW Department of Finance and Service

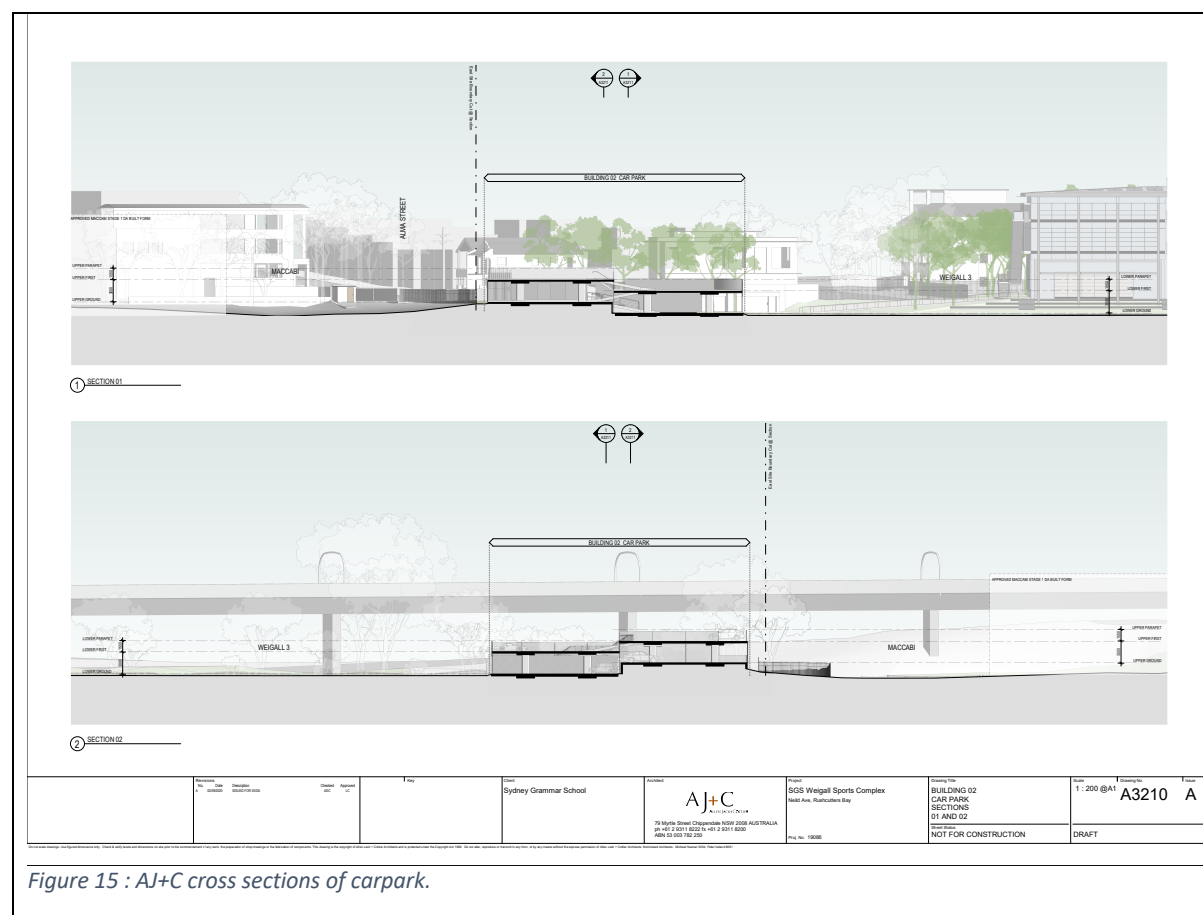
<https://maps.six.nsw.gov.au/>

While these are not all heritage matters they go to how well the new form fits onto the site and within the overall setting. The proposed building is an appropriate scale for the site in relation to the playing fields that it fronts, the apartment buildings that are around it and the consistent denser and higher scale of Neild Avenue that forms the visual setting for the site.

The built forms are simple and contemporary, well-articulated and designed and although of reasonable scale integrate well onto the site.

Building 2 - Carpark

The carparking structure is an open (non-roofed) structure of 2 levels with a height of 1 and half storeys. This occurs as the building is not roofed and only requires low screening and balustrading on the upper level to a complying height. The building occupies roughly the footprint of the current cricket nets that are enclosed by wire netting that is of similar height to the proposed structure. The site adjoins the Hakoah Club carpark which is the access point to both sites for parking and servicing.



The carpark is designed with a low section of ground level parking with an upper parking deck adjoining the Hakoah Club site and a slightly lower ground level set towards the playing field also with an upper deck. This reduces any potential impact on the visual setting of the junction between sites or on the playing fields themselves. The structure is clad with a light metal screen that, while denser than the cricket netting, allows a level of visual permeability.

Concentrating parking in a carefully designed structure with good road access from the end of Alma Street is a sound planning and heritage outcome that also reduces impacts of adding driveways and ramps from Neild Avenue.

The carpark has also been designed in relation to the minor view that exists down Alma Street across this area. The view north in Alma Street is a designated view in the DCP (view 24) and the view is an 'enclosed view' formed by the row of terraces along the western edge of the street, the school buildings to the east and the central tree plantings. It appears that the view was marked arising from the street plantings as they are distinctive. The street does not have other attributes that set it apart from other streets in the area.

The view extends beyond the end of Alma Street onto the area of the carpark however, this is not a prominent or dominant part of the view but rather forms the backdrop to the view. Looking down the street from the south, where the view is marked in the DCP map, demonstrates that the view is largely immediate - that is formed by the street, the buildings and the trees - with a background outlook into the parking area with some grassed areas beyond. It is not a view to items identified in the DCP as important such as the harbour or city skyline.

The DCP considers views that are broad and looking out and enclosed and immediate. The Alma Street view is an immediate and enclosed view.

Locating the parking structure at a low level allows views beyond it and around it and the new element will sit comfortably within the existing viewscape.

It is also observed from the historic imagery that this part of the site has traditionally had a range of service structures and fences and it is the logical location for service based elements as good site access is available and there is sufficient space to accommodate it.

Locating the carpark here follows a well-established site tradition of locating service elements within the area.

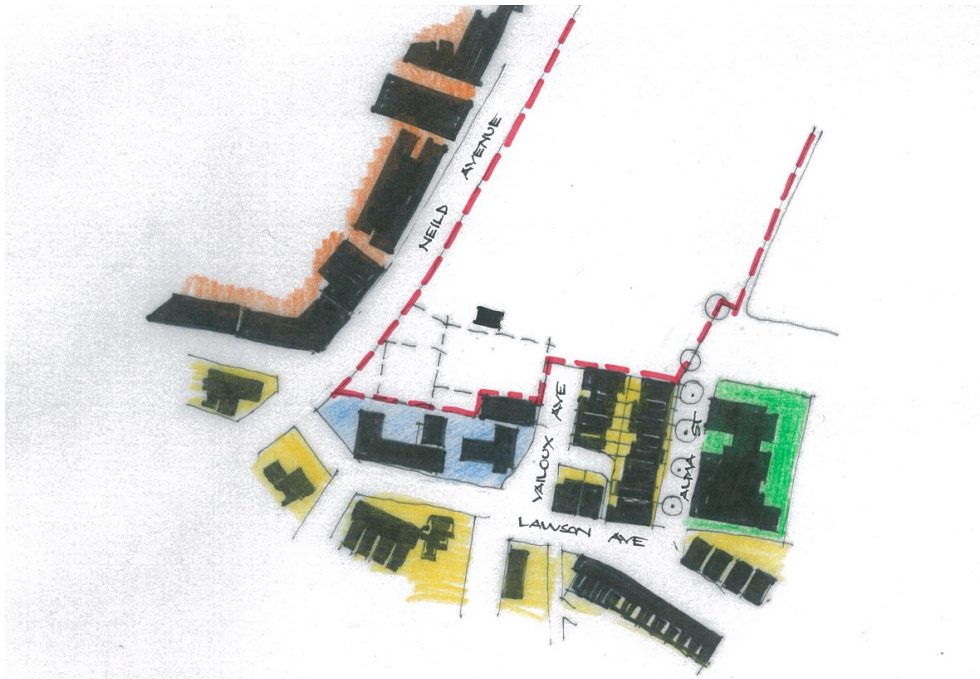


Figure 16 : A figure-ground drawing of the vicinity showing the site in its current form. Yellow are 1 and 2 storey mostly older heritage buildings, green is the 2-4 storey preparatory school site, red is the 4-5 storey residential/commercial development outside the HCA and blue is the larger 3-4 storey residential apartment development adjoining the site. The site is outlined in red.

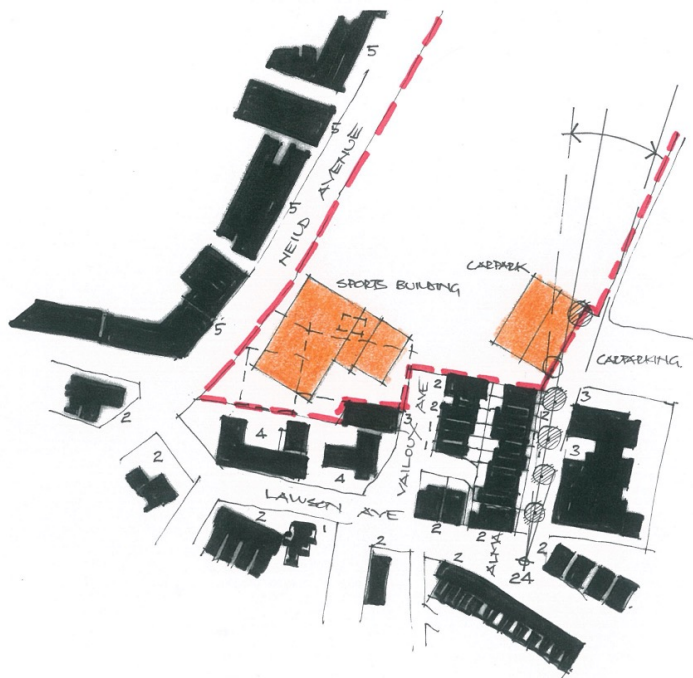


Figure 17 : Shows the new sports building and carpark (orange) in relation to existing buildings. The number of storeys of the existing buildings is indicated adjacent to each building. View no 24 is also marked looking north along Alma Street. It is indicated with a view cone that extends beyond the northern end of Alma Street but as discussed in the test, the view is largely contained within the street.



Figure 18 : View north along Alma Avenue demonstrating the closed view. Paul Davies

LEP Heritage Provisions

The place is not a heritage item but is within an HCA.

The LEP sets out general heritage controls as follows with our responses to the relevant provisions and how they are addressed by the proposed design:

- (1) **Objectives** The objectives of this clause are as follows—
- (a) to conserve the environmental heritage of Woollahra,
 - (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
 - (c) to conserve archaeological sites,
 - (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

Response: The proposal adds new elements to the Weigall site but does not undertake works that affect the heritage values of the site or area.

The site is within the HCA and contributes for its former role of being part of the market gardens and, for a large part of its developed life, as sports fields. These values are not impacted by the proposal. Providing a new sports facility ensures the future viability of the site as playing fields and open space.

(2) **Requirement for consent** Development consent is required for any of the following—

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) erecting a building on land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
- (f) subdividing land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or

Response: The proposal is to erect new structures and demolish a small pavilion and remove minor existing facilities.

None of the elements to be removed have heritage significance or contribute to the heritage significance of the precinct. There are no significant buildings, works, relics or trees affected.

There is no archaeological potential.

Consent is required as the works involve erecting a building.

(3) **NA**

(4) **Effect of proposed development on heritage significance**

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

Response: There is no inherent significance in any of the site features. They are relatively new and have no heritage value. There is heritage significance in the open space on the creek flat area and the long-term use for sport in association with the school as part of the overall heritage precinct.

There is also the interface of the site with the buildings to the south and south-east and to a lesser extent the interface with buildings opposite in Neild Avenue that requires consideration.

The proposal adds a new building and a carpark, they are elements that do not currently exist on the site. They are however consistent with the use of the site and are designed contextually in relation to the open space and surrounding buildings.

There is no inherent adverse heritage impact from adding well-designed new elements to the site.

(5) **Heritage assessment** *The consent authority may, before granting consent to any development—*

(b) *on land that is within a heritage conservation area, or*

(c) *on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Response: This HIS satisfies the consent requirement.

(6) **NA**

(7) **Archaeological sites** *The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies)—*

(a) *notify the Heritage Council of its intention to grant consent, and*

(b) *take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

Response: This report does not assess archaeology.

(8) **NA**

(9) **NA**

(10) **NA**

DCP Heritage Provisions

The DCP sets out a specific section in relation to the Paddington heritage area in which the site is located. Most of the DCP focuses on the key character elements of the precinct that are housing, commercial and a few other specific building types. The material set out is generally not relevant to the subject site as the site itself, while an important component of the area, does not fit any of the key character types that are described.

Weigall Sports Complex, the adjacent Hakoah/Maccabi site and Trumper Park form an open space corridor along the valley floor occupying land that was not suitable for other development as it was swamp and flood prone. The combined contribution of the three contiguous sites (apart from any specific heritage elements) is the provision of the large open space and sports facilities within the precinct. Almost the entirety of the balance of the precinct is densely developed with predominantly Victorian period development. In most respects the site and open space areas do not form part of the tightknit development that characterises Paddington.

The precinct is bounded in the vicinity of the site by Neild Avenue and New South Head Road that also form the site boundaries. The subject site adjoins Hakoah Club (parking area) to the east and a small amount of mostly mid to later twentieth century larger scaled residential

development to the south. The interface with buildings that is set out in detail in the DCP does not greatly affect this site or development upon it. However, a small extent of earlier housing exists in Vialoux Avenue and Alma Street that is considered in the assessment.

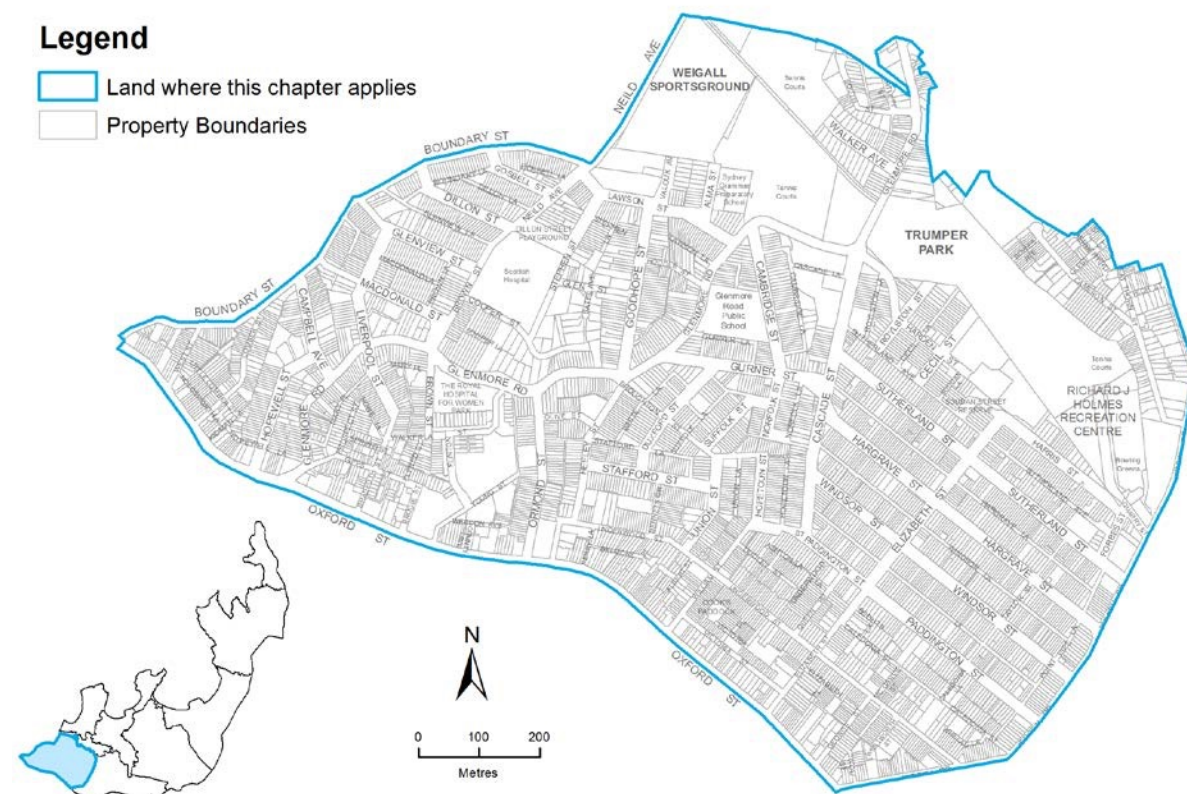


Figure 19 : DCP Heritage Map of Paddington HCA.

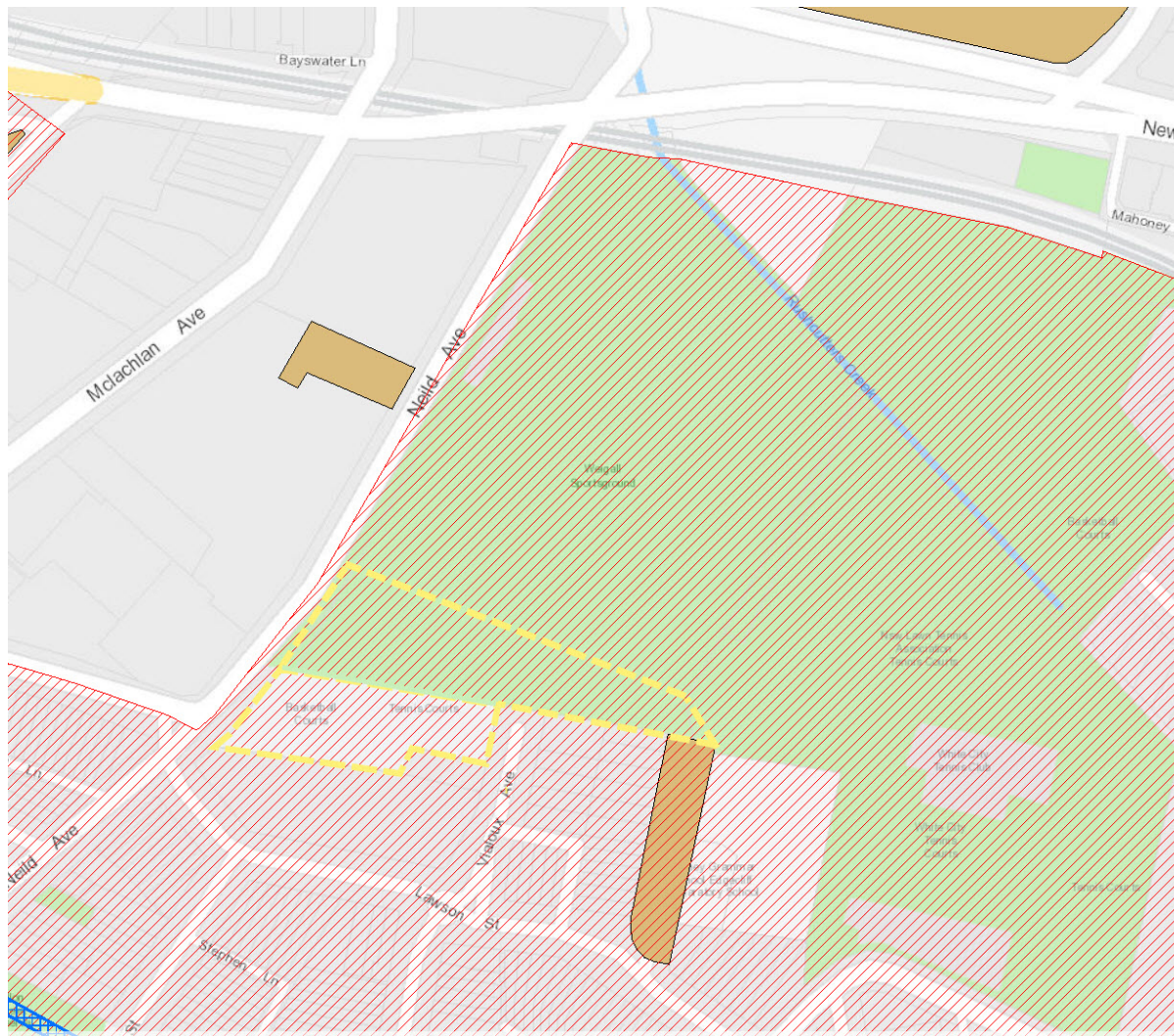


Figure 20 : Combined heritage map from Sydney City and Woollahra Councils showing heritage items and precinct boundaries. The Council boundary extends along Neild Avenue adjacent to the site.

The Woollahra DCP 2012 sets out the following relevant controls that affect the site, they are with commentary:

C1.1.4 Objectives

The objectives of this chapter are:

O1 To facilitate the implementation of the objectives and provisions relating to heritage conservation contained in Woollahra LEP 2014.

Response: This is addressed in the LEP discussion above.

O2 To acknowledge and conserve the unique National heritage significance of Paddington.

Response: The site is not of National significance and the development is sufficiently separate from the core early areas of development so that National values are not affected.

O3 *To conserve the significant types of buildings within the Paddington Heritage Conservation Area.*

Response: The proposal does not affect nor is it adjacent to existing significant buildings.

O4 *To provide guidelines and controls which seek to protect the significant character of Paddington and which encourage contemporary design which responds appropriately to that character.*

Response: The design responds to the guidelines and is contemporary and well-designed.

O5 *To encourage and promote public awareness, appreciation and knowledge of heritage conservation.*

Response: Not specifically relevant to the proposal.

O6 *To enhance amenity and heritage values within Paddington.*

Response: The buildings are designed to enhance amenity. The addition of well-designed buildings adds to the overall value of the precinct. The site is on the border of Paddington but does not directly relate to Paddington.

O7 *To ensure that development is consistent with the heritage significance of the Paddington Heritage Conservation Area.*

Response: The proposal is consistent with the character of the site and existing and future recreation development in scale, form and design.

C1.2.4 Desired future character

The desired future character is a vision statement about the future image and function of the Paddington HCA. Applications will be assessed, among other matters, against their ability to satisfy those outcomes relevant to the development proposal.

This chapter seeks to achieve a desired future character for the Paddington HCA which:

- a) *retains the unique national heritage significance of Paddington and recognises it as a rare and distinctive urban area;*

Response: The proposal does not affect these values. The addition of a building that supports the sports use of the site is consistent with the current precinct listing. The site has a long history of use by the school and a range of buildings have come and gone on and around the site that relate to sport and entertainment uses. This proposal is consistent with the history of use and building in the area.

- b) *reinforces the area as a special residential precinct;*

Response: The site is not residential and development on it will relate to its use as a sporting facility.

- c) *retains and promotes evidence of the historical development of the area and enables interpretation of that historical development;*

Response: The site has been used for recreation and sport for a large parts of its occupation, the proposal is consistent with that use.

d) *retains the cohesive character evident in the low scale, high density built form;*

Response: The cohesive low scale form relates to the residential areas in particular noting that the adjoining residential buildings are of greater scale than the general character of the area. The new buildings are designed in relation to the immediate scale and the open fields and does not affect the cohesive low scale built form of most of the HCA.

e) *retains distinctive features such as parapets, chimneys, mixture of roofs, complex of roads, laneways and alleyways, consistency of colours, subdivision patterns and buildings which follow the landform and the distinctive patterns of terrace house groups;*

Response: This is not relevant to the site.

f) *continues to cater for varied uses and building types within the residential area;*

Response: The buildings proposed are a variation from the standard buildings found in the precinct and the site itself is also a significant variation from the development that typifies the area. The buildings respond to the site and are scaled for their use and in relation to the setting.

g) *retains the diversity of building types including multi-storey and single-storey terrace house rows, modest scale timber and masonry cottages, semi-detached dwellings, dwelling houses, commercial buildings, pubs, former industrial buildings, places of public worship and public buildings;*

Response: The proposed buildings form part of the diversity of the area and are suitable for the site on which it is located.

h) *enables people to walk or cycle to shops, public transport, schools, parks and entertainment facilities in a safe, pleasant and healthy environment;*

Response: This is not affected by the proposal.

i) *provides attractive and vibrant shopping areas for locals and tourists;*

Response: Not relevant

j) *provides for sharing of views and vistas; and*

Response: The buildings allow for views and vistas and are designed to allow view sharing. T/his is addressed in the panning report further.

k) *exhibits contemporary design excellence.*

Response: The buildings are very well-designed in response to their use and the setting.

As Paddington is a living place and will be subject to change over time, Council seeks to encourage new development of a high design standard which respects the significance of the area.

The statement below on contemporary design emphasises the role that modern day design plays in the evolution of Paddington. Issues of contemporary design are relevant to development in the public and private domains.

Response: The buildings have been designed in response to this and are finely crafted built forms.

C1.3.13 Infill development (new development)

The term 'infill development' is defined as the erection of a building that is:

- constructed on an existing vacant registered allotment of land; and*
- does not include side, rear or front alterations and additions to an existing building.*

Infill development provides the chance for the continuing enrichment of Paddington by adding new built form which is an expression of contemporary life.

Opportunities for infill buildings may occur where existing buildings have been demolished or where vacant allotments exist or have been created. Demolition and subdivision will require assessment through the development application process.

As the opportunities for infill development are rare, designs for such sites are required to demonstrate an appropriate response to context and an approach which enhances the character of Paddington and its cultural significance.

Infill development should not be a 'faux' representation of a historical architectural style. Rather, Council requires a contemporary design approach which respects:

- the historic context;*
- siting; and*
- architectural forms (including roof form, roof pitch, height, scale, massing, alignment, modulation, articulation and materials);*

and achieves a cohesive relationship between the existing and new urban fabric.

Response: The proposed buildings 1 and 2 are 'infill buildings' but not within the understanding of the DCP where the term is quite specific to address building on vacant sites within an established pattern of development. The new elements are designed contextually, which is a critical element of infill design, but are principally buildings that stand alone within a very broad setting which changes the way in which design is considered.

As the buildings are seen largely in the round and not in a traditional street infill, they are designed to be seen and to fit within a broader setting than a simple infill.

They are also designed in response to the adjoining sites in relation to siting, scale, open space, etc.

Objectives

O1 To encourage development on infill sites which reflects contemporary values and employs contemporary design, and through a design idiom, materials and construction technique

provides an appropriate response to relevant aspects of the historical context of Paddington.

Response: The project achieves this.

O2 To ensure new development on infill sites is designed and located to achieve a cohesive relationship between new and existing urban fabric, and which retains and enhances the cultural significance of the heritage conservation area.

Response: The site is interesting in that it is within and also on the edge of an HCA and interfaces with a much denser urban form in Neild Avenue. The buildings respond to the site, the immediately adjoining buildings and the Neild Avenue context which is the location from where the project will be principally viewed from the public domain.

O3 To ensure infill development respects the scale and setting of adjacent contributory buildings.

Response: The adjoining buildings as noted are of considerable scale being three and in part four storeys. The new buildings, through the use of topography, setbacks and siting respond to this setting.

O4 To protect the amenity of adjoining or adjacent residential uses.

Response: The buildings are sited and designed to retain amenity to adjoining buildings.

Controls

General

C1 Infill development is to comply with all relevant objectives and controls listed elsewhere in this chapter of the DCP. These objectives and controls are contained in sections including (but not limited to) C1.4 and C1.5.

Response: As noted, many of the controls are not applicable to the site, where they are they have been carefully considered in the design process.

C2 If development is for a dual occupancy, the additional controls for dual occupancies in Part B, Chapter B3 General Development Controls of this DCP also apply (refer to Section B3.8 Additional controls for development other than dwelling houses).

Response: NA

Character

C3 Infill development must:

- a) maintain the significant features and qualities that combine to represent the character of the neighbourhood and area; and*
- b) make a positive contribution to the character of the neighbourhood and area.*

Response: There are no features to retain on the site. The new buildings make a very positive contribution to the area through design and siting.

Scale

C4 Infill development must not overwhelm its context and should be consistent with the predominant scale of significant contributory development adjoining the site or within the group/row. The scale of infill development must respect and take cues from the lowest adjoining contributory 19th or 20th century development in terms of:

- a) maximum height pattern (measured to the uppermost ridge of the principal buildings [or the base of the parapet where existing], not including chimneys); and*
- b) massing (building volume and size). On sloping streets, the stepped transitional height pattern must be achieved.*

Response: The site relates directly to a range of larger scaled buildings in the vicinity and immediately adjoining. This provides the context for the new building form, scale and massing. The site does not directly adjoin small scale development although several houses are located on the eastern side of Vialoux Street that have a slightly removed relationship to the site. These buildings however retain their street view to open space to the north.

Form

C5 Infill development must be consistent with the predominant built form (volume and configuration) of significant contributory development adjoining the site and in its immediate area in terms of aspects including, but not limited to:

- a) roof forms and pitch;*
- b) three dimensional modelling of neighbouring buildings;*
- c) modulation and articulation;*
- d) relationship of solids and voids;*
- e) fenestration patterns; and*
- f) relationship of floor to ceiling heights and horizontal alignment of features (especially ground and first floor levels of existing buildings on sloping sites and streets).*

Response: Examination of the adjoining buildings reveals forms that are not often found in the HCA as they are not the characteristic buildings of most of the area. The edge between creek flat and the rising ground to Paddington, in this location has seen a range of non-typical buildings around the site. The new elements are designed in the round and in response to the site, its function and the adjoining buildings to the south and west. Understandably the smaller houses further to the east do not form an immediate context and their scale is different to the proposed buildings.

Siting

C6 Infill development must adopt the established orientation pattern of the streetscape.

Response: There is no established streetscape pattern in the vicinity. The new buildings are set well back from streets which is appropriate for the site and nature of the buildings. Building 1 has an orientation to Neild Avenue that is consistent with the opposite buildings but is set further back, which is desirable. Building 2 is aligned with the fields and the site of the current cricket nets, reinforcing the arrangement and layout of the fields.

C7 Where neighbouring buildings are orientated to face the street, infill development is to adopt the existing pattern of orientation.

Response: NA

C8 Orientation across the site is not permitted unless there is a dominant pre-existing pattern in the street.

Response: NA

C9 Where there is a uniform building front setback, the infill development must align with the existing setbacks of adjoining buildings.

Response: NA

C10 Where building front setbacks vary, the following apply:

- a) If there is a dominant pattern and the infill development adjoins that pattern, the infill development must align with that pattern. b) If there is no dominant pattern, the infill development must align with the existing adjoining development whose scale is more compatible with the proposed infill development. The pattern of setbacks must respect and take cues from the nearest contributory 19th or 20th century development and ensure that infill is recessive and does not visually dominate the streetscape.*
- c) If there is an existing stepped pattern, the infill development must be consistent with the pattern and proportion of the step.*
- d) If the infill development occurs on a corner site, the infill development must be sited on the street property boundaries to define the corner.*

Response: NA

C11 Rear and side setbacks (including side passages) must align with existing patterns, where visible from the public domain.

Response: NA

C12 Infill development must be sited to:

- a) include sufficient deep soil landscaped area; and*
- b) have no adverse impact on significant trees on the site or adjoining land, including public land.*

Response: Trees are addressed elsewhere noting that no heritage trees are to be removed. Deep soil planting is available widely across the site.

Materials, finishes, textures and colours

C13 Materials, finishes, textures and colours must be appropriate to the historic context. They must be similar to the characteristic materials, finishes, textures and colours of the existing contributory buildings within the streetscape.

Response: The design responds to its context in use of materials. As the buildings do not adjoin or form part of the historic streetscapes, the use of materials as set out in the DCP is not applicable.

C14 Traditional materials may be used.

Response: NA

C15 Contemporary materials may be permitted for infill development but only where their proportions, detailing, quantities and location on the building are in keeping with the character elements (refer to C1.2.3), the desired future character (refer to C1.2.4) and the heritage significance of the conservation area.

Response: Contemporary materials are proposed.

C1.4.9 Views

Paddington's sloping topography and the orientation of streets and subdivisions combine to offer panoramic and lesser views of the harbour, distant foreshores and city skyline from private properties and public areas. Views from private and public lands also take in the built landscape, including the stepped development pattern of terraces, roofscapes and winding streets.

Public views from streets, footpaths, parks and other public areas are among Paddington's prized assets and are significant features of the area's character. Protection of public views allows people to see and interpret the landscape and landmark features.

The height, bulk, form and scale of new developments have the potential to adversely impact on views gained from private and public lands. For private lands, the concept of view sharing is promoted. View sharing controls seek to strike a reasonable balance between new development and access to views from existing development.

Note: Refer to Section 1.6.2 Views and vistas for further information on views from public spaces and a map showing a selection of public views.

Objectives

O1 To minimise the impact of new development on views from existing development.

Response: Building 1 will have an impact on views from the apartment buildings directly behind the development. Any built form in this location will have an impact as currently there is effectively no built form in this part of the area. The building is designed to be set back to allow sufficient space between built elements.

O2 To promote the concept of view sharing from private properties as a means of ensuring equitable access to views.

Response: This is addressed in general planning.

O3 To protect and enhance views from streets and other public spaces.

Response: This is achieved. While the carpark appears in the view at the end of Alma Street the building has been designed to have a low scale (single level above ground) within the alignment of Alma Street so that views are available above the structure to the distance.

O4 To provide additional views from streets and other public spaces where opportunities arise.

Response: NA

Controls

C1 New development must enable view sharing with surrounding development, particularly from main habitable rooms of that development.

Response: Addressed in planning report.

C2 Views from public open spaces to the harbour, foreshore areas and city skyline are to be preserved.

Response: NA

C3 Location of new trees should enable views to be framed and protected when the trees reach maturity.

Response: The landscape proposal achieves this.

C1.6.2 Views and vistas

Paddington is characterised by panoramic views and closed vistas. Panoramic views result from the suburb's dramatic topography and position in relation to the harbour and City skyline.

The closed vistas are created by the street configuration which is strongly defined by the terraces with their zero setbacks from street and lane junctions.

The skylines along the southern and eastern edge of the heritage conservation area are formed by the profile of buildings on the Oxford Street and Jersey Road ridges. Landmarks do not feature on the horizon with notable exceptions such as the Royal Hospital for Women chimney and occasional contemporary multi-storey buildings.

Downhill panoramic views from points west of Cascade Street can extend as far as the Harbour especially from elevated viewpoints. Views of the harbour do not occur from points below the level of the Scottish Hospital or from east of Cascade Street.

Views of the City skyline and especially known landmarks such as Centrepont Tower can be seen from many of the streets with east-west and north-west orientation. Views towards Paddington from New South Head Road and from the ridge along Jersey Road are panoramic and reveal the close-textured fabric of Paddington.

Closed vistas are characterised by the stepped alignments of terrace houses following a change in street direction or up a slope and punctuated by gable walls and corner shops on corners. The closed vista skyline is notable for the fine serrated profile of gabled parapet walls and chimney stacks.

Response: The immediate views are closed views as set out in this section except that the view line is down hill. As the distant views are heavily modulated by trees and buildings and do not look to the water, city or specific features, they form a background to the immediate view. There is no impact from the proposed car parking structure on these views, however, the proposed green screen wall of the building will be visible in part of the view down Alma Street. It is noted that the southern wall of the carpark is solid construction for acoustic separation but the eastern wall is a metal screen to 1.5 metres above the raised deck with selected planting to grow over the structure.

Objectives

O1 To retain existing vistas and create opportunities for new views where possible.

Response: New views are not relevant to the proposal. Existing identified views are to be retained.

O2 To ensure street tree planting enhances views both to and from Paddington.

Response: The proposal does not affect street plantings. The current central tree plantings in Alma Street are a key element of that setting and the immediate view is a closed view. There are partial views past the gardens and street trees in Alma Street to the playing fields from the intersection of Lawson Street that will include part of the proposed carpark building. This, while visible in the background, will not affect the views that are identified in the DCP mapping (view 24 set out below) into the street.

An unmapped view corridor exists along Vialoux Street. Here a central street planting with trees characterises the street and terminates views. The proposal will be seen from the northern end of the street looking into the site but is not seen from the Lawson Street intersection.

Both of these streets have quite closed views defined by the building frontages and the street trees. Alma Street also has a distant outlook to the north through the trees.

Controls

C1 New development and street tree planting should respect existing view corridors.

Response: There is no street planting proposed. The proposed development is in two parts, Building 1, which is not in any view lines from public places and Building 2 that is located in part of the more distant view in Alma Street. The design of the buildings has responded to views and while there is a minor impact in that the car park will be partially seen from Alma Street, the expansive view across open space is retained and not blocked.

C2 New development in the public and private domain should be designed and located to minimise the impact on existing vistas or improve existing vistas where possible.

Response: Building 1 does not affect views. Building 2 as noted has a minor impact in that it will be seen in a small part of the view from Alma Street. This is a minor impact that does not affect the heritage values of Alma Street, its plantings or the views identified from Lawson Street into Alma Street.

C3 Removal of trees and demolition of contributory buildings, in whole or part, for the sole reason of creating or improving views and vistas will not be supported.

Response: NA



Significant views and vistas

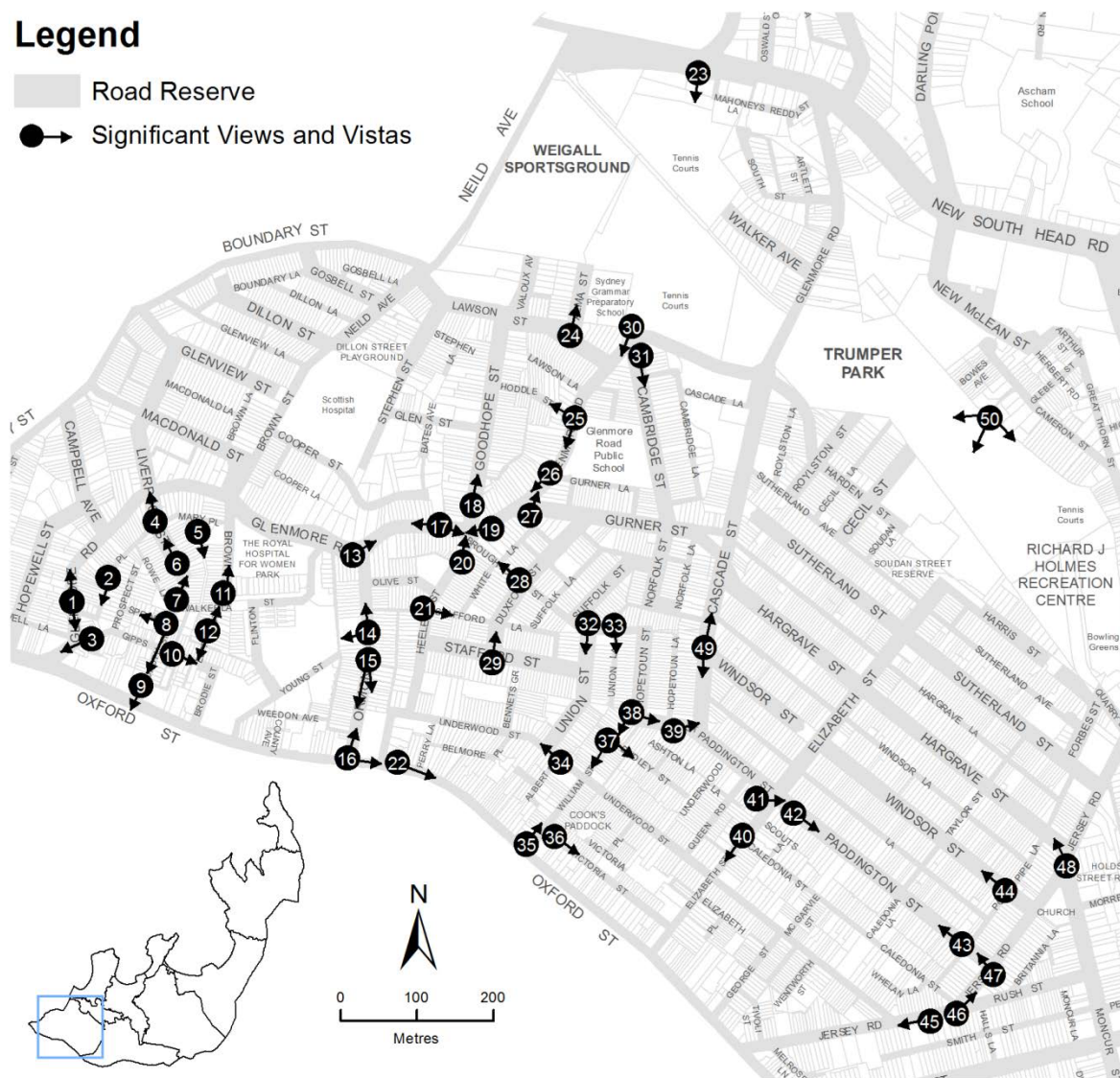
MAP 2 Significant views and vistas

Note: The following diagrams show a selection of significant views and vistas.

These diagrams are not intended to represent all the significant views and vistas.

Legend

-  Road Reserve
-  Significant Views and Vistas



24 Alma St - View from Lawson St

Conclusion

The proposed sports facility and carpark at Weigall Field is a well-considered and designed complex that responds to the school requirements for new facilities and to the site and context.

From a heritage perspective, the site itself is relatively unconstrained. It contains no significant buildings or features and is not adjoining any significant buildings or heritage items. There is a single heritage item in Nield Avenue, however that site forms part of a continuous street wall of larger buildings and is further north so that it has no direct or even indirect relationship to the proposal.

Weigall Fields are not a heritage item but do contribute to the Paddington HCA through their provision firstly of open space that links to sites to the north and east and for their former use as Chinese market gardens. The site has had various buildings and structures on and around it over its life as playing fields that have come and gone to address the needs of the time. The proposed structures continue that tradition of incremental change and providing new facilities.

In terms of heritage, the proposal has very little impact on either the site or the precinct in which it is located. The scale of the buildings and their siting addresses the relationship to adjoining buildings, which are of 3-5 storey scale and the structures themselves display design excellence which is a key attribute of the Paddington Precinct as a whole.

The buildings do not adversely affect identified views within the precinct in particular View 24 identified in the DCP within Alma Street. The outlook from both Alma Street and Vialoux Avenue are maintained.

Having considered all of the applicable planning controls in the LEP and DCP that cover the site we conclude that there are no adverse heritage impacts arising from the proposal.

Paul Davies

September 2020