

**Proposal:** Section 96(2) modification seeking 3 additional carparking levels accommodating an extra 425 parking spaces (total of 778 spaces), amendments to landscaping and signage to the Wentworthville Leagues Club. The Sydney West Central Regional Planning Panel is the consent authority as they were the consent authority for the original development application.

**Location:** 428 Great Western Highway, Wentworthville

|                     |                             |
|---------------------|-----------------------------|
| Lot 100, DP 1214820 | Wentworthville Leagues Club |
|---------------------|-----------------------------|

**Applicant:** Pure Projects C/- Urbis Pty Ltd

**Owner:** Wentworthville Leagues Club

**File No:** DA 2009/381/5

**Author:** Paul Anzellotti – Senior Development Planner, Cumberland Council

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## **RECOMMENDATION**

1. That the Section 96(2) modification seeking 3 additional carparking levels accommodating an extra 425 parking spaces (total of 778 spaces), amendments to landscaping and signage be approved subject to conditions as outlined in Attachment C of this report.
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## **SUPPORTING DOCUMENTS**

**AT-A** Site Locality Plan

**AT-B** Architectural Plans

**AT-C** Draft Conditions of Consent

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## **EXECUTIVE SUMMARY**

This development proposes modification seeking 3 additional carparking levels accommodating an extra 425 parking spaces (total of 778 spaces), amendments to landscaping and signage to the Wentworthville Leagues Club.

This report summarises the key issues associated with the Section 96(2) application and provides an assessment of the relevant matters of consideration in accordance with the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy No. 64 – Advertising and Signage, the Holroyd Local Environmental Plan 2013 (HLEP 2013) and Holroyd Development Control Plan 2013 (DCP 2013).

The original application was approved by the Sydney West Joint Regional Planning Panel on the 26 August, 2010.

The current Section 96(2) application was placed on public exhibition for 21 days from 6 July to 27 July, 2016. During this period no submissions were received.

The additional levels to the approved multi-level car parking facility is considered to allow for an appropriate relationship with the registered club directly adjoining to its north. The treatment of this structure is considered to provide for an acceptable streetscape appearance. The proposed maximum building height at 19.28m is compliant with the 23m maximum height for buildings on the subject site.

The proposed signage to the eastern, western and southern elevations is considered to be of an acceptable proportion. The signage will identify the site via the 'Wenty' Leagues logo and is not considered to create any disturbances to passing motorists or any residential properties.

The application has been accompanied by supporting documentation including a Traffic and Parking Assessment Report, Obstructive Lighting Report and Ecological Assessment which were reviewed by respective Departments of Council and considered acceptable.

It is considered that the proposed development as amended by the Section 96(2) application is appropriate for the site and for the locality and will have minimal impact on the surrounding environment. Based on an assessment of the application, it is recommended that the application be approved subject to conditions as outlined in Attachment C of this report.

## **SITE DESCRIPTION AND LOCALITY**

The subject site forms an irregular shaped allotment located on the northern side of the Great Western Highway at Wentworthville, approximately 23km west of the Sydney CBD, 3km North West of Parramatta and 7km south east of Blacktown. The site has its current primary frontage and vehicular access to both Smith Street and the Great Western Highway.

Adjoining the eastern side of the site is Ringrose Park and Monty Bennett Oval which are owned by Cumberland Council but maintained by the Club. To the west are low density properties in Mack Street and Dawes Street. The Club is the registered owner of the majority of these residential properties. The subject site is bounded by the Great Western Highway to the south with a mixture of retail, industrial and warehouse developments directly opposite the Club. The site is subject to a drainage easement and associated channel, part of Coopers Creek situated along the south eastern boundary of the subject site.

The existing Club has an area of 38,418m<sup>2</sup>. The current Section 96 application is specifically in relation to the previously approved 3 tier multi-level car parking structure in the south eastern corner of the site as part of Development Consent 2009/381.



**Figure 1: Locality Map**

## BACKGROUND

Development Application 2009/381/1 was approved by the Joint Regional Planning Panel on the 26 August, 2010. The approved application consisted of the following:-

- Demolition of eight (8) existing dwellings;
- Alterations and additions to the Club building;
- Expansion of the Club building into the adjoining residential zoned land owned by the Club;
- The construction of additional on-site car parking including a 3 tier car parking structure in the south eastern corner of the site;
- Provision of a new vehicular ingress/egress to the Great Western Highway;
- Associated site drainage and landscape works.

Following the approval of DA 2009/381/1, Wentworthville Leagues Club has since provided for a number of Development Applications to Cumberland Council (formerly Holroyd Council) for expansion or refurbishment of the existing club facilities. These applications have included in part:-

- Development Application 2011/421/1, approved 24 October, 2011: Alterations and additions to Wentworthville Leagues Club to extend the existing gaming terrace located at the south elevation of the existing Club, and
- Development Application 2016/1/1, approved 17 August, 2016: Construction of an at-grade car parking area for 177 cars, a new bowling green and signage in association with the existing Wentworthville Leagues Club. This application is currently subject to a Section 96(1a) modification seeking amendments to drainage facilities and landscaping, installation of lights and removal of the Mack Street cul-de-sac, received by Council on the 7 April, 2017.

The current Section 96 application is provided by Wentworthville Leagues Club with consideration for the existing approved parking supply to facilitate an additional development application for considerable expansion and refurbishment of the existing club facilities.

In this regard, Development Application 2016/280 (received by Council on the 11 July, 2016) will propose significant alterations and additions to the existing Club, site works and signage. This application (which has also been registered with the Planning Panel) is dependent on the approval of the current Section 96 application to meet car parking requirements.

## PROPOSAL

This application seeks to modify DA2009/381/1 via the following key design amendments:

- Addition of three levels of parking providing an additional 425 parking spaces and a car wash facility,
- Modification of approved site landscaping fronting the Great Western Highway, and
- Modification of approved signage

A detailed description of the proposed works is described in the Statement of Environmental Effects that accompanies the application. The description of the proposed works is reproduced below:

### Overview

*The subject application seeks to modify DA2009/381 with the following key design amendments:*

- *Addition of three levels of parking providing an additional 425 parking spaces and a car wash facility;*
- *Modification of approved site landscaping fronting the Great Western Highway; and*
- *Modification of approved signage*

### Carpark Modifications

*As presently approved DA2009/381 provides development consent for a multi deck carpark which comprises three (3) levels of parking which comprises 353 parking spaces. This application seeks to provide an additional three (3) levels of parking and an additional 425 parking spaces. This will increase the overall parking capacity of the multi deck car park to 778 parking spaces. A detailed numeric breakdown of parking per floor is provided in Table 2 below. Minor amendments have also been made to the layouts and internal circulation pattern of the car parking facilities to accommodate additional ramps and provide improved vehicular circulation.*

*Table 2 – Proposed Parking facilities*

| PARKING LEVEL | TOTAL SPACES |
|---------------|--------------|
| Level One     | 127          |
| Level Two     | 129          |
| Level Three   | 129          |
| Level Four    | 129          |
| Level Five    | 129          |
| Level Six     | 135          |
| Total         | 778          |

The external modifications has also amended the external design of the car parking facilities to promote a design in keeping with the future development characteristics of the Wentworthville Leagues Club. The proposed façade will incorporate an integrated suite of external finishes and materials, generally comprising perforated metal sheeting and timber battering.

The proposed external finishes are shown in Figure 3 and Figure 4 below.

*Figure 3 – Proposed Western Façade (Source Buchans Architects 2016)*



*Figure 4 – Proposed Southern Façade (Source Buchans Architects 2016)*





### Landscaping Modifications

*The landscaping presence of the site to the Great Western Highway will be strongly enhanced as a result of the subject amendment through additional tree, shrub and grasslands along the full length of the carparks frontage.*

*The landscaping will include Water Gums with a mature height of 8m which will be supported by Shrubs such as the Gynea Lily, Lion's Tail and Brush Chery, the latter of which can grow to a mature height of 3m.*

*This landscaping will act both as a visual screen and a clear distinction between the Great Western Highway and the Wentworthville Leagues Club.*

### Signage Modifications

*The proposal seeks development consent for a single business identification sign on the eastern and western elevation of the site which is detailed in Table 3 below:*

Table 3 – Proposed Signage

| DESCRIPTION/TYPE | WIDTH | HEIGHT | CONTENT                     | ILLUMINATION           | LOCATION          |
|------------------|-------|--------|-----------------------------|------------------------|-------------------|
| Wall Sign        | 6m    | 3m     | Wentworthville Leagues Logo | Internally Illuminated | Eastern Elevation |
| Wall Sign        | 6m    | 3m     | Wentworthville Leagues Logo | Internally Illuminated | Western Elevation |

It is noted that architectural plans provided have indicated that signage is to be provided to the southern elevation, as well as the eastern and western elevations. Conformation has been provided by the applicant that an error was provided within the proposed description and that the architectural plans are correct.

## **SECTION 96(2) OF THE EP&A ACT**

The application has been assessed against the relevant matters for consideration under Section 96(2) of the *Environmental Planning and Assessment Act, 1979* as amended. The assessment is as follows:

(2) *Other modifications A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

(a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*

**Comment:** The proposed modifications can be considered to be substantially the same development to which consent was originally granted for. Refer to Section 79C of this report for a detailed assessment of the amendments proposed.

(b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

**Comment:** The original Development Application was not notified to a public / approval / concurrence authority.

(c) *it has notified the application in accordance with:*  
(i) *the regulations, if the regulations so require, or*

(ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

**Comment:** The proposed development has been notified in accordance with Part E – Public Participation of the Holroyd DCP 2013.

(c) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

**Comment:** No submissions were received during the notification period.

*Subsections (1) and (1A) do not apply to such a modification.*

(3) *In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application.*

**Comment:** The application for modification has taken into consideration the parameters of Section 79C (1). Refer to Section 79C of this report for an evaluation against the relevant matters for consideration under Section 79C(2) of the Environmental Planning and Assessment Act 1979.

- (4) *The modification of a development consent in accordance with this section is taken not to be the granting of development consent under this Part, but a reference in this or any other Act to a development consent includes a reference to a development consent as so modified.*

**Comment:** Noted

- (5) *Threatened species Development consent of the kind referred to in section 79B (3), or in respect of which a biobanking statement has been issued under Part 7A of the Threatened Species Conservation Act 1995 , is not to be modified unless:*

- (a) *in the case of development referred to in section 79B (3)-the requirements of section 79B (3)-(7) have been complied with in relation to the proposed modification as if the application for the proposed modification were an application for development consent, or*

**Comment:** Noted

- (b) *in the case of development in respect of which a biobanking statement has been issued under Part 7A of the Threatened Species Conservation Act 1995 - the applicant has made an application for modification of the biobanking statement in relation to the proposal and a new biobanking statement has been issued or the consent authority is satisfied that the modification will have no impact on biodiversity values (within the meaning of that Act).*

**Comment:** Noted

## **SECTION 79C OF THE EP&A ACT**

The application has been assessed against the relevant matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act, 1979* as amended. The assessment is as follows:

### **(1) Matters for consideration—general**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *the provisions of:*

- (i) *Any environmental planning instrument*

### ***Environmental Planning and Assessment Act 1979***

#### **Threatened Species**

The original Development Approval was assessed under Section 5A of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* which requires a consent authority to take into consideration whether the proposed development is likely to have a significant effect on any threatened species, populations or ecological communities, or their habitats. The subject site contains twenty five (25) specimens of *Eucalyptus tereticornis* (Forest Red Gum) and two (2) specimens of *Eucalyptus molucanna* (Grey Box Gum). The application was supported by a Cumberland Plain



Woodland Assessment, which Council's Senior Landscape Architect reviewed and was satisfied with the findings and conclusions of the report.

The current Section 96 application has been accompanied by an Ecological Assessment prepared by Ecological Australia Pty Ltd dated May, 2016. Council's Landscape Section have raised no objection to the amended landscaping plans or findings of this report.

#### *Integrated Development*

The original application was classified as *Integrated Development* under Section 91 of the *Environmental Planning and Assessment Act 1979* due to need for further approvals under the *Water Management Act 2000*. In this regard, a Controlled Activity Approval is required to be obtained before the commencement of any 'works', the original consent granted conditioned accordingly.

It is noted that the proposed modifications will maintain the original general terms of approval provided by the Office of Water. In addition, works in the vicinity of a river channel that is fully concrete lined as Cooper Creek is, traversing the subject site, is provided with an exemption from obtaining additional approval under the Water Management (General) Regulations 2011.

Noting the above, the Section 96 application was also referred to Sydney Water due to the proximity of the proposed works to the Water Supply Pipeline who have raised no objection to the modifications.

#### ***State Environmental Planning Policy No. 55 – Remediation of Land***

Under the provisions of Clause 7 of SEPP 55 the consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. If the land is found to be contaminated, the Consent Authority must be satisfied that the land is suitable in its contaminated state or can and will be remediated in order for it to be suitable for the purpose for which the development is proposed.

The original approval granted as a Deferred Commencement provided for a Schedule A condition requiring a Stage 2 Contamination Assessment prior to the consent becoming operative. It is noted that the conditions set forth in Schedule A of Development Consent 2009/381/1 were complied with to Council's satisfaction on the 18 April, 2011 including the provision of a Phase 2 Contamination Assessment prepared by Douglas Partners dated April 2011. In this regard, the current Section 96 application is not considered to create any additional site contamination concerns.

#### ***State Environmental Planning Policy (Infrastructure) 2007***

The infrastructure SEPP seeks to facilitate the effective delivery of infrastructure across the State and consolidates, amends and repeals a number of earlier State policies. The proposed development falls within Column 2 of Schedule 3 of the SEPP as the proposed modifications is *for the purpose of a Premises licenced under the Liquor Act 1982 or the Registered Clubs Act 1976 and provides car parking in excess of 200 spaces*. As such, Council is required to refer the application to the Roads and Maritime Services (Sydney Region) for consideration.

In this regard, the application was referred to the RMS (Sydney Region) for consideration and comment in accordance with Clauses 101 and 104 of the State Environmental Planning Policy (Infrastructure) 2007.

Correspondence was received from the Roads and Maritime Services dated 29 September, 2016 raising no objection to the proposed modifications accommodating an additional 425 spaces through the multi-level car park.

Having regard to the above discussion, the proposed modifications satisfy the relevant provisions of the SEPP (Infrastructure).

### **State Environmental Planning Policy No. 64 – Advertising and Signage**

State Environmental Planning Policy No. 64 aims to ensure that signage is compatible with the desired amenity and visual character of an area and is of a high quality and design. The relevant objectives and provisions of State Environmental Planning Policy No. 64 – Advertising and Signage have been considered in the following assessment table in relation to the proposed signage:

| <b>Schedule 1 Assessment Criteria</b>   |   |
|---|---|
| <b>Criteria</b>   | <b>Comment</b>  |
| <b>1 Character of the area</b> <ul style="list-style-type: none"> <li>• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> <li>• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul> | <p>The signage is considered to be compatible with the existing character of the area which is a heavily trafficked road corridor with varied land uses and land zonings.</p>   |
| <b>2 Special areas</b> <ul style="list-style-type: none"> <li>• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</li> </ul>                                  | <p>The proposal does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas. The position of the proposed signage is considered to be in the vicinity of 200m from the nearest residential properties and will not detract from their existing amenity.</p> |
| <b>3 Views and vistas</b> <ul style="list-style-type: none"> <li>• Does the proposal obscure or compromise important views?</li> <li>• Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>• Does the proposal respect the viewing rights of other advertisers?</li> </ul>                                  | <p>The proposal does not obscure or compromise any important views noting its fixed position on the multi-level parking's west, south and east facade.</p> <p>The proposed signage is not expected to dominate the skyline or reduce the quality of vistas. It is also noted that the signage from commercial uses opposite the site</p>  |

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|--|---|
|  | along the southern side of the Great Western Highway is not considered to be impacted by the proposed signage   |
| <b>4 Streetscape, setting or landscape</b> <ul style="list-style-type: none"> <li>• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> <li>• Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>• Does the proposal screen unsightliness?</li> <li>• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>• Does the proposal require ongoing vegetation management?</li> </ul> | <p>The scale, proportion and form of the proposed signage is considered appropriate for the multi-level carparking structure. This signage is considered appropriate as it serves as an identification sign for Wentworthville Leagues Club. As the signage is proposed to be attached to the multi-level carparking structure, its position on each elevation is considered to be integrated within the structure and is not considered unsightly.</p> |
| <b>5 Site and building</b> <ul style="list-style-type: none"> <li>• Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</li> <li>• Does the proposal respect important features of the site or building, or both?</li> <li>• Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>  | <p>The proposed signage is considered compatible with the proposed multi-level carparking structure. It's position and size in the corner of each respective elevation is an appropriate feature for the site providing for identification of 'Wenty' Leagues Club along the Great Western Highway.</p>   |
| <b>6 Associated devices and logos with advertisements and advertising structures</b> <ul style="list-style-type: none"> <li>• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>   | <p>The 'Wenty' Leagues Logo forms and integral part of the signage</p>  |
| <b>7 Illumination</b> <ul style="list-style-type: none"> <li>• Would illumination result in unacceptable glare?</li> <li>• Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>• Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>• Can the intensity of the illumination be adjusted, if necessary?</li> <li>• Is the illumination subject to a curfew?</li> </ul>  | <p>The proposed signage is to be backlit and is not considered will create unacceptable glare. Pedestrian, vehicular or aircraft safety is not considered will be affected by its use</p>   |
| <b>8 Safety</b> <ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for any public road?</li> <li>• Would the proposal reduce the safety for</li> </ul>  | <p>The proposal is not considered to reduce safety on public roads noting its elevated position. This</p>   |

|   |  |
|---|--|
| pedestrians or bicyclists?<br>• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? | elevated position will not create any impact upon the use of the existing footpath along the Great Western Highway |
|---|--|

### **Holroyd Local Environmental Plan 2013**

Holroyd Local Environmental Plan 2013 applies and the site in which the current Section 96 application is located is zoned RE2 Public Recreation. The objectives of RE2 Public Recreation zone are as follows;

#### *Objectives of zone*

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

The primary use of the site as a 'Registered Club' is permissible within the RE2 zoning. In this regard, as the proposal does not seek to modify the approved use of the site, the proposed alterations to the existing car parking facility and signage is considered permissible subject to development approval.

An assessment against the relevant LEP clauses is provided in the table below:

| <b>Standard</b> | <b>Required/Permitted</b>   | <b>Provided</b>  | <b>Compliance</b> |
|-----------------|---|--|-------------------|
| 4.3             | Height of Buildings<br>- Max. 23 metres   | The proposed maximum building height for the multi deck carpark is 19.28 metres  | Yes               |
| 4.4             | Floor Space Ratio –<br>No Floor Space Ration is applicable to the subject site under the provisions of the Holroyd Local Environmental Plan | While no floor space ratio is applicable, it is noted that the additions to the multi deck car park do not increase floor space to the subject site  | Yes               |
| 5.9             | Preservation of Trees or vegetation   | An Ecological Assessment report and architectural drawings identify existing trees to be retained and removed as part of the proposed development. In this regard, the application and subsequent amendments was referred to Council's Landscaping Department who have raised no objection to the proposed modifications subject to the provision of appropriate conditions. | Yes               |
| 5.10            | Heritage  | The subject site is located within the vicinity of a heritage  | Yes               |

|         |  |  |     |
|---------|--|--|-----|
|         |  | item I26 – Milestone Group, identified as an item of heritage significance under Schedule 5 of the Holroyd Local Environmental Plan. This is a plaque located in the middle of the Great Western Highway. It is considered that the proposed modifications will have no impact on this item. |     |
| 6.1     | Acid Sulfate Soils                       | The site is not affected by ASS.   | Yes |
| 6.4/6.7 | Flood Planning and Stormwater Management | The application was referred to Council's Stormwater Engineer who have raised no objection to the proposal subject to the provision of appropriate conditions.   | Yes |
| 6.5     | Terrestrial Biodiversity                 | As previously indicated, an Ecological Assessment report and architectural drawings identify existing trees to be retained and removed as part of the proposed development. The findings of this report are considered acceptable  | Yes |
| 6.7     | Stormwater Management                    | The application was referred to Council's Stormwater Engineer who have raised no objection to the proposal subject to the provision of appropriate conditions.   | Yes |
| 6.8     | Salinity                                 | The site is located on lands identified as being affected by moderate salinity. Standard conditions of consent shall be imposed to address this should consent be granted.   | Yes |

As demonstrated above, the proposal as amended is considered to comply with the requirements of the Holroyd LEP 2013.

- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

There are no draft environmental planning instruments affecting the proposed development

- (iii) any development control plan*

### **Holroyd Development Control Plan 2013**

The Holroyd Development Control Plan (DCP) 2013 came into effect on 5 August 2013 replacing the Holroyd DCP 2007. The DCP provides guidance for the design and operation of development within Holroyd to achieve the aims and objectives of *Holroyd Local Environmental Plan 2013*.

Council's DCP 2013 provides guidance for developers and Council to use as benchmarks for development. In this regard, compliance with the controls within DCPs is not mandatory, and the controls may be varied based on the merits of the application.

The following table provides an assessment of the proposed development against the relevant controls under Holroyd Development Control Plan 2013:

| <b>Part A – General Controls</b> |   |   |                   |
|----------------------------------|---|---|-------------------|
| <b>Standard</b>                  | <b>Required/Permitted</b>   | <b>Provided</b>   | <b>Compliance</b> |
| 1.3                              | <b>Drainage</b><br><br>To minimise impacts on the water quality and hydrology of natural watercourses.  | The proposed modifications were referred to Council's Development Engineering Section who have advised that approval as amended is warranted subject to appropriate conditions.   | Yes               |
| 2.4                              | <b>Vehicle Crossings, Splay Corners, &amp; Kerb and Guttering</b><br><br>Vehicle Crossing to be reconstructed if in poor condition, damaged or design doesn't comply<br><br>Avoid services/facilities in road reserve, existing trees, pedestrian crossing, pram ramps etc. or condition their relocation | The proposal involves the existing driveway fronting the Great Western Highway to be utilised.<br><br>The proposal involves the existing driveway fronting the Great Western Highway to be utilised and are to be mitigated by Council's Engineering Conditions of Consent. | Yes<br><br>Yes    |
| 3.1                              | <b>Car Parking:</b><br><br>Parking spaces provided shall be compliant with Council's minimum car parking spaces requirements  | No additional gross floor area is proposed with the proposed modifications. It is noted that the original approval has provided for an acceptable Traffic and Parking   | Yes               |



|     |   |   |     |
|-----|---|---|-----|
|     |   | <p>Assessment report which has described and justified how the proposed parking provisions for the site are calculated.</p> <p>In this regard, it is noted that the current Section 96 modification will allow for an additional 425 parking spaces, increased the approved parking spaces from 353 to 778.</p> |     |
| 3.2 | Parking areas should be readily accessible and provide for circulation and manoeuvring of vehicles  | Parking areas provided are considered to be accessible.   | Yes |
| 3.3 | Dimensions of Car Parking Facilities, Gradients, Driveways, Circulation and Manoeuvring.  | Carparking spaces comply with AS 2890. Council's Traffic Engineer has assessed the submitted plans & documentation.   | Yes |
| 4.1 | <p><b>Preservation of Trees</b></p> <p>To conserve and retain trees and vegetation and to promote the retention and planting of trees</p>                               | An Ecological Assessment report has accompanied the application outlining trees to be retained and removed as part of the proposed development as modified. The report was referred to Council's Tree Management Section who have advised that it is acceptable subject to appropriate conditions.              | Yes |
| 5.0 | <p><b>Biodiversity</b></p> <p>To promote measures to mitigate any adverse effects of the proposed development on the species, populations or ecological communities</p> | The application was accompanied by an Ecological Assessment report which has confirmed that the proposal would not result in a significant impact on threatened species, populations or ecological communities  | Yes |



|   |   |   |     |
|---|---|---|-----|
| <ul style="list-style-type: none"> <li>• not reduce safety for road vehicles, cyclists or pedestrians by obscuring sightlines.</li> </ul> <p>Where signs include illumination, they must:</p> <ul style="list-style-type: none"> <li>• not result in unacceptable glare;</li> </ul><br><ul style="list-style-type: none"> <li>• not affect safety for pedestrians, vehicles or aircraft;</li> </ul><br><ul style="list-style-type: none"> <li>• not detract from the amenity of any residence or other form of accommodation;</li> </ul><br><ul style="list-style-type: none"> <li>• permit the level of illumination to be varied according to time of day.</li> </ul> <p>With regard to streetscape and local visual character, the proposed sign must:</p> <ul style="list-style-type: none"> <li>• be compatible with the existing or desired future character of the area or locality;</li> </ul><br><ul style="list-style-type: none"> <li>• not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas;</li> </ul><br><ul style="list-style-type: none"> <li>• have a scale, proportion and form of the proposal appropriate for the streetscape,</li> </ul> | <ul style="list-style-type: none"> <li>• not reduce safety for road vehicles, cyclists or pedestrians by obscuring sightlines.</li> </ul>   | The elevated height of the wall signs will not create safety concerns.  | Yes |
|   | <ul style="list-style-type: none"> <li>• not result in unacceptable glare;</li> </ul>   | The proposed signage is to be backlit and is not considered will create unacceptable glare  | Yes |
|   | <ul style="list-style-type: none"> <li>• not affect safety for pedestrians, vehicles or aircraft;</li> </ul>  | The elevated height of the wall signs will not create safety concerns.  | Yes |
|   | <ul style="list-style-type: none"> <li>• not detract from the amenity of any residence or other form of accommodation;</li> </ul>   | The amenity of the nearest residences to the west of the subject site along Jewelsford Road or to the east of the site along Monash Street will not be impacted.  | Yes |
|   | <ul style="list-style-type: none"> <li>• permit the level of illumination to be varied according to time of day.</li> </ul>   | Noted   | Yes |
|   | <p>With regard to streetscape and local visual character, the proposed sign must:</p> <ul style="list-style-type: none"> <li>• be compatible with the existing or desired future character of the area or locality;</li> </ul>                                      | The provision of 'Wenty' Leagues Logos is in character with the existing use of the subject site.   | Yes |
|   | <ul style="list-style-type: none"> <li>• not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas;</li> </ul> | The proposal does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas. | Yes |
|   | <ul style="list-style-type: none"> <li>• have a scale, proportion and form of the proposal appropriate for the streetscape,</li> </ul>  | The size of the proposed signage is considered to be of an acceptable proportion to   | Yes |

|   |  |   |  |
|---|--|---|--|
|   | <p>setting or landscape;</p> <ul style="list-style-type: none"> <li>• contribute to the visual interest of the streetscape, setting or landscape;</li> <li>• not protrude above buildings, structures or tree canopies in the area or locality.</li> </ul> <p>With regard to views and vistas, the proposed sign must:</p> <ul style="list-style-type: none"> <li>• not obscure or compromise important views;</li> <li>• not dominate the skyline or reduce the quality of vistas; and</li> <li>• respect the viewing rights of other advertisers.</li> </ul>     | <p>each façade in which it is to be located.</p> <p>The presentation of the 'Wenty' Leagues Logo is considered to create an acceptable artistic visual interest.</p> <p>The proposed signage will not protrude above the multi-level carparking building.</p> <p>No views of importance will be obstructed by the proposed signage.</p> <p>The signage is considered to integrate well with the façade of the multi-level car parking.</p> <p>As Wentworthville Leagues Club occupies the northern side of the Great Western Highway, no other advertising signs will be impeded.</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> |
| 7 | <p><b>Sign Specifications</b></p> <p>Where a sign is externally illuminated by flood or concealed lighting, such lighting must be directed solely on the advertisement, and its surrounds, and shielded so that glare does not extend beyond the advertisement.</p> <p>Illuminated signs or signs of a reflective nature must:</p> <ol style="list-style-type: none"> <li>a) be displayed and located in a manner that does not cause glare;</li> <li>b) not otherwise dazzle or distract drivers of vehicles; and</li> <li>c) not adversely affect the</li> </ol> | <p>The backlit nature of lighting proposed to each sign is not considered to create unacceptable glare noting the commercial nature of the surrounds.</p> <p>The location of the proposed signage is not considered will distract passing motorists and is considered an appropriate inclusion within the commercial</p>  | <p>Yes</p> <p>Yes</p>                                  |

|  |  |   |                |
|--|--|---|----------------|
|  | amenity the surrounding area.  | nature of the Wentworthville Leagues Club surrounds   |                |
|  | Wall advertisements and painted wall signs must:   |   |                |
|  | a) be limited to one (1) wall advertisement per building elevation;  | One sign is proposed to the west and east facade.   | Yes            |
|  | b) be integrated with the design of the building on which it is to be displayed;   | Signage is considered to be of an appropriate size and is not considered to dominate the façade | Yes            |
|  | c) not exceed the following areas –  |   |                |
|  | i) 20% of the above ground elevation, where the building has an above ground elevation of 100m <sup>2</sup> or less, or                      | Not Applicable  | Not Applicable |
|  | ii) 20 m <sup>2</sup> , where the building has an above ground elevation of more than 100m <sup>2</sup> but less than 200m <sup>2</sup> , or | Not Applicable  | Not Applicable |
|  | iii) 10% of the above ground elevation, where the building has an above ground elevation of 200m <sup>2</sup> or more;                       | Compliant   | Yes            |
|  | d) not protrude more than 300mm from the wall, unless occupational health and safety standards require a greater protrusion; and             | Compliant   | Yes            |
|  | e) not protrude above the parapet or eaves; and  | Compliant   | Yes            |
|  | f) does not extend over a window or other opening; and   | Not applicable  | Not Applicable |
|  | g) does not obscure significant architectural elements of the building; and  | Compliant   | Yes            |
|  | h) not be located on the same building elevation as a building identification sign or business identification sign                           | The proposed signage will serve as identification for the 'Wenty' Leagues Club                  | Yes            |

| <b>Part E – Public Participation</b> |                              |   |     |
|--------------------------------------|------------------------------|---|-----|
| 1.3                                  | To be advertised for 21 days | The original application was placed on public exhibition for 21 days from 6 July to 27 July, 2016. During this period no submissions were received. | Yes |

As demonstrated above, the proposal is considered to comply with the requirements of the Holroyd DCP 2013.

*(iia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*

Not applicable

*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

There are no specific matters prescribed by the Regulations that apply to this development.

*b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

### **Built Environment**

The proposal will provide for the increase in an approved multi-level car park by 8.85m to 9.7m in height above the previously approved building envelope. The increase in height to the proposed car parking facility will maintain the approved building envelope with a maximum height of 19.28m. The location of the multi-level car park is considered to allow for an appropriate relationship with the registered club to its immediate north. While the multi-level carpark will be the highest built form on the subject site, taking into consideration the nature of proposed uses along the southern side of the Great Western Highway (opposite the site) and the width of the existing classified road at 45m, the visual presentation of the building is not considered to be out of character with its existing neighbourhood context.

The use of a mixture of external finishes (primarily metal sheeting) and a darker tone at the base of the multi-level car parking building along with the use of timber batons is considered to provide for an acceptable built form presentation. The mixture of materials is considered an acceptable addition to the streetscape.

### **Natural Environment**

With regards to environmental impacts on the natural environment, the applicant has submitted an Ecological Assessment report, which indicates that no threatened ecological communities, flora or fauna are considered likely to occur within the site.

The submitted landscape plan proposes significant landscaping of the site surrounding the proposed multi-level carparking structure. In this regard, the



proposed development is not considered to adversely affect the natural or built environments and will provide for an enhanced natural environment through landscaping proposed on site.

#### Environmental Impacts - Traffic & Parking

The Section 96 application provides for an increase in the number of approved parking spaces within the multi deck car park by 425 spaces from 353 to 778 spaces. It is noted that the original application (including the 353 parking spaces provided by the original multi-level car parking structure) provided for a total of 774 spaces to meet a total demand of 773 spaces. The accompanying Statement of Environmental Effects has advised that, *'This increase has been proposed to ensure that the site can accommodate the parking requirements that are generated by the Wentworthville Leagues Club on promotion nights or the like which results in the highest levels of club occupancies. The additional parking proposed will not increase the quantity of vehicular who access the site and will have a positive impact on the overall traffic network as vehicles will not need to be parked on street and now can be accommodated on site'*.

In this regard, the additional 425 spaces provided is considered an acceptable addition to the Clubs activities.

The applicant prepared a Traffic and Parking Assessment report to assess the likely traffic implications of the development, to determine whether the development is satisfactory, and recommend appropriate remedial measures if required. The report concludes that:

*In summary, the main points relating to the traffic and parking implications of the proposed Section 96 modifications for the approved car park are as follows:*

- i. The proposed car park modifications provide additional car parking and amended internal circulation and layout in the south-eastern part of the club site; and*
- ii. Access, internal circulation and layout are considered appropriate*

The application was assessed by Council's Traffic Section and found to be satisfactory.

#### Environmental Impacts - Overshadowing

The application was accompanied by overshadowing diagrams for both the summer and winter solstice for 9am, 12pm and 3pm. As the site is located along the southern boundary of the existing Leagues Club overshadowing will fall predominately along approved at grade car parking and the Great Western Highway during the morning period, to the Great Western Highway from the late morning to the afternoon and to a landscaped area adjoining Ringrose Park from mid-afternoon onwards. In this regard, the additional levels do not impact upon any residential developments and is considered acceptable.

#### Lighting Impact

The application was accompanied by an Obtrusive Lighting Assessment which has advised that the proposed lighting installation has been designed to limit the impact of spill light and visible glare.

Noting the above, the application was assessed by Council's Environmental Health Unit and found to be satisfactory.

### Economic Impacts

The proposed development is not anticipated to have any adverse economic impacts.

#### *(c) the suitability of the site for the development*

The site is considered suitable for the proposed modifications taking into consideration the original approval granted and the continuing use of the site as a registered Club.

#### *(d) any submissions made*

In accordance with the Holroyd Development Control Plan 2013, the application was notified to adjoining and surrounding owners and occupiers for a period of 21 days from the 6 July to the 27 July, 2016. During this time, no submission was received.

#### *(e) the public interest*

The provision of an additional 425 car parking spaces to the approved multi-level carparking building is considered an acceptable addition to ongoing operation of Wentworthville Leagues Club. The Club has been subject to a number of alterations and additions as well as significant promotion nights which will increase patrons. In this regard, the additional car parking to be provided is considered to minimise parking and traffic concerns in the surrounds and is therefore considered to be in the public interest.

## **INTERNAL REFERRALS**

During the assessment process, comments were sought from a number of sections within Council. Based upon the design, the following summarises Council Officer/Advisers' comments:

|  |                                      |
|--|--------------------------------------|
| Building Services Section                                      | No objection.                        |
| Development Engineering Section                                | No objection, subject to conditions. |
| Traffic Section  | No objection.                        |
| Landscaping Section  | No objection.                        |
| Environmental Health Unit                                      | No objection, subject to conditions. |
| Waste Management Section                                       | No objection.                        |
| Community Services Section (Social Planning and Accessibility) | No objection.                        |

## **EXTERNAL REFERRALS**

Comments were sought from Sydney Water who raised no objection subject to standard recommendations.

Comments were sought from the Roads and Maritime Services who raised no objection.

## RECOMMENDATION

It is considered that the design as amended will maintain an acceptable relationship with the surrounding built environment. The modifications are not considered to detract from the Great Western Highway streetscape or create any additional amenity concerns for surrounding properties.

The application is generally compliant with the Infrastructure SEPP, SEPP 64 – Advertising and Signage as well as Council's LEP and DCP controls. The application as modified will allow for an increased number of car parking spaces on the subject site which are considered will cater for future events as well as previous and future development applications.

It is recommended that the Section 96(2) application seeking 3 additional carparking levels accommodating an extra 425 parking spaces (total of 778 spaces), amendments to landscaping and signage **be approved subject to conditions as outlined in Attachment C of this report.**

**Attachment “C” – Draft Conditions of Development Consent**