

COUNCIL ASSESSMENT REPORT

Panel Reference	2019 EC1002
DA Number	DA 438/2015/2
LGA	Woollahra Council
Proposed Development	Modifications to the approved concept proposal which includes building envelopes, indicative uses, vehicle access and car parking and the heritage interpretation strategy
Street Address	30 Alma Street Paddington
Applicant/Owner	Hakoah Club Limited (Applicant) Hakoah Club Limited and Sydney Maccabi Tennis Club Limited
Date of DA lodgement	8 January 2019
Number of Submissions	111
Recommendation	Conditional Approval
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)	Modification of a development that has a capital investment value exceeding \$30 million, which was approved by the (previously known) Joint Regional Planning Panel
List of all relevant s4.15(1)(a) matters	<ol style="list-style-type: none"> 1. State Environmental Planning Policy (State and Regional Development) 2011 2. State Environmental Planning Policy No. 55: Remediation of Land 3. Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 4. Woollahra Local Environmental Plan 2014 5. Woollahra Development Control Plan 2015
List all documents submitted with this report for the Panel's consideration	<ol style="list-style-type: none"> 1. Concept plans, elevations and heritage interpretation strategy 2. Development Assessment Report for the Approved Development 3. Heritage Referral Response 4. Technical Services Referral Response 5. Trees and Landscaping Referral Response 6. Community Services Referral Response 7. Environmental Health Referral Response 8. Open Space and Recreation Referral Response 9. Fire Safety Referral Response 10. Urban Design Referral Response 11. Traffic Engineering Referral Response 12. Roads and Maritime Services (RMS) Submission 13. Natural Resources Access Regulator Submission 14. Sydney Trains Submission 15. Sydney Water Submission 16. Applicant Response to the Submissions
Report prepared by	Max Moratelli (Senior Development Assessment Officer)
Report date	21 August 2019

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

No - Addressed in the body of the report

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

No - Addressed in the body of the report

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not Applicable
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?	No
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Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment?	No
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Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

SYDNEY EASTERN CITY PLANNING PANEL S4.55(2) APPLICATION ASSESSMENT REPORT

ITEM No.	0.0
FILE No.	DA438/2015/2
ADDRESS	30 Alma Street PADDINGTON (White City)
COUNCIL WARD	Paddington
SITE AREA	2.9ha (i.e. 29,000m ²)
ZONING	RE2 Private Recreation
PROPOSAL	Modifications to the approved concept proposal which includes building envelopes, indicative uses, vehicle access and car parking and the heritage interpretation strategy
TYPE OF CONSENT	Concept Development Application and Integrated Development
COST OF WORKS	\$45,750,000.00
DATE LODGED	8 January 2019 (Original) 17 July 2019 (Amended plans/current proposal)
APPLICANT	Hakoah Club Limited
OWNER	Hakoah Club Limited & Sydney Maccabi Tennis Club Ltd
AUTHOR	Mr M Moratelli
TEAM LEADER	Mr G Fotis
SUBMISSIONS	111
RECOMMENDATION	Conditional approval
CONSENT AUTHORITY	Sydney Eastern City Planning Panel
MEETNG DATE	5 September 2019

EXECUTIVE SUMMARY

This is an assessment report for a modification to an integrated Concept Development Application pursuant to Section 4.22 of the *Environmental Planning and Assessment Act 1979* for building envelopes and indicative use of White City for a multi-purpose sports centre and registered club facilities. The amendments are as follows:

- Removal of the approved child care centre including the associated car park deck and access to and from Glenmore Road and its replacement with a smaller childcare centre located above the proposed swimming pool;
- Retention of the southern grandstand structure and adaptive re-use for a gym facility (which is relocated from the previous 'Clubhouse' building);
- Removal of the café building envelope and introduction of a similar scale 'tennis pro shop' building envelope;
- Removal of basement parking level;
- Reconfiguration of internal road network, and parking layout;

- Expansion of the ‘upper’ car parking level to the north and east by elevating the two south-western tennis courts by 3.2m, introduction of a new vehicle access ramp connecting the car park level with Glenmore Road and minor increase to the car park level by 0.6m;
- Modification to the sports hall arrangement with a car parking level inserted at RL 6.1 and the hall floor level elevated from RL 5.30 to RL 9.70 and a roof above which is contained within the maximum approved height of RL 19.00;
- Re-design of the ‘clubhouse’ building envelope from the approved curved design to a triangular shape which has a reduced length and slightly increased depth;
- Reduction in indicative grandstand seating from 500 to 260; and
- Increase in indicative car parking from 270 to 321 spaces.

Amendment of the Proposal on 17 July 2019

The S4.55 application was amended on 17 July 2019 via the submission of amended plans which detailed the following changes:

- Re-instatement of previously approved setback of the sports building from the western site boundary to Sydney Grammar;
- Relocation of driveway crossover to Glenmore Road to avoid the removal of Lemon-Scented Gums;
- Replacement of the previously proposed ‘creche’ with a childcare centre for 40 children;
- Further details provided in relation to the tennis pro-shop demonstrating its compliance with the height limit.

Current Proposal – The subject of this assessment

Subject to the amendments listed above, the concept development proposal comprises the following:

- Site layout comprising new internal road and pedestrian network with landscaping and at-grade parking, tennis courts, football field and three (3) building envelopes as follows:-
 - A ‘sports’ building adjacent to Glenmore Road (maximum height of 15.8m).
 - A triangular “Clubhouse” building (maximum height of 19.25m).
 - A ‘tennis pro shop’ building (maximum height of 11.10m, average height of 9.43m)
- Indicative use for a range of indoor and outdoor sporting and recreational uses (including outdoor tennis and football, indoor swimming pool, sports hall, gym, pilates/yoga studios); child care centre; café; registered club and associated facilities; community facilities; car parking and services.
- Indicative details in relation to internal road layout, basement carpark, at-grade parking, eleven (11) tennis courts and one (1) football field.

In accordance with Section 4.22 of the *Environmental Planning and Assessment Act 1979*, this development assessment has only considered the modifications to the concept proposal for the development of the site and all other architectural plans and supporting documents and details have been used as a guide in understanding the proposed development as a whole. No physical works are proposed. Future development application(s) will be made containing

detailed proposals including, but not limited to, the configuration of the uses on the site, licensed floor areas, patron numbers and hours of operation.

The subject site, White City, is located in the Paddington Heritage Conservation Area. White City possesses cultural and heritage significance. The approved development detailed a Capital Investment Value (CIV) of \$45.75 million, and the proposed modifications have not provided a revised estimate.

The Sydney Eastern City Planning Panel is the consent authority for this modification (Section 4.55(2) application) as the original approved development application under DA 438/2015/1 was determined by the (previously known) Joint Regional Planning Panel on 15 December 2015.

The application was advertised and notified from 23 January 2019 to 23 February 2019 (30 days). 111 submissions were received in response. Four (4) submissions from public authorities were also received. The submissions raised concerns in relation to traffic and parking, operational details, planning matters, environmental impacts, heritage issues and social impacts.

The primary issues identified in the planning assessment are outlined in Table 1 below.

Table 1: Summary of Key Issues

<i>Issue</i>	<i>Comment</i>
Circulation and pedestrian/ cycle network	A number of submissions raised the issue of pedestrian access through the site towards New South Head Road. The provision of this access is constrained by the fact that the land between the subject site and New South Head Road is owned by a mix of stakeholders, including Sydney Water, Sydney Grammar School, Railcorp and Crystal Carwash, none of whom have consented to public access.
Traffic and parking	The proposed modifications substantially alter the access to and from the site, by deleting the drop-off and pickup car park at the Glenmore Road frontage, and replacing it with an egress-only driveway further to the east along Glenmore Road. Council's Traffic Engineer reviewed the proposal and concluded that it was satisfactory with regards to traffic generation and parking layout.
Heritage conservation and interpretation strategies	<p>The proposal amends the heritage interpretation strategy, and retains a greater degree of original fabric than the approved development, due to the retention and adaptive reuse of the southern grandstand adjoining Glenmore Road.</p> <p>Council's Heritage Officer reviewed the proposal as modified and advised that it represents an improvement on the approved development with respect to heritage conservation.</p>
Trees and landscape strategy	<p>Following the amendment of the proposal on 17 July 2019, the modifications do not require the removal of any significant street trees. The level of tree removal within the site is similar to the original approval, as the building footprints have not been increased. Condition B.6 was imposed on the original development consent requiring the submission of a detailed landscape plan and planting scheme with any future development application.</p> <p>Council's Trees and Landscape Officer has recommended that future development applications detail tree plantings to compensate for any lost canopy coverage. This has been integrated into the updated Condition B.6.</p>

**Construction
impacts**

Section 4.22 of the *Environmental Planning & Assessment Act 1979* stipulates that a consent granted on the basis of a concept development application does not authorise the carrying out of development on the site. Furthermore, Clause 5 of Section 4.22 makes clear that the consent authority does not need to consider the likely impact of the 'carrying out of development that may be the subject of subsequent development applications'.

As such, the impact of the construction works are not a matter for consideration at concept development application stage, and will be assessed upon the lodgement of a future detailed development application.

1. LEVEL OF DELEGATION

The Sydney Eastern City Planning Panel is the consent authority for this modification (Section 4.55(2) application) as the original approved development application under DA 438/2015/1 was determined by the (previously known) Joint Regional Planning Panel on 15 December 2015.

2. REASONS FOR RECOMMENDATION

The application has been assessed within the framework of the matters for consideration under section 4.15 of the Environmental Planning and Assessment Act 1979 and is recommended for approval because:

- *It satisfies the relevant planning policies including the provisions of the Woollahra LEP 2014 and Woollahra DCP 2015.*
- *The proposal as modified is substantially the same as the approved development.*
- *It will not have adverse effects on the local built and natural environment nor any adverse social and economic impacts in the locality such that refusal is warranted*
- *All likely impacts to nearby properties including any submissions have been considered in the assessment of the application. The issues raised in submissions do not warrant the refusal or further modification of the concept proposal, subject to the recommended conditions of consent, and the assessment of future detailed development applications.*
- *The site is suitable for the proposed development*
- *The proposal is in the public interest*

Contents

EXECUTIVE SUMMARY	1
3. Proposal.....	6
3.1 Overview	6
3.2 Built Form and Massing	8
3.3 Indicative Uses	10
3.4 Vehicle Access and Parking	11
3.5 Heritage Interpretation Strategy	11
4. Background.....	13
4.1 Site and Locality.....	13
4.2 Property History	16
4.3 Strategic Planning.....	17
5. Statutory Context	18
5.1 The Environmental Planning and Assessment Act 1979.....	18
5.2 Environmental Planning Instruments	21
5.3 Woollahra Local Environmental Plan 2015	23
6. CONSULTATION AND SUBMISSIONS.....	31
6.1. Advertising and Notification	31
6.2. Public Authority Submissions	31
6.3. Submissions.....	33
6.4. Applicant's Response to Submissions.....	39
7. Assessment	39
7.1. Referral Responses	39
7.2. Desired Future Character.....	44
7.3. Land Use	44
7.4. Built Form, Layout and Urban Design	45
7.5. Access, Linkages and Circulation	46
7.6. Transport, Traffic and Parking	47
7.7. Heritage	47
7.8. Trees and Landscaping	47
7.9. Views and Vistas	48
7.10. Residential Amenity	49
7.11. Stormwater and Flooding	50
7.12. Social and Economic	50
7.13. Other Matters.....	51
7.14. Site Suitability	52
7.15. Public Interest.....	53
8. CONCLUSION.....	54
9. DISCLOSURE STATEMENTS.....	55
10. RECOMMENDATION: Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979.....	55

3. PROPOSAL

3.1 Overview

The proposed modifications to the approved concept development relate to the entire site and are detailed in Table 2 below.

Table 2: Key Modifications to the Development

<i>Aspect</i>	<i>Description</i>
Building Form, Height and Massing	<ul style="list-style-type: none"> - Extension of the sports building further to the north,; - Retention of the southern grandstand structure, resulting in a higher structure to Glenmore Road (increasing from RL 16.800 to RL 19.400); - New services building located to the east of the southern grandstand structure and attaining a height of RL 16.800; - Reconfiguration of the clubhouse building, which is altered from a curved building to a smaller triangular building, whilst retaining a maximum height of RL 22.00; - Addition of a new linking bridge between the clubhouse and sports building; - Deletion of the 'tennis pro shop and café' at the south-eastern end of the football field; - New 'tennis pro shop' located to the south-east of the approved tennis pro shop and café. The new building is 0.85m higher than the approved structure, with a projecting window that is 2.62m higher, and has an area that is 53.6m² less than the approved structure.
Indicative Land Uses	<p>Sports Building: Spa, change rooms, services, gym, childcare centre, community space, kitchen and café, gym, pilates/yoga studio, sports halls and swimming pools.</p> <p>Clubhouse Building: Change rooms, administrative and referee space, medical room, community space, registered club,</p>

	<p>bar and terrace, restaurant, kitchen, circulation and foyer, and plant rooms.</p> <p>Tennis Pro Shop: Sports-related retail use.</p> <p>Car Parking: 93 external parking spaces associated with the clubhouse and 228 internal parking spaces associated with the sports building and Maccabi Tennis, equating to a total of 321 spaces.</p> <p>Sporting facilities: Nine (9) tennis courts and a football field.</p>
Heritage Interpretation Strategy	<p>Centre Court Interpretation (Playing Surfaces): The outline of the centre courts will be superimposed on the pool deck or bottom of the pool; images of the court will be featured on the walls of the sports hall.</p> <p>Centre Court Interpretation (Southern Stand): Retention of the southern stand structure and its appearance to Glenmore Road; deletion of the previously proposed landscaped terracing.</p> <p>Green and Open Valley Floor: The sense of the open valley is generally unchanged from approved, as the football field and tennis courts occupy the valley floor.</p> <p>Northern Stand Arches: Retention of the masonry arches along the northern edge of the new sorts building; the eastern end of the arches will be re-adapted as tennis related storage.</p> <p>NSW Tennis Association Gate: Relocated to north-western edge of the proposed sports building, between clubhouse and car parking.</p> <p>White City Club Memorabilia: Relocated to the lift lobby space in the proposed gym.</p>

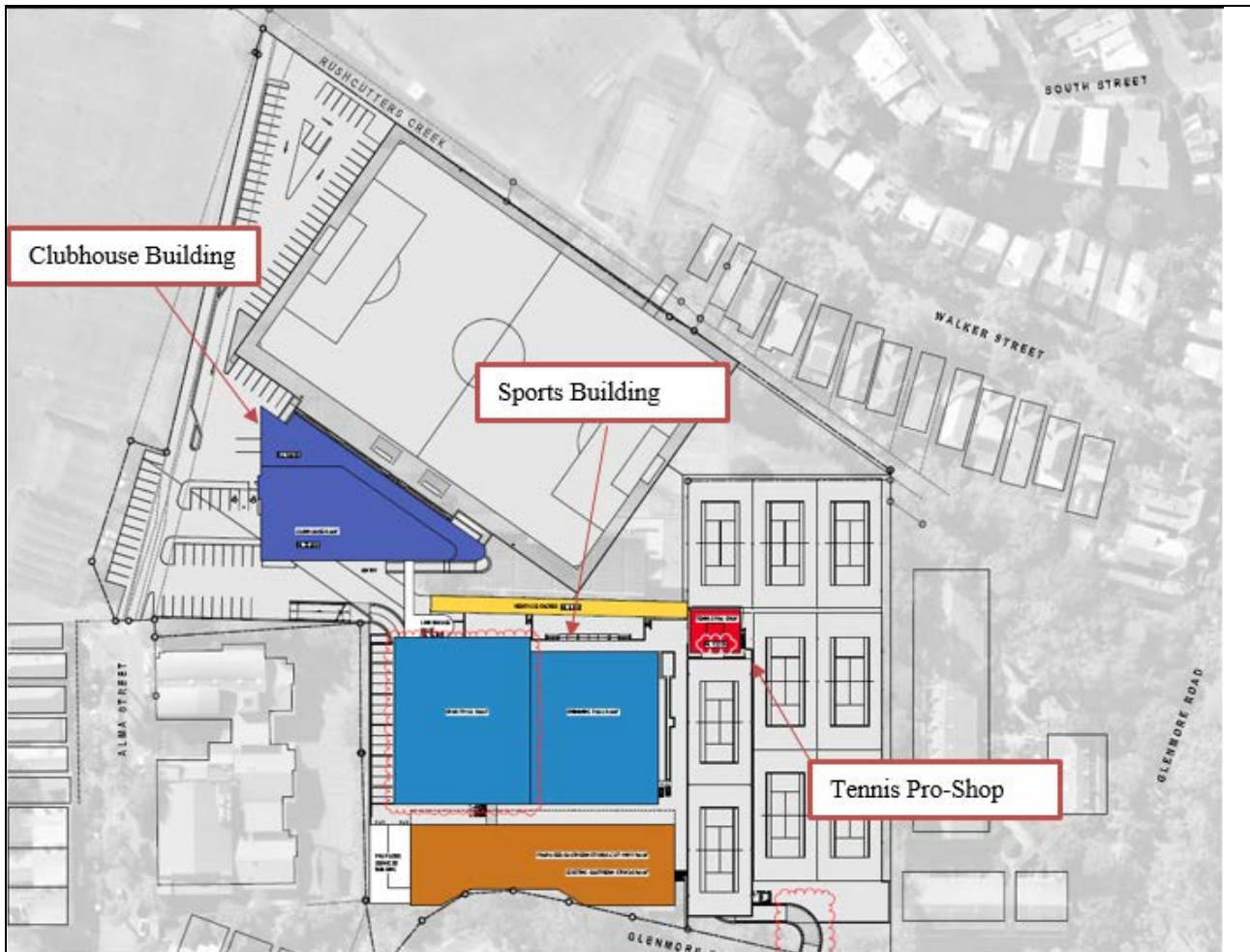


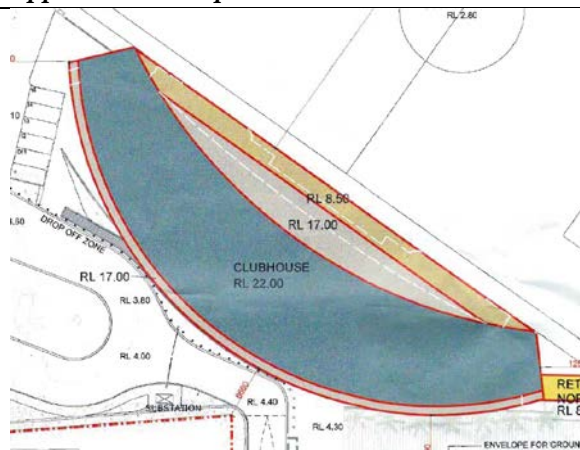
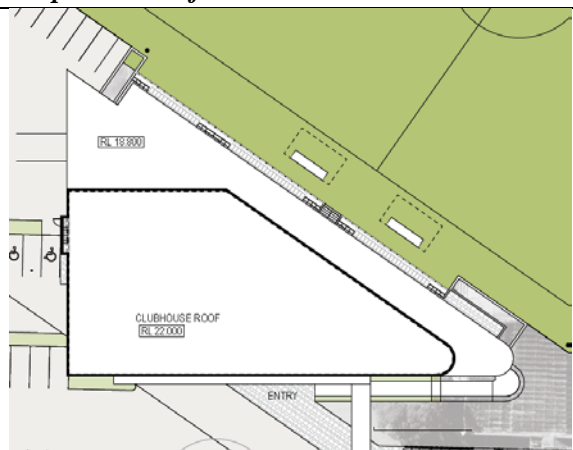
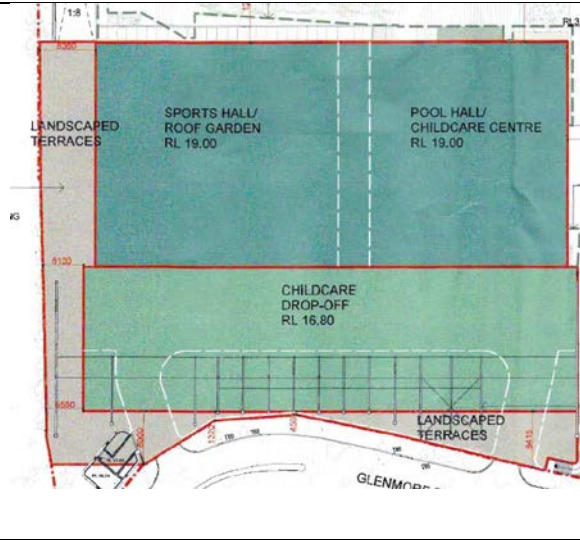
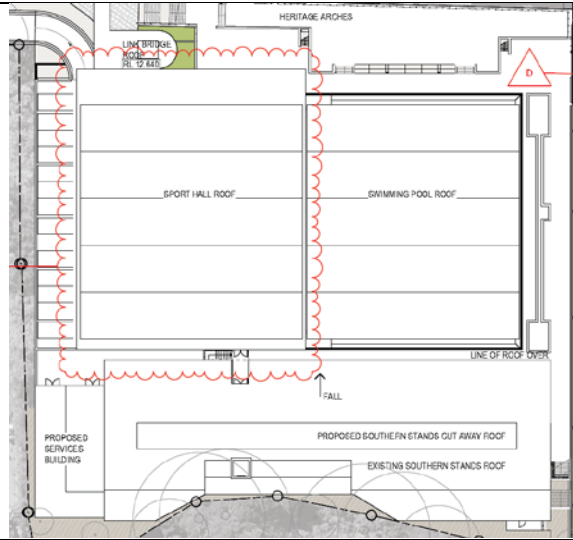
Figure 1 - Building envelopes proposed by the subject S4.55 Application

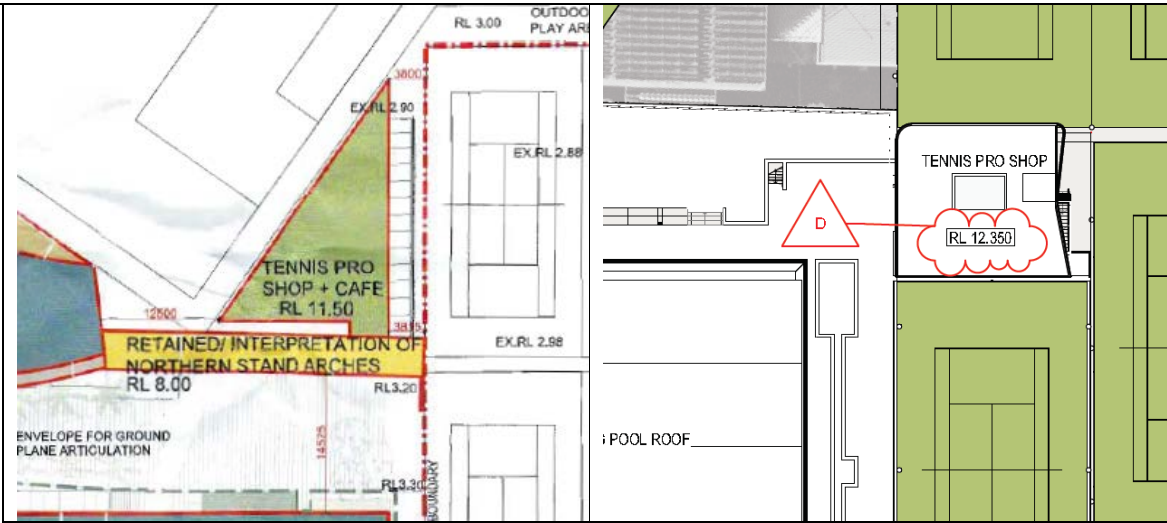
A more detailed description of the proposed changes is outlined below.

3.2 Built Form and Massing

The modified proposal retains the three buildings approved under the original development, but modifies them as outlined in Table 3 below.

Table 3: Comparison of Building Envelopes

	<i>Approved Development</i>	<i>Proposed Modifications</i>
<i>Clubhouse Building</i>		
	<p>The building envelope of the clubhouse is modified from a curved form to a triangular form.</p> <p>The maximum height of the building is retained at RL 22.00, and steps down to RL 18.800 to the northeast, adjacent to the football field.</p>	
<i>Sports Building</i>		
	<p>The building envelope of the sports building is generally retained, however the height of the north-eastern portion of the building has been lowered from RL 19.00 to RL 15.00. The modified sports hall extends further to the north, compared to the approved development.</p> <p>The height of the building at Glenmore Road increases from RL 16.80 to RL 19.95, due to the retention of the existing southern grandstand.</p> <p>A new services building is proposed in the south-western corner of the site, in the location of the approved 'landscaped terraces'. The services building has a height of RL 16.800, which is the same as the childcare drop-off area of the approved development.</p>	

<p><i>Tennis Pro Shop</i></p>	 <p>The proposal relocates the tennis pro shop to the south-east, away from the football field and adjacent to the sports building. The café element is deleted from the building.</p> <p>The height of the building increases slightly from RL 11.50 to RL 12.35, with a pop-up window to a height of RL 14.12.</p>
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3.3 Indicative Uses

The proposal modifies and reconfigures the approved uses as detailed in Table 4 below.

Table 4: Comparison of Land Uses

<i>Indicative Land Uses: Approved Development</i>	<i>Indicative Land Uses: Proposed Modifications</i>
<p>Clubhouse Building:</p> <ul style="list-style-type: none"> - Bar and restaurant - Hakoah Club facilities - Gymnasium - Health Studio - Community facilities 	<p>Clubhouse Building:</p> <ul style="list-style-type: none"> - Bar and restaurant - Club facilities - Community space
<p>Sports Building:</p> <ul style="list-style-type: none"> - Indoor sports hall - Indoor swimming pool - Childcare centre - Maccabi Club facilities - Basement parking 	<p>Sports Building:</p> <ul style="list-style-type: none"> - Indoor sports hall - Indoor swimming pool - Gymnasium - Pilates/Yoga Studio - Café - Childcare Centre - Community space - Basement Parking
<p>Tennis Pro Shop:</p> <ul style="list-style-type: none"> - Tennis shop - Café 	<p>Tennis Pro Shop:</p> <ul style="list-style-type: none"> - Tennis shop

As indicated in the table above, the approved uses are maintained by the modified proposal, with the key difference being the relocation of several approved uses from the 'Clubhouse Building' to the 'Sports Building'.

3.4 Vehicle Access and Parking

The proposal modifies the approved car parking configuration as detailed in Table 5 below.

Table 5: Comparison of Car Parking

<i>Indicative car parking: Approved Development</i>	
Sports Building:	<ul style="list-style-type: none"> - 91 car spaces at lower ground level (RL -1.28 – RL -1.90) for the sports hall and indoor swimming pools - 117 car spaces at the upper ground level (RL varies) for the sports hall and indoor swimming pools - 14 car spaces at level 2, accessed from Glenmore Road for the childcare centre.
Clubhouse Building	<ul style="list-style-type: none"> - 49 external car spaces along the eastern edge of the site for the Clubhouse building and facilities contained within
Total Indicative Car Parking: 271 Spaces	

As indicated above, the proposed modifications both reconfigure the approved parking layout, and increase the total parking provision on the site.

Vehicle access is also modified by deleting the two vehicle connections to Glenmore Road to the immediate south of the sports building. The modified proposal involves a single vehicular connection to Glenmore Road, to the east of the approved driveways, and for vehicles exiting the site only.

3.5 Heritage Interpretation Strategy

The proposed modifications comprise a new heritage interpretation strategy. The differences between the approved strategy, and the proposed strategy are detailed in Table 6 below.

Table 6: Comparison of the Heritage Interpretation Strategy

<i>Interpretation Strategy as detailed in DA drawings 7001 - 7004</i>	<i>Approved Development</i>	<i>Proposed Modifications</i>
Centre Court Interpretation: Playing Surfaces	<ul style="list-style-type: none"> • An outline of the Centre Courts shall be depicted in the landscape design of the roof garden over the sports hall. • A historical image of the Centre Court shall be featured on the ceiling of the sports hall. 	<ul style="list-style-type: none"> • The outline of the centre courts will be superimposed either on the pool deck or at the bottom of the pool • The walls of the sports hall will feature images showing a view of the centre court in its heyday
Centre Court Interpretation: Sense of Contained Space	<ul style="list-style-type: none"> • Landscaped terraces shall be provided sloping down to the sports/pool hall building from Glenmore Road and Sydney Grammar School interpreting the sense of space of the Centre Court stands. • Terraces shall be provided echoing the raked easting of the Centre Court stands. Glazed walls to the 	<ul style="list-style-type: none"> • The proposed modifications delete this aspect of the Heritage Interpretation Strategy.

	<p>sports and pool hall shall be provided to allow users to look up to the landscaped terraces and experience a sense of engaging in a sporting activity within an arena setting.</p>	
<p>Centre Court Interpretation: Continued Use as a Sporting Venue</p>	<ul style="list-style-type: none"> • The use of the Centre Court area as a sporting venue is maintained. • The use of the overall site as a multi-purpose sporting venue is maintained. 	<ul style="list-style-type: none"> • Use of the Centre Court site as a sporting venue is maintained. The site's amenity as a sporting venue is increased by expanding access to a wider population through the replacement of two tennis courts by a multi-purpose sports hall and two swimming pools.
<p>Centre Court Interpretation: Southern Stand Trusses (1923 Section)</p>	<ul style="list-style-type: none"> • The majority of the 1923 Southern Stand trusses shall be retained. 	<ul style="list-style-type: none"> • Majority of the southern stands existing structure will remain where possible to retain the historical presence of the original southern stand. The external appearances along Glenmore Road will largely be retained.
<p>Green and Open Valley Floor</p>	<ul style="list-style-type: none"> • The proposed building envelopes are setback from the stormwater channel (north-eastern boundary) and form an edge to the open valley floor which is a key characteristic of the site. • Key views to the open valley floor from New South Head Road shall be retained. 	<ul style="list-style-type: none"> • New buildings are located as far back from the stormwater channel as possible to retain the open valley floor character of the existing site. • The existing grass tennis courts of the open valley floor are replaced by a soccer field, maintaining the existing open expanse at the northern part of the site. • Views to the open valley floor from New South head Road are maintained. • The current Northern Stands arches will be retained. New Clubhouse building is separated from the Northern Stand and located south to the soccer field to define an edge to the open valley floor.

Northern Stand Stage 1 Arches	<ul style="list-style-type: none"> • The northern stand Stage 1 arches shall remain in situ and shall be integrated with the architecture of the new buildings and landscape of the Community Plaza. • Most of the rooms associated with the arches shall be retained and reused. • Feature artwork interpreting the history and evolution of White City shall be provided on the southern elevation of the arch structures. 	<ul style="list-style-type: none"> • The arches of the Northern Stand will be retained and are integrated with the proposed swimming pool deck and connected to a new set of stairs to the west. The tennis pro-shop is also located adjacent to the east of the arches. • The eastern part of the arches will be reused as a connection between the covered car parking and football field.
Moveable Heritage White City Memorabilia	<ul style="list-style-type: none"> • A 'museum walk' shall be provided along the circulation path between the sports hall, pool hall and change rooms and shall include display cases exhibiting memorabilia as well as information panels. 	<ul style="list-style-type: none"> • The lift lobby space in the proposed gym within the southern stand will be used to display Maccabi NSW memorabilia.
NSW Tennis Association Gate	<ul style="list-style-type: none"> • The NSW Tennis Association gate shall be retained and relocated to the new Community Plaza. 	<ul style="list-style-type: none"> • The NSW Tennis Association gate will be retained and relocated between the proposed clubhouse and covered car parking vicinity.
Historical Interpretation: Market Gardens	<ul style="list-style-type: none"> • The design of the new Community Plaza shall acknowledge and interpret the former use of the site for market gardens (mid/ late 19th century to early 20th century). 	<ul style="list-style-type: none"> • The proposed modifications delete this aspect of the Heritage Interpretation Strategy.
Historical Interpretation: White City Amusement Park	<ul style="list-style-type: none"> • The design of the children's play area shall incorporate elements inspired by the features of the White City Amusement Park (which functioned between 1913 and 1917). 	<ul style="list-style-type: none"> • The proposed modifications delete this aspect of the Heritage Interpretation Strategy.

4. BACKGROUND

4.1 Site and Locality

Physical features
The subject site at 30 Alma Street Paddington is known as 'White City' and is legally described as Lot 2 in DP 1114604. The subject site is located within the northern end of the Paddington Precinct. The subject site is an irregular shaped parcel of land with an area of 2.9 hectares. The site has a frontage of 142m to Glenmore Road, 6.6m to Alma Street and extends through to the Sydney Water stormwater channel which forms the north-eastern boundary of the site. A right-of-way runs along the western boundary of the site providing access to the Sydney Grammar Sports Grounds.
Topography
The subject site slopes down gently towards the existing stormwater channel along the north-eastern boundary, ranging from RL 2.2 to RL 3.6. There is a 6 to 7 metre embankment at the southern edge of the site rising from the subject site up to Glenmore Road (RL 8.3 to RL 14). There is also a 5 to 6 metre embankment at the south-western edge of the site rising from the subject site up to the Sydney Grammar School site.

Existing buildings and structures

The subject site consists of the following:

- Landscaping, concentrated around the perimeter of the site, including approximately 85 trees.
- Vehicle access from Alma Street and external car parking for 90 vehicles.
- Open grass sporting facilities (utilised for football and tennis).
- Tennis courts (six hard surface courts which are owned and operated by Maccabi tennis).
- Centre Court and grandstands.
- Clubhouse and other outbuildings (including ticket office).

Some of the existing buildings, structures and grandstands are in a dilapidated state.

Surrounding Environment

The site is located at the northwestern edge of Paddington. It is approximately 500m to the west of Edgecliff train station and commercial centre, 1km to the south-east of Kings Cross train station and 2km to the south-east of Sydney CBD. To the north of the site, there is the Eastern Suburbs railway corridor and Rushcutters Bay Park, whilst to the south, east and west, the land uses are primarily residential.

The site is not listed as a local or state heritage item. The site is located within the Paddington Heritage Conservation Area. The site is also identified as a 'Registered' site on the non-statutory Register of the National Estate (Place ID 101983, Place File No. 1/12/041/0129).

The development immediately adjoining the site comprises of:

- North, north-west and west - the Sydney Grammar School site. To the north and west are the Sydney Grammar playing fields (Weigall Sportsground) whilst three storey school buildings are adjacent to the west.
- North-east - the Sydney Water stormwater channel, beyond which there are residential dwellings fronting onto Walker Avenue.
- East - a three and four storey residential flat building known as 400 Glenmore Road (comprising of 48 units).
- South-east – Residential dwellings fronting onto Lawson Street
- South (across Glenmore Road) - two and three storey residential dwellings as well as a four and five storey mixed use development.

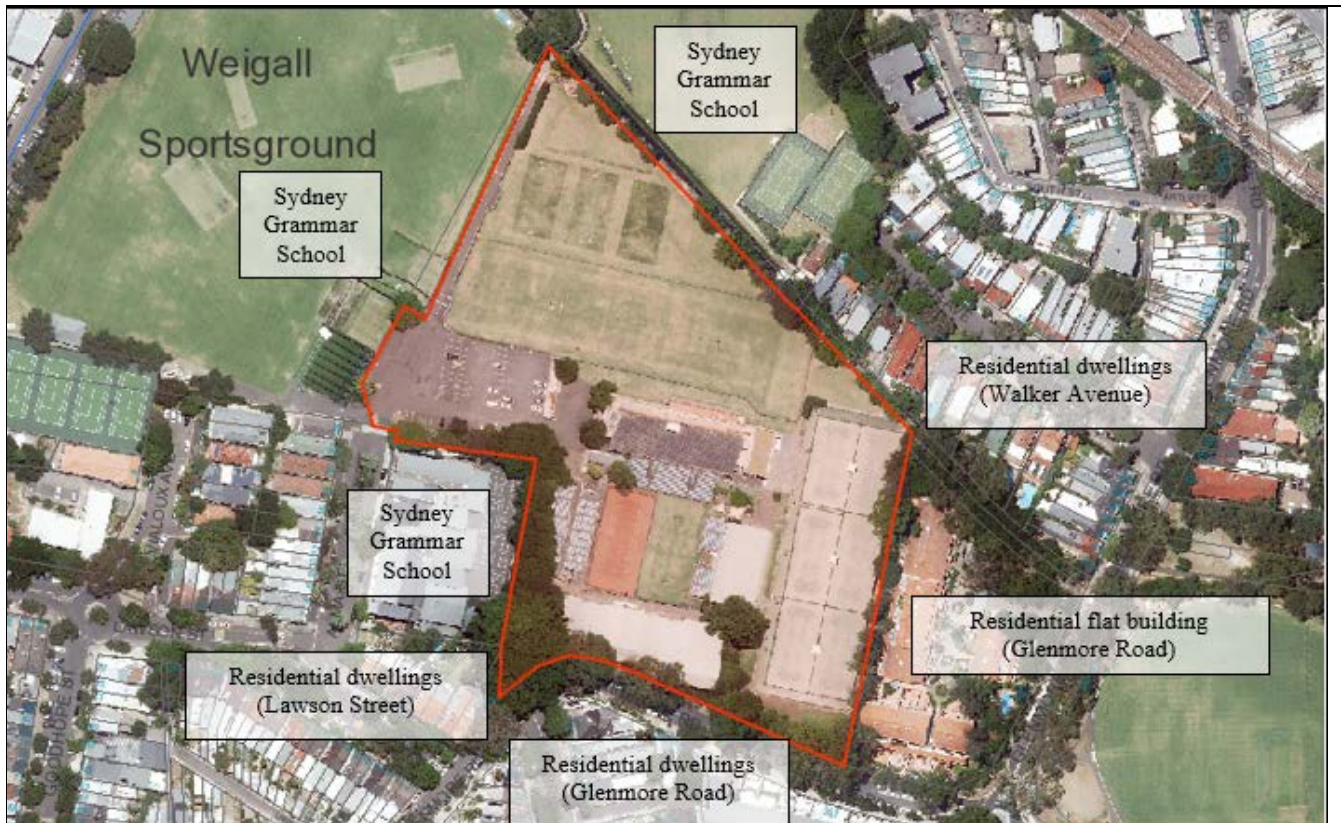


Figure 2 - Locality Plan indicating the land uses within the immediate vicinity of the site

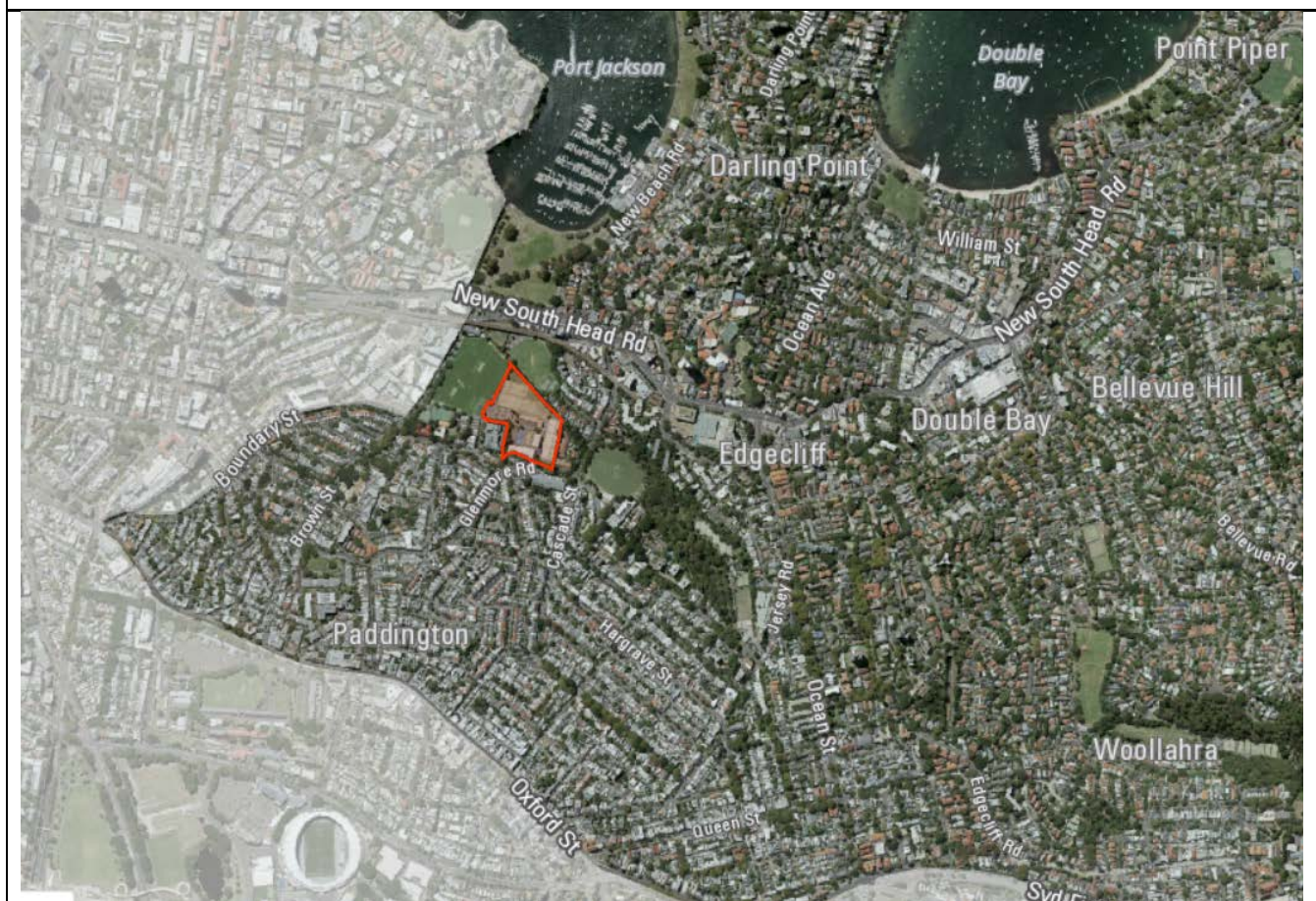


Figure 3 - Site context plan indicating the site's location within the broader context of the Woollahra Local Government Area

4.2 Property History

Current use
Recreation area; Recreational facility (indoor); and Recreational facility (outdoor).
Relevant Application History
<ul style="list-style-type: none"> • DA2015/438/1 – Stage 1 concept proposal for redevelopment of the site including new club, sporting facilities, community space, childcare centre, café and shop. Approved by the JRPP on 15/12/2015. • DA 2015/437 – Subdivision of the parent lot into two allotments. Approved 14/12/2015. • DA 2008/590 – Replace existing boundary tennis court fences and construct new boundary fences. Approved 12/09/2008. • DA 2008/212 - Demolition of existing structures, remediation of site and construction of a multi-purpose tennis & recreation facility. Withdrawn 17/04/2008. • DA 2007/854 – Scoreboard for playing field. Approved 15/02/2008. • DA 2007/590 – Subdivision of site into two allotments. Approved 03/03/2008. • DA 2006/302 - New playing field for Sydney Grammar School with associated car parking and landscaping and land remediation. Approved 28/05/2007. • DA 2006/20 – Subdivision of White City into two allotments divided by stormwater channel. Approved 23/10/2006. • DA 2001/806 – Mixed use redevelopment of tennis club comprising 80 dwellings, 418m² of retail space, playing fields and ancillary car parking & landscaping. Refused 10/05/2004. • DA 1992/630 – Alterations and additions to tennis club pro shop. Approved 17/08/1992. • DA 1990/434 – Recladding of southern stand. Approved 30/05/1990. • DA 1980/21 – Installation of night lighting to centre tennis courts & change of use to gift shop. Approved 28/10/1980. • DA 1979/ 278 – Installation of night lighting for six tennis courts. Approved 11/02/1980. • BA 1979/1367 – Provide all weather courts and night lighting to existing courts and new fencing. Approved 21/02/1980. • BA 1979/934 – Replace fencing. Approved 27/09/1979. • BA 1979/799 – Additional toilet facilities for northern stand. Approved 09/08/1979. • BA 1979/668 – Alterations and additions to clubhouse. Approved 25/07/1979. • BA 1977/423 – Central concrete addition to marsh stand. Approved 23/05/1977. • BA 1977/345 – Construct 6 concrete tennis courts east of Centre Court. Approved 29/06/1977. • DA 1977/81 – Construct 10 concrete tennis courts with night lighting. Approved 14/11/1977. • BA 1975/1010 – New bar and brick doorway to games room. Approved 02/01/1975. • BA 1970/436 – Air conditioning to clubhouse and offices. Approved 27/04/1970. • BA 1969/1260 – Structural repairs to northern grandstand. Approved 07/11/1969. • DA 1969/173 – New two-storey clubhouse. Approved 09/12/1969. • BA 1969/1033 – Clubhouse including change rooms, storerooms and licenced club. Approved 12/10/1970. <p>Note: Woollahra Council's records for the subject site date back to 1968. Prior to this date the site was located within the local government area of City of Sydney between 1948 and 1968. Prior to this the area was administered by Paddington Council 1860 to 1948.</p>

Additional Information and Replacement Applications

On 29 January 2019 Council requested that the applicant modify their planning statement to consider residential properties along Lawson Street. On 21 February the applicant submitted an amended planning statement and view photomontages from No. 1 Lawson Street in response to this request.

On 17 July 2019 the applicant submitted amended plans which detailed the following changes:

- Relocation of driveway crossing to Glenmore Road so as to avoid the removal of street trees;
- Increase of the setback of the proposed sports building from the western site boundary to accord with the original DA approval;
- Reduction of the proposed height of the tennis pro-shop; and
- Deletion of the proposed crèche and reinstatement of a childcare centre.

4.3 Strategic Planning

Heritage Status of the Site

Whilst there have been a number of historical proposals to list White City as a local and state heritage item, the site is not currently listed on any local or state heritage register.

On 28 September 2015, Council resolved to defer any further consideration of the heritage listing of any Planning Proposal for White City in order to allow consideration of a Development Application for the site which will include assessment of the significance of any potential heritage elements of the site via a Conservation Management Plan, a Heritage Impact Statement and a Heritage Interpretation Strategy.

However, the site is within the Paddington Heritage Conservation Area under Woollahra LEP 2014. Therefore, consideration must be given to the heritage conservation provisions contained in Part 5.10 Heritage Conservation of the Woollahra LEP 2014.

Site Specific Development Control Plans

The site specific objectives and controls contained in the White City DCP 2007 were raised in a number of the objections to the proposal.

The White City DCP 2007 is no longer in force. The Woollahra DCP 2015 came into force on 23 May 2015. The new DCP applies to the whole LGA and replaced all existing DCPs. The Woollahra DCP 2015 does not contain any site specific controls for the White City site.

Therefore, the former White City DCP 2007 is not a relevant consideration in the assessment of this development application.

However, the Woollahra DCP 2015: Chapter C1 Paddington Heritage Conservation Area is still a relevant consideration that is addressed in this assessment.

5. STATUTORY CONTEXT

5.1 The Environmental Planning and Assessment Act 1979

5.1.1 Section 1.3 - Objects of the Act

The objects listed under 1.3 of the Environmental Planning and Assessment Act 1979 are as follows:

- a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- c) to promote the orderly and economic use and development of land,*
- d) to promote the delivery and maintenance of affordable housing,*
- e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- g) to promote good design and amenity of the built environment,*
- h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed modifications achieve the objects of the Act, in that they *promote the orderly and economic use and development of land* (c) and *promote the sustainable management of built and cultural heritage* (f). The proposal is consistent with the other objects of the Act, and this can be further ensured upon the lodgement and assessment of a future detailed development application.

5.1.2 Section 4.15 – Matters for consideration in determination of a development application

The relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 include the following:

1. The provisions of any environmental planning instrument
2. The provisions of any proposed instrument that is/has been the subject of public consultation
3. The provisions of any development control plan
4. Any planning agreement that has been entered into
5. Any draft planning agreement that a developer has offered to enter into
6. The regulations
7. Any coastal zone management plan
8. The likely impacts of that development:
 - i) Environmental impacts on the natural and built environments
 - ii) Social and economic impacts
9. The suitability of the site

10. Any submissions
11. The public interest

The matters above have been considered in the assessment report, and the proposal is considered to be satisfactory in this regard.

5.1.3 Section 4.55 – Modification of Consents - Generally

Section 4.55(2) allows the modification of a development consent. The considerations under Section 4.55(2) require Council to address the following:

- 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*
- b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) 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*
- c) *it has notified the application in accordance with:*
 - i. *the regulations, if the regulations so require, or*
 - ii. *(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*
- d) *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.*

In determining whether the proposal as amended, is substantially the same as the approved development, consideration has been given to the caselaw of *Moto Projects v North Sydney Council* [1999] 106 LGERA 298.

Test 1. Is the proposal a modification of the original proposal, in that it does not radically transform the original proposal?

Overall, the concept of the proposal remains as approved, which is for the partial demolition of buildings on the White City Site, and the redevelopment of the site comprising a registered club, indoor and outdoor sporting facilities, parking and vehicle access and a childcare centre.

2. Is the proposed development essentially or materially the same development as the development for which consent was originally granted?

The proposed modifications have been considered from both a quantitative and qualitative perspective to determine whether the proposed development is essentially and materially the same development as that for which consent was originally granted.

Quantitative Assessment

A quantitative assessment is of limited benefit in assessing the changes proposed to the development as the original consent did not outline the gross floor areas of the approved uses, but instead, stipulated indicative uses and their locations.

As discussed in Section 3.2, the height of the modified proposal is unchanged with the exception of the building that faces Glenmore Road, which increases in height due to the retention of the existing southern grandstand, and the tennis pro-shop, which increases by 0.83m (excluding the pop-up window).

Qualitative Assessment

In considering the qualitative similarity of the approved development compared to the proposal as modified, it is noted that the mix of land uses would not be substantially modified, as discussed in Section 3.3.

The layout of the proposed building envelopes is generally consistent with what has been approved. In particular:

- The northern half of the site is occupied by a football field, that is orientated parallel to the site's north-eastern boundary to the Rushcutters Creek stormwater channel;
- Immediately to the south-west of the football field, there is a three-storey clubhouse building to a height of RL 22.00. The scale of the clubhouse is diminished compared to the approved development, but its siting and orientation have not been substantially modified;
- The site maintains access from Alma Street, a driveway along the site's western boundary, and uncovered parking along the western edge of the site;
- The eastern portion of the site is occupied by 9 tennis courts. In the modified proposal, two of these tennis courts are elevated;
- Adjoining Glenmore Road, there is a podium structure set beneath the indoor swimming pool, sports hall and child care crèche. The proposal as modified, seeks to fully retain and refurbish the existing southern grandstand structure adjoining Glenmore Road, whilst the approved concept development comprised its partial retention only. The modified proposal partially replaces the landscaped terraces along the western site boundaries with a services building.
- The two vehicle crossings to the childcare centre drop off area on Glenmore Road have been deleted and replaced with a single driveway for exiting the basement parking underneath the sports building, further to the east along Glenmore Road.

3. Is the way in which the development is to be carried out essentially or materially the same?

The approval pertains to a concept proposal only, and did not contain details or particularities that relate to the manner in which the development would be carried out. In this regard, the proposed modification is unchanged from the approved development.

4. Does the proposed modification affect an aspect of the development that was important, material or essential to the development when it was originally approved?

The proposed modifications do not affect an aspect of the development that was important, material or essential to the development as the approved land uses would be retained, and the proposed building envelopes are generally similar to the approved building envelopes.

5.2 Environmental Planning Instruments

5.2.1 State Environmental Planning Policy (State and Regional Development) 2011

Schedule 1 of SEPP (State and Regional Development) 2011 stipulates that ‘recreation facilities (major)’ with a capital investment value (CIV) of more than \$30 million are State Significant Development.

Clause 4(3) in SEPP (State and Regional Development) 2011 states that any word or expression used in the Policy has the same meaning as it would have in the standard local environmental planning instrument.

Woollahra LEP 2014 states that ‘recreation facility (major)’ means:

“...a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks”.

The proposal as modified, does not comprise a recreation facility (major). The football field and associated grandstand is likely to be utilised for sporting matches associated with Hakoah Club, rather than be held for sporting matches of state or national significance, as would be the case with a purpose built sports stadium.

Therefore the proposal does not constitute State Significant Development.

5.2.2 State Environmental Planning Policy (Infrastructure) 2007

The aim of SEPP (Infrastructure) 2007 is to facilitate the effective delivery of infrastructure across NSW by:

- (a) *improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and*
- (b) *providing greater flexibility in the location of infrastructure and service facilities, and*
- (c) *allowing for the efficient development, redevelopment or disposal of surplus government owned land, and*
- (d) *identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and*
- (e) *identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and*
- (f) *providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.*

Clause 104 states that for traffic generating developments the consent authority must give written notice of the application to the RMS and take into consideration any submission that the RMS provides in response.

The proposed development involves a registered club and recreation facility with car parking for over 200 vehicles. Therefore, under Schedule 3 of the SEPP (Infrastructure), the proposal is considered to be a traffic generating development.

The relevant public authorities have been consulted about the proposed development (refer to Section 6.2

5.2.3 State Environmental Planning Policy 55: Remediation of Land

The aims of State Environmental Planning Policy No. 55 – Remediation of Land are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

Clause 7(1) (b) and (c) requires that where the land is contaminated, Council must be satisfied that the land is suitable in its contaminated state or will be suitable after remediation for the purpose for which the development is proposed. If the land requires remediation Council must be satisfied that the land will be remediated before the land is used for that purpose.

The original concept proposal was supported by a Phase 2 Detailed Site Investigation Report, and reviewed by Council's Environmental Health Officer, who imposed **Condition B.18**. The proposed modification would not alter this condition, and reduces the level of excavation compared to the approved development.

As such, the proposed modifications do not raise any new matters with regards to the contamination of the site or its suitability for development and the proposal is acceptable with regard to SEPP 55.

5.2.4 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within Sydney Harbour Catchment but is outside the Foreshores and Waterways Area.

The proposal is consistent with the relevant planning principles for development within the Sydney Harbour Catchment, under Clause 13 of the SREP as the concept proposal will not result in any significant adverse impacts or contribute to unacceptable cumulative impacts on the Sydney Harbour Catchment. The proposed modifications do not affect access to Sydney Harbour and its foreshores.

The Heritage Interpretation Strategy recognises and aids to conserve the heritage value, fabric, setting and views associated with the White City site.

Environmental considerations in relation to water quality and urban runoff, will be considered as part of any future detailed development application. **Condition B.25** has been imposed, which requires details to be provided with any future development application that specify the material to be used for the football field, and how it performs in relation to stormwater runoff and absorption.

The matters of consideration in Clause 26 relate to the maintenance, protection and enhancement of views, and are as follows:

- a) *Development should maintain, protect and enhance views (including night views) to and from Sydney Harbour*
- b) *Development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items*
- c) *The cumulative impact of development on views should be minimised*

The subject site is set back 360m from the harbour and will not be readily discernible from Rushcutters Bay Park. The proposal will maintain views to and from Sydney Harbour. The proposal will not adversely impact on views and vistas to and from public places, landmarks and heritage items. The proposal will not contribute to unacceptable cumulative impacts on views. Therefore, the proposal is considered satisfactory with regard to Clause 26.

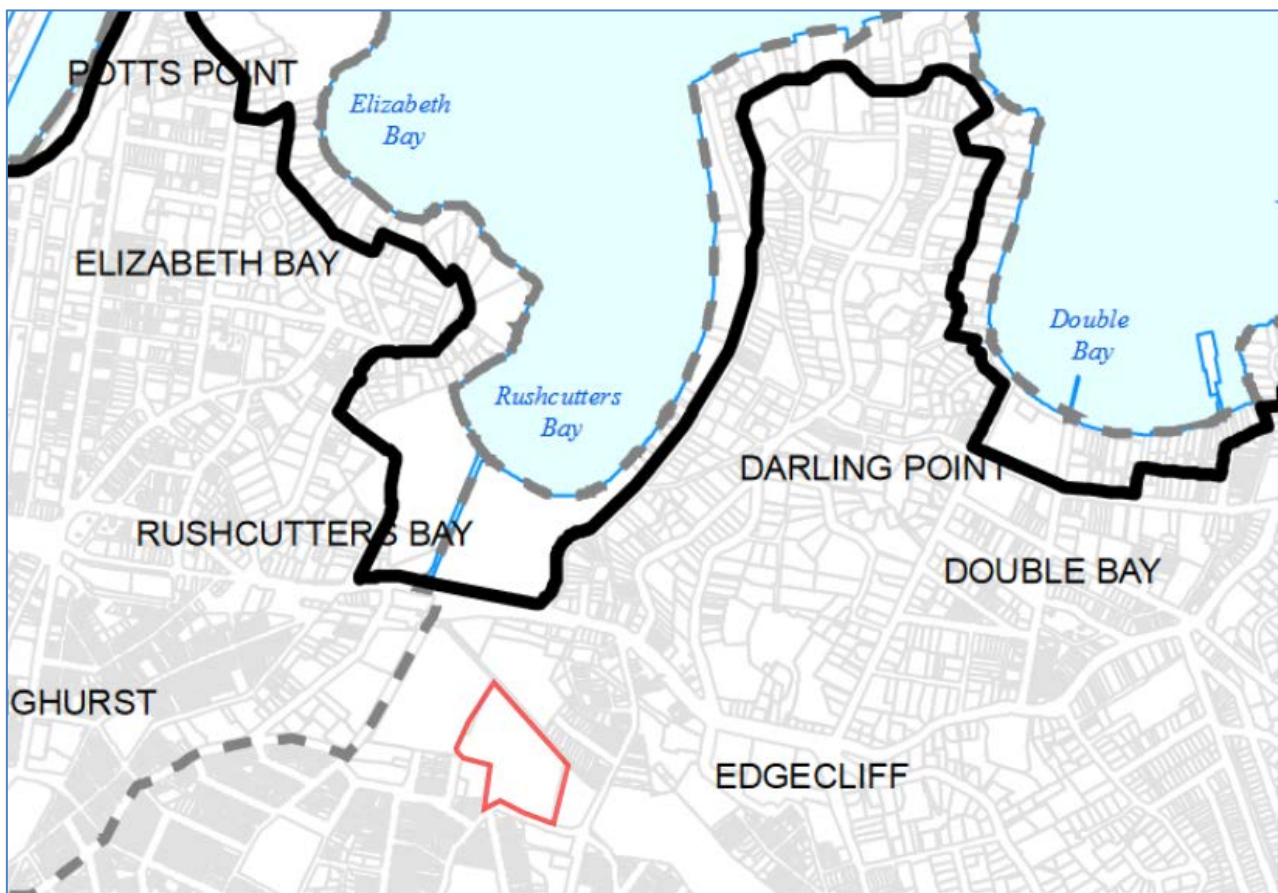


Figure 4 - The map above shows the location of the subject site relative to the foreshore area specified in the SREP (Sydney Harbour Catchment) 2005.

The concept proposal as modified, is therefore considered to be acceptable with regard to the relevant provisions of the SREP (Sydney Harbour Catchment) 2005.

5.3 Woollahra Local Environmental Plan 2015

5.3.1 Part 1.2: Aims of Plan

The proposal is consistent with the relevant aims in Part 1.2(2) of the Woollahra LEP 2014 as follows:

b) To promote the management, development, conservation and economic use of property.

The proposed modifications enable the applicant to proceed with an application that is more economically feasible, whilst still promoting the conservation of the heritage significance of the White City site. In this regard, development, conservation and the economic use of the property would be achieved.

f) To conserve built and natural heritage

The proposal as modified conserves a greater proportion of existing structures on the site, due to the retention of the southern grandstand, and is consistent with the aim of conserving built and natural heritage.

g) To protect amenity and the built environment

The impact of the proposal as modified on amenity and the built environment would be similar to the approved development. Further assessment of amenity impacts, including privacy and the operational details for the development, will be carried out upon the assessment of a future detailed development application.

k) To minimise and manage traffic and parking impacts

The proposal as modified would result in a lower peak traffic generation compared to the approved indicative uses. Nonetheless, the proposal has provided *additional parking* compared to the approved development.

Based on the referral response of Council's Traffic Engineer (and accounting for the 10 additional required spaces that are needed following the deletion of the crèche and its replacement with a childcare centre), the proposal as modified is expected to generate a peak demand for 336 parking spaces during football matches on the weekend. As the proposal provides 321 parking spaces, it results in a shortfall of 15 spaces.

By way of comparison, Council's Traffic Engineer concluded that the original proposal would generate a peak parking demand for 344 spaces on weekends, and provided 271 (indicative) on-site parking spaces. As such, the modified proposal would reduce the peak parking shortfall from 74 spaces to 15 spaces.

l) To ensure the development achieves the desired future character of the area

The approved concept development achieved the desired future character of the Paddington Heritage Conservation Area, as it enables interpretation of the historical development of the White City site, improves the streetscape presentation to Glenmore Road, and preserves views and vistas across the site. The proposal as modified will continue to achieve the desired future character of the area in this respect.

m) To minimise excavation and manage impacts

By eliminating the approved excavated basement, the proposed modifications would result in a lesser volume of excavation compared to the approved concept proposal, and would achieve the aim of minimising excavation.

5.3.2 Land Use Table

The proposal as modified contains the following uses as defined within the Woollahra LEP 2014:

- Centre-based child care facility
- Recreation Facility (indoor)
- Recreation Facility (outdoor)
- Registered Club
- Community facilities
- Café; and
- Shop

Of the above uses, all are nominate permissible uses within the RE2 Zone, with the exception of the shop and café. Schedule 1 (4) of the Woollahra LEP 2014, allows for the following:

“(2) Development for the purpose of a restaurant or cafe is permitted with development consent, but only if the consent authority is satisfied that the activities proposed are ancillary to and associated with recreation facilities (indoor) or recreation facilities (outdoor).”

The proposal as modified increases the scale of the café, and as such **Condition B.27** has been imposed, requiring future development application(s) to demonstrate via the submission of operational details, that the café would operate as ancillary to the permissible uses within the site.

Similarly, the shop is permissible only as an element that is ancillary to the tennis facilities. As such, **Condition B.27** also requires any future development application(s) to demonstrate that the shop would operate as ancillary to the permissible outdoor recreational facilities on the site.

5.3.3 Part 4.3: Height of Buildings

Part 4.3 limits development to a maximum height of 9.5m over the entire site.

Part 4.3B applies to ‘Area I – White City’ (Figure 5) and provides additional provisions for the subject site allowing for an increased height of 11.5m for development on part of the land to the west of the centre courts (Figure 6).

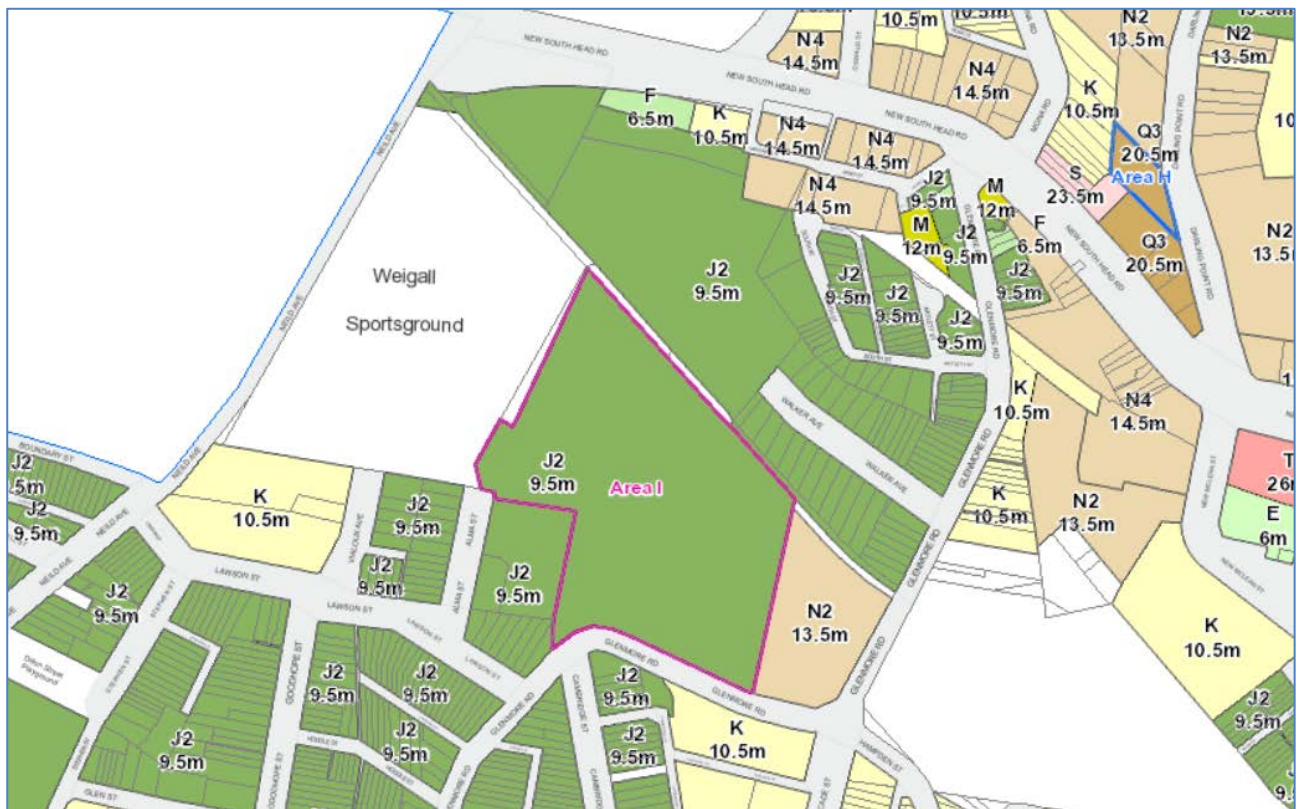


Figure 5 - The above image shows the subject site on the 'height of buildings' map

<i>Element</i>	<i>Approved height</i>	<i>Proposed height</i>	<i>Development standard</i>	<i>Variation to 9.5m standard</i>	<i>Variation to 11.5m standard</i>	<i>Complies</i>
Clubhouse	19.25m	19.25m	9.5m & 11.5m	9.75m	7.75m	NO*
Sports building	15.8m	15.8m	9.5m & 11.5m	6.3m	4.3m	NO*
Tennis Pro-Shop	8.58m	11.2m	9.5m	1.7m	N/A	NO

*Non-compliance unchanged from approved concept DA

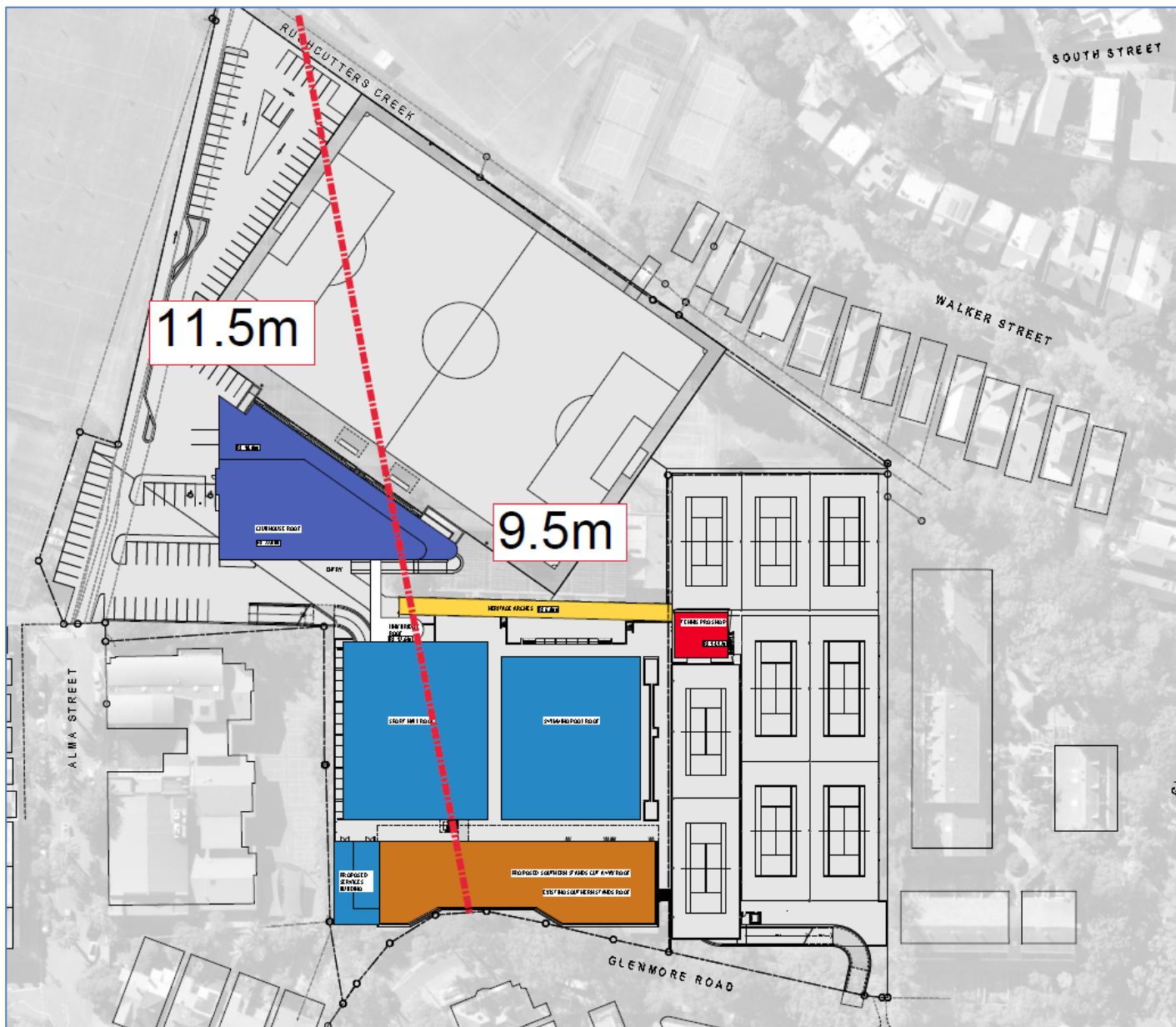


Figure 6 - The image above shows the line across the site that divides the area which is subject to a 9.5m height limit from that which is subject to an 11.5m height limit in accordance with Clause 4.3B of the Woollahra LEP 2014

The maximum height of the clubhouse and sports buildings exceed the height of buildings development standard for the site, yet are unchanged from the original approval. The variation to the development standard was supported by a request under Clause 4.6 of the Woollahra LEP 2014, lodged with the approved concept development. The Clause 4.6 request was considered and supported in the original development application and further consideration of the non-compliance pertaining to the sports hall and clubhouse is not therefore warranted in the assessment of the proposed modifications.

However, the proposed modifications have altered the café/pro-shop, replacing it with a tennis pro-shop that exceeds the 9.5m height limit for the site. It is emphasised that the non-compliance is only due to a pop-up window, which attains a height of 11.2m. The remainder of the building increases to a height of 9.43m, which complies with the 9.5m height limit.

The pop-up window's non-compliance with the height limit is considered against the relevant controls of the development standard as follows:

- (a) *To establish building heights that are consistent with the desired future character of the neighbourhood*

The proposed non-compliance would not result in a building that is materially different to the approved tennis pro-shop, and it would not detract from the desired future character of the neighbourhood.

- (b) *To establish a transition in scale between zones to protect local amenity*

The proposal's interface with adjoining land use zones is unchanged and the non-compliance does not compromise the transition in scale between the subject site and surrounding properties.

- (c) *To minimise the loss of solar access to existing buildings and open space*

The non-compliance would not give rise to a loss of solar access to existing buildings or open space, beyond that which would occur from the approved development.

- (d) *To minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion*

The non-compliance would not adversely impact adjoining or nearby properties with respect to views, privacy, solar access or visual intrusion as it is a minor architectural feature in the context of a substantial redevelopment across the site.

- (e) *To protect the amenity of the public domain by providing public views of the harbour and surrounding areas*

The non-compliance would not obscure any significant public views towards the harbour or the surrounding area.

5.3.4 Part 5.10: Heritage Conservation

The subject site is not listed as a state or local heritage item, but it is located in the Paddington Heritage Conservation Area. Within the vicinity of the site, Alma Street contains 7 Canary Island Date Palms, which are listed as having local heritage significance. Council's Heritage Officer reviewed the proposed modifications and advised that it would not adversely impact the significance of the Canary Island Date Palms.

White City possesses cultural and historical significance and is identified as a 'Registered' site on the non-statutory Register of the National Estate: (Place ID 101983, Place File No.1/12/041/0129).

Council's Heritage Officer reviewed the proposed modifications and provided the following comments:

"Overall the proposal is an improvement from the approved scheme and it retains significant elements of this cultural landscape, for the following reasons:

- *The Southern Stand is proposed to be retained and adaptively reused, with the overall form and street elevation of the stand being still appreciable from within the precinct and from Glenmore Road. While details of the proposed changes have not been detailed at this stage, the proposal is an improvement from the previous scheme due to the retention of built fabric;*
- *The area currently occupied by the Centre Courts will be built upon, subject to heritage interpretation strategies aiming to retain the remembrance of such open enclosure, which has already been considerably reduced with the 1980s building of the western and eastern stands;*
- *The early structure of the Northern stand (Wilkinson's row of arches) will be retained and opened up to the north side. This will ensure appreciation of this early built fabric in views from the open valley floor looking south, which is an enhancement from the current layout;*
- *Some of the view corridors across the valley identified in the White City DCP 2007 will be affected in this proposal, such as views across the fields from Alma Street, which will be blocked by the Clubhouse. However, the reduced footprint and relocation of the clubhouse will enhance the approved scheme through the partial retention of those open views across the site.*

Impact over the Paddington Heritage Conservation Area can occur either through affecting the fabric and setting of nearby contributory items or through loss of public views. Overall, given the physical separation of this precinct from Paddington's contributory fabric and the topography of the site, impact on the setting of contributory items is considered negligible.

The removal of an impermeable fence from Glenmore Road has been praised in the previous approval as a good outcome as it will give character to the Glenmore Road presentation of the grandstand, and this is still valid for this application. It is however critical that this interface with Glenmore Road is appropriately designed to enhance the visual presentation from the public realm.

Views across the open valley will still be retained when looking from the west, east and New South Head Road. The siting of the new buildings to be as far back from the stormwater channel as possible to retain the open valley floor is considered to be a good design choice from a heritage perspective.

A detailed Heritage Interpretation Plans was conditioned as part of the previous application and it has not been submitted as part of this application, with documentation only including an overall strategy. It is recommended that this is reiterated with this modification and that the plan is prepared by specialist heritage consultants.

It is also critical that future stages of this project achieves design excellence articulating a high level of building modulation/articulation and a range of high quality materials and finishes."

In accordance with the above, the proposed modifications are satisfactory with regards to the objectives of Part 5.10. It is noted that the following conditions were imposed on the approved concept proposal:

- **Condition B.1** – requiring a degree of transparency to the clubhouse building to achieve views across the valley floor from the Alma Street entry.
- **Condition B.5** – White City to be managed and operated as one facility.

- **Condition B.8** – requiring compliance with the Conservation Management Plan and Heritage Interpretation Strategy.
- **Condition B.9** – requiring a more detailed interpretation strategy addressing specific matters.
- **Condition B.10** – photographic archival recording of the whole site.

These conditions remain in effect, and the proposal is therefore acceptable with regards to Part 5.10 of the Woollahra LEP 2014.

5.3.5 Part 6.1: Acid Sulfate Soils

Part 6.1 requires Council to consider any potential acid sulphate soil affectation where excavation is proposed within the site. The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The southern part of the subject site is within a Class 5 Acid Sulphate Soils Area whilst the northern part of the site is within a Class 3 Acid Sulphate Soils Area as identified in the Planning NSW Acid Sulphate Soils Risk Map.

A Geotechnical Report including ASS assessment, prepared by Douglas Partners, dated January 2015, was submitted with approved concept proposal. That report identified that some disturbance to ASS is expected due to excavation and piling works.

The proposed modifications relate to building envelopes and indicative uses only, and do not grant consent to any physical works. **Condition B.22**, which was imposed on the approved proposal, requires an Acid Sulphate Soil Assessment and Management Plan to be submitted as part of future development application(s).

Subject to **Condition B.22**, the proposal as modified remains acceptable with regard to Acid Sulfate Soil affectation and Part 6.1 of the Woollahra LEP 2014.

5.3.6 Part 6.2: Earthworks

Part 6.2 requires Council to consider the likely impact of any proposed excavation upon the subject site and surrounding properties. The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposed modifications relate to building envelopes and indicative uses and do not involve any physical works. Notwithstanding this, a Geotechnical Investigation, prepared by Douglas Partners, dated January 2015, was submitted with the approved concept proposal addressing the proposed earthworks, dewatering, retaining walls and foundations. The proposed modifications would reduce the level of excavation required, as the reduced level of the basement carpark has been raised from RL -1.90 to RL 2.900.

Condition B.22 was imposed on the approved proposal and requires excavation impacts and mitigation measures to be addressed in more detail in future development application(s). Subject to this condition, which is unchanged by the proposed modifications, the proposal as modified remains acceptable with regard to Part 6.2.

5.3.7 Part 6.3: Flood Planning

Part 6.3 requires Council to consider flood impacts. The objectives of this clause are to minimise the flood risk to life and property associated with the use of land; to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change; and to avoid significant adverse impacts on flood behaviour and the environment.

The site is located within a flood planning area. A Flood Assessment prepared by BG&E, dated 2 September 2015, was submitted with the approved concept proposal. That report included recommendations, including minimum floor levels, to minimise flood risk. **Conditions B.15** and **B.16** were imposed on the approved development requiring the more detailed elements of the stormwater design and flood mitigation to be addressed as part of any future development application(s).

The proposed modification relates to building envelopes and indicative uses and are acceptable with regards to Part 6.3, subject to the previously imposed conditions.

6. CONSULTATION AND SUBMISSIONS

6.1. Advertising and Notification

The application was advertised and notified from 23/01/2019 to 21/02/2019 (30 days) in accordance with Chapters A2.2.1, A2.3.1 and A2.8 of the Woollahra DCP 2015.

The applicant has completed the statutory declaration dated 26/2/2019 declaring that the site notice was erected and maintained during the notification period in accordance with Chapter E2.3.5 of the Woollahra DCP 2015.

6.2. Public Authority Submissions

A total of 4 submissions were received from public authorities. The issues raised by public authorities are summarised in Table 7 below, which also outlines the response to the matters raised therein.

Table 7: Submissions from Public Authorities

<i>NSW Roads and Maritime Services</i> <i>Annexure 12</i>	
The layout of the proposed car parking areas associated with the subject development should be in accordance with AS 2890.1- 2004, AS2890.6- 2009 and AS 2890.2 – 2002 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.	The condition recommended by RMS has been integrated into the previously imposed Condition B.14 .
<i>Natural Resources Access Regulator</i> <i>Annexure 13</i>	
The proposed development is exempt from requiring controlled activity approval under the	

Water Management (General) Regulation, as the waterfront land is concrete lined.

Sydney Trains

Annexure 14

A condition is recommended requiring the applicant to have a representative to oversee other conditions recommended by Sydney Trains and liaise with the representatives of Sydney Trains

The matters raised by Sydney Trains relate to construction and can be addressed via the imposition of conditions of consent on any future development applications.

A condition is recommended requiring the applicant to consult in good faith with Sydney Trains during demolition, excavation and construction works in relation to those works.

A condition of consent is recommended requiring the application to forward all requests and/or documentation to the relevant Sydney Trains external party interface team.

A condition of consent is recommended requiring the applicant to undertake a service search to establish the existence and location of any rail services prior to the issue of a Construction Certificate.

A condition of consent is recommended prohibiting any works within the rail corridor, or any easements which benefit Sydney Trains/RailCorp, at any time.

A condition of consent is recommended requiring a Risk Management Plan and detailed Safe Work Method Statement to be submitted to Sydney Trains prior to the issue of a Construction Certificate.

A condition of consent is recommended requiring the easement to be unobstructed to maintain 24/7 access to the rail corridor for rail vehicles, plant and equipment.

Sydney Water

Annexure 15

An assessment is not required at this stage. Appropriate conditions of consent will be imposed on the future development application if it meets the criteria for building plan approval and/or Section 73 requirements.

Future development applications will be referred to Sydney Water and conditions will be imposed as necessary.

The submitted details appear that the soccer field, car park and tennis court may not have the required minimum set back of 1m from the outside edge of

Condition B.26 has been added to the amended conditions of consent, which incorporates Sydney Water's requirements in relation to the setback of the proposed football field from the stormwater channel.

the Sydney Water stormwater channel (noted as Rushcutters Creek).

The proponent is required to revise the proposed development in a way that the soccer field, car park, tennis court and any other facilities adjacent to Sydney Water's stormwater channel have a minimum of 1m setback from the outside face of the stormwater channel. This 1m off set from the outside face of the stormwater channel would apply to all fencing arrangements and vehicle safety barriers required for these facilities.

6.3. Submissions

Submissions objecting to the proposal were received from:

1. Susan Abbott, 85 Elizabeth Bay Road, Elizabeth Bay
2. Nicholas and Johanna Baxter, 406/357 Glenmore Road, Paddington
3. BBC Consulting Planners, on behalf of Sydney Grammar School
4. BCS Body Corporate Services, on behalf of SP 65708, 357 Glenmore Road, Paddington
5. Amanda Beardsley (No address provided)
6. Glenn Benkotic (No address provided)
7. Kerry and Polly Bennet, 314/357 Glenmore Road, Paddington
8. Mona Bhan (No address provided)
9. Justin Brower (No address provided)
10. Niamh Brosnan (No address provided)
11. Udo Bucher and Joanne Hickey, 306/357 Glenmore Road, Paddington
12. Niva Burke and Huw Lambert (No address provided)
13. Clare Caldwell, 35 Darling Point Road, Darling Point
14. Pauline Calligeros, 110 Ocean Street, Woollahra
15. Richard Campbell, 357 Glenmore Road, Paddington
16. Carmel Castellan (No address provided)
17. Simon Chan, 110/357 Glenmore Road, Paddington
18. James Charnas (No address provided)
19. Simon Cheatham and Emily Manchee, 5 Lawson Street, Paddington
20. Leanne Chung (No address provided)
21. Jeremy and Renee Darnell, 37 Royston Street, Paddington
22. Alan and Annette Davie, 400 Glenmore Road, Paddington
23. Rowan Davie and Janine Watson, 24/400 Glenmore Road, Paddington
24. Jill Dobler, 107/357 Glenmore Road, Paddington
25. James Dolton (No address provided)
26. Victoria Dolton, 52 Cambridge Street, Paddington
27. Louise Donn, 357 Glenmore Road, Paddington
28. Sharon Dowling and Anthony Donnelly, 42 Lawson Street, Paddington
29. Catherine Downs (No address provided)
30. Annabelle K. Drew (No address provided)
31. Hugo Dudley-Smith, 411/357 Glenmore Road, Paddington
32. Jemma Dudley-Smith, 108 Hastings Parade, North Bondi

33. Gavin Dunn and Helen Cherry, 455 Glenmore Road, owners of 23, 39 and 47/357 Glenmore Road, Paddington
34. Elia Economou, 315 Glenmore Road, Paddington
35. Bronwyn Evans and Peter Gordon, 513/357 Glenmore Road, Paddington
36. Bridget Fair, 10A Caledonia Street, Paddington
37. Emma Finn, 48 Cambridge Street, Paddington
38. Brooke Flint, 106/357 Glenmore Road, Paddington
39. Mark and Sue Giffin, 411/357 Glenmore Road, Paddington
40. Scarlett and Russell Gill (No address provided)
41. Glenmore Road Public School, Cambridge Street, Paddington
42. Scott Grahame (No address provided)
43. Alex Greenwich, Member for Sydney, on behalf of parents from Sydney Grammar School
44. Caroline and Simon Hanley (No address provided)
45. Chris Harborne, 357 Glenmore Road, Paddington
46. Trevor Hardie and Elvana Cilli, 23 Gurner Street, Paddington
47. Yael Heynold and Scott Perkins (No address provided)
48. Paul and Skye Heller, 6 Eastbourne Avenue, Clovelly
49. Cameron Herbert, 109/357 Glenmore Road, Paddington
50. Su-King Hii (No address provided)
51. Andrew and Juliette Holland, 357 Glenmore Road, Paddington
52. Sabrina Jajoo (No address provided)
53. Maree Johnson, 403/357 Glenmore Road, Paddington
54. Harshane Kahagalle and Eresha de Zoysa (No address provided)
55. Andrew Lacy-Smith (No address provided)
56. Catrina Lake, 81 Cambridge Street, Paddington
57. Trish and David Lieberman, 511/357 Glenmore Road, Paddington
58. Francyne Lorkin (No address provided)
59. Charles Lynam, 77 Goodhope Street, Paddington
60. Tamir Maltz, 1703/180 Ocean Street, Edgecliff
61. Frances Martin, 312/357 Glenmore Road, Paddington
62. Julian and Tanya Martin, 1 Lawson Street Paddington
63. Belinda Mathieson, 7 Lawson Street, Paddington
64. David May, 402/2 Nield Avenue, Paddington
65. Stephanie McInnes, 57 Bundarra Road, Bellevue Hill
66. Kelly Meagher, 10 Sutherland Avenue, Paddington
67. Michael, 357 Glenmore Road, Paddington
68. Tina Moisidis (No address provided)
69. Louise and Colin Morgan, 357 Glenmore Road, Paddington
70. Andrew Moss, 78 Goodhope Street, Paddington
71. William Naughton, 35 Glebe Street, Edgecliff
72. Rebecca and James O'Donnell (No address provided)
73. Phillip O'Donovan, 501/357 Glenmore Road, Paddington
74. Harry Pannu (No address provided)
75. Anne Parker, 506/357 Glenmore Road, Paddington
76. Chris Paxton, 357 Glenmore Road, Paddington
77. Alisa Pincus, 7 Dillon Street, Paddington
78. Belinda Pittorino, 409/357 Glenmore Road, Paddington
79. Panos Prodromou (No address provided)
80. Be Be Poon (No address provided)
81. Bruce Porter (No address provided)

82. Geraldine Porter (No address provided)
83. Georgia Powell (No address provided)
84. Jeanine Prentice, President of Parents Association of Sydney Grammar School Edgecliff Preparatory
85. Councillor Harriet Price of Woollahra Municipal Council, Paddington
86. Samantha Ridler (No address provided)
87. Jessica Rippon (No address provided)
88. Noel Robinson, 35/100 Barcom Avenue, Darlinghurst
89. Fiona Robson, 502/357 Glenmore Road, Paddington
90. Simon Cheatham on behalf of Efstrata and Maria Saltamaras, 11 Lawson Street, Paddington
91. Emily Smales (No address provided)
92. William Smales (No address provided)
93. Anne Louise Smith (No address provided)
94. David Stockley, 525/357 Glenmore Road, Paddington
95. Janne Sutcliffe, 357 Glenmore Road, Paddington
96. Melissa Taylor, 85 Cascade Street, Paddington
97. The Paddington Society, Juniper Hall, Paddington
98. Roger and Diana Thomas, 507/357 Glenmore Road, Paddington
99. Rachel Thompson (No address provided)
100. Niranjan Tillekeratne (No address provided)
101. Robert Tomnay, 357 Glenmore Road, Paddington
102. David Turnbull, 101/357 Glenmore Road, Paddington
103. Anna Louise Turner and Richard Edwin Turner, 69 Cambridge Street, Paddington
104. Gabrielle Upton, Member for Vaucluse, on behalf of Bridget and Patrick Fair and Jeanine Prentice
105. Kester van As (No address provided)
106. Susan and Phaedon Vass, 23 Lawson Street, Paddington
107. Caroline Williams, 150 Hargrave Street, Paddington
108. Alice Wilson (No address provided)
109. Virginia and Richard Wood, 14 Walker Avenue, Edgecliff
110. Conrad Yiu, 41 Sutherland Street, Paddington
111. Concettina Zollo, 111/357 Glenmore Road, Paddington

In regards to the above, the following is noted:

- 1 x Change.org petition from Jeanine Prentice, President of Parent Association, Sydney Grammar Edgecliff Preparatory School was received, signed by 532 signatories.
- 32 of the objections listed above were received from owners or residents of units in 357 Glenmore Road, Paddington; and
- 34 of the objections listed above, that did not provide a residential address, raised issues in relation to impacts to the students of Sydney Grammar Preparatory School and were submitted by parents or persons associated with the school.

The amended plans received on 17 July 2019 were not formally re-advertised or re-notified, as it was considered that the amendments would result in a lesser environmental and amenity impact to residents and land owners within the vicinity.

Issues Raised in Objections

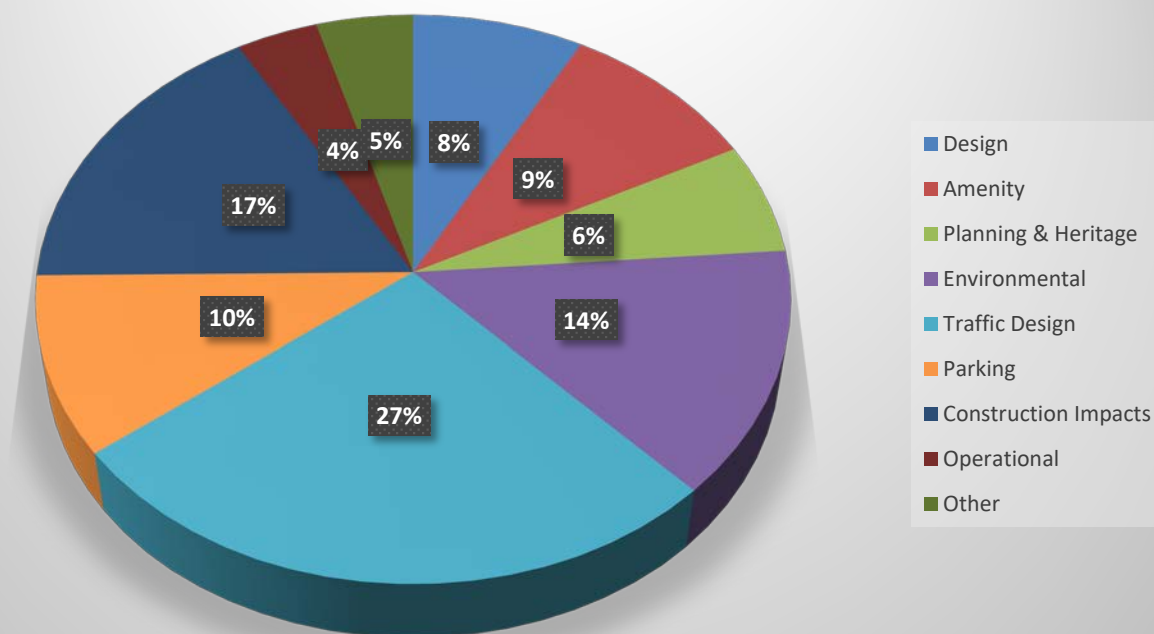


Figure 7 - The graph above shows the percentage of objections that raised various issues. E.g. - 27% of objections included traffic issues

Table 8: Issues raised in objections

Traffic Impacts	Consideration in Assessment Report
<ul style="list-style-type: none"> Vehicle access via New South Head Road should be provided. 	Section 7.6
<ul style="list-style-type: none"> Glenmore Road driveway crossing is not supported <ul style="list-style-type: none"> Increased traffic on Glenmore Road Pedestrian and vehicle hazards Air pollution due to traffic Impact of headlights Noise impacts 	
<ul style="list-style-type: none"> Increased traffic in Alma Street and Lawson Street <ul style="list-style-type: none"> Pedestrian hazard for school children Pollution, traffic congestion and noise impacts to residents. 	
<ul style="list-style-type: none"> Traffic modelling is deficient 	
Parking Impacts	
<ul style="list-style-type: none"> Proposal comprises excessive parking 	Section 7.6
<ul style="list-style-type: none"> Proposal comprises insufficient parking <ul style="list-style-type: none"> Reduction in available parking for residents in nearby streets 	
Environmental Impacts	
<ul style="list-style-type: none"> Tree removal within the site 	Section 7.8
<ul style="list-style-type: none"> Loss of flora and fauna habitat 	

- Loss of visual amenity	
• Street tree removal on Glenmore Road	
• Loss of green character of the valley floor	
• Compliance with the riparian corridor guidelines of the <i>Water Management Act 2000</i>	Section 6.2
• Insufficient green space within the proposed development	Section 7.4
Construction Impacts	
• Noise from construction works	Section 7.13
- Hours of work should be limited to mitigate acoustic impacts to the Sydney Grammar School	
- Sound barriers should be erected around the school	
- Health impacts to school students due to construction noise	
• Truck and vehicle movements during construction	
- Pedestrian and safety hazards	
- Alma Street should not be used for construction related traffic	
- A footbridge or underpass should be constructed in Alma Street for the use of pedestrians	
- A traffic management plan should be prepared for the construction works	
• Asbestos and Dust	
- Asbestos removal should be limited to school holidays	
- Students and staff of Sydney Grammar School must not be exposed to asbestos or dust from construction	
- Asbestos removal should be carried out by specialist contractors pursuant to government regulations and monitored by Woollahra Council	
Amenity Impacts	
• Acoustic impacts from the proposed development	Section 7.10
- Acoustic impacts from sporting activities	
• Privacy impacts	
- Council cannot properly assess privacy impact without the detailed stage 2 design	
• Overshadowing impacts to adjoining properties	
• Light pollution	
• Impact of the proposed services building	Section 7.4
- Acoustic impact of the services building	
- Emissions from the services building	
• View loss	Section 7.9
- View loss from surrounding residential properties	
- Public view loss from Glenmore Road and Cambridge Street	

Planning and Heritage		
<ul style="list-style-type: none"> Inadequate information <ul style="list-style-type: none"> The planning statement is inadequate The submitted plans lack detail and are inadequate when compared to the approved development 	Section 7.13	
<ul style="list-style-type: none"> Council should fully reconsider all key merit aspects of the original consent 		
<ul style="list-style-type: none"> The proposal does not refer to the NSW Green Grid Plan 		
<ul style="list-style-type: none"> The proposal should be subject to the provisions of the White City DCP 2007 	Section 4.3	
<ul style="list-style-type: none"> Public access should be provided through the site <ul style="list-style-type: none"> The proposal should maintain pedestrian access to Glenmore Road from the site's eastern boundary The proposal should provide pedestrian access to New South Head Road 	Section 7.5	
<ul style="list-style-type: none"> The application does not address the conditions of consent imposed on the approved development, relating to Stage 2. 	Section 10	
<ul style="list-style-type: none"> Heritage <ul style="list-style-type: none"> The proposal does not adequately address the Aboriginal heritage of the site The proposal does not achieve the heritage conservation objectives of Woollahra LEP 2014 The submitted documentation underplays the cultural and heritage significance of the site 	Section 5.3.4	
<ul style="list-style-type: none"> The proposal lacks public benefit 	Section 7.15	
<ul style="list-style-type: none"> The proposed modification is not substantially the same as the approved development 	Section 5.1.3	
<ul style="list-style-type: none"> Contamination and remediation should be considered in the assessment of the concept development application 	Section 5.2.3	
Urban Design		
<ul style="list-style-type: none"> The proposed development would detract from the local character 	Section 7.2	
<ul style="list-style-type: none"> The proposed height of the development has increased above the approved development 	Section 5.3.3	
<ul style="list-style-type: none"> The proposal does not incorporate adequate boundary setbacks 	Section 7.4	
<ul style="list-style-type: none"> The redistribution of the building envelopes would result in an adverse visual impact to the residential properties along Lawson Street 		
<ul style="list-style-type: none"> The proposal lacks design excellence 		
<ul style="list-style-type: none"> The proposal incorporates excessive impervious and hard surfaces 		
Operational		
<ul style="list-style-type: none"> Lack of information about the regulation of functions and events in the proposed development 	Section 7.12	
<ul style="list-style-type: none"> Adverse social impacts from licensed premises on the site 		

<ul style="list-style-type: none"> Hours of operation of the registered club and sporting facilities 	
Other/Miscellaneous	
<ul style="list-style-type: none"> The proposal would negatively impact local property values 	Section 7.13
<ul style="list-style-type: none"> The proposal would set a precedent for the area 	
<ul style="list-style-type: none"> Council's Compliance Department would be incapable of monitoring a development of this scale 	
<ul style="list-style-type: none"> Lack of consultation with community. 	Section 6
<ul style="list-style-type: none"> Structural impacts to 400 Glenmore Road 	Section 5.3.6

6.4. Applicant's Response to Submissions

Following the advertising and notification process, the Applicant provided a response to submissions addressing the key issues including impacts to Sydney Grammar Preparatory School; the new location of the egress ramp onto Glenmore Road; traffic and car parking; impact to residential properties on Lawson Street; tree removal; bulk, scale and site layout; noise impacts; light spill and other issues.

The applicant's response to the submissions has been included as **Annexure 16**.

7. ASSESSMENT

7.1. Referral Responses

Table 9: Referral responses from internal Council departments

<i>Referral</i>	<i>Summary of Referral Response</i>
Heritage Annexure 3	<p>The heritage referral response concludes that the proposal constitutes an improvement compared to the approved development and recommends consent, subject to the retention of the previously imposed Conditions B.2, B.3 and B.9, and the addition of the following Conditions:</p> <ol style="list-style-type: none"> 1. If unexpected archaeological deposits or Aboriginal objects are found during the works covered by this approval, work must cease in the affected area(s) and the Office of Environment & Heritage must be notified. Additional assessment and approval pursuant to the National Parks and Wildlife Act 1974 may be required prior to works continuing in the affected area(s) based on the nature of the discovery. 2. The applicant must ensure that if unexpected archaeological deposits or relics are found during the works covered by this approval, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval pursuant to S139(4) or S140 of the NSW Heritage Act, 1977, may be required prior to works continuing in the affected area(s) based on the nature of the discovery. <p>As the two conditions recommended above, relate to the carrying out of works, and the subject application would not authorize the carrying out of works, they have not been integrated into the modified consent.</p>

<i>Referral</i>	<i>Summary of Referral Response</i>
Technical Services Annexure 4	<p>Council's Development Engineer considers the proposal acceptable subject to the following modification of Conditions B.11, B.12 and B.16 as follows:</p> <p>B.11 Future development application(s) shall provide on-site car parking in relation to the peak demand of the whole facility in accordance with the car parking rates set out in Woollahra DCP 2015 and the RTA (RMS) Guide to Traffic Generating Development to the satisfaction of Council.</p> <p>Provision shall also be made for adequate loading and unloading facilities for service vehicles, suitably sized and designed for the proposed use.</p> <p>A reduced parking provision may be accepted if the applicant can demonstrate that the accumulative parking demand is below the DCP minimum requirement.</p> <p>Architectural plans are to clearly indicate the updated parking provision.</p> <p>B.12 Future development application(s) shall include an appropriate amount of bicycle and motorbike parking spaces addressing the following:</p> <ol style="list-style-type: none">On-site bicycle parking and associated trip-end facilities are to be provided as per the minimum rate stipulated by DCP Clause E1.6.2.On-site motorbike parking is to be provided as per the minimum rate stipulated by DCP Clause E1.7.1.The design of the bicycle and motorbike parking are to comply with DCP Clause E1.6.2 and E1.7.1. <p>B.16 Future development application(s) shall include a Flood Risk Management Plan prepared by a suitably qualified civil engineer showing the following flood protection measures:</p> <ol style="list-style-type: none">A permanent flood risk management plan is to be installed in a frequented area of the basement carpark.A permanent flood risk management plan is to be installed in an area frequented by the facility staff.A permanent flood risk management plan is to be installed in a frequented area of the ground level carpark.A flood warning system is to be installed to monitor water levels in the adjacent stormwater channel. The system is to be designed to warn occupants when water in the channel is rising quickly so that flood affected areas can be evacuated. The warning system is to be developed in consultation with Council, BOM, Sydney Water and the SES.A flood evacuation plan is to be developed in consultation with Council and the SES.Permanent brass plaques are to be fixed in prominent outdoor area indicating the 1% AEP level (4m AHD) and the PMF level (6.5m AHD).All fences traversing the over land flow paths are to be designed to be flow through.All fences and walls are to be designed to be structurally stable during flood events.The proposed below ground car park is to be protected by a physical threshold set at or above the flood planning level of 4.3m AHD.

Referral	Summary of Referral Response
	<p>j) Emergency self-powered lighting, indicating the safe exits is to be installed in the car parking area.</p> <p>k) The underground parking area is to be tanked.</p> <p>l) Install a permanent signage is to be in above ground parking area indicating the 1% flood level of AEP level (4m AHD) and the PMF level (6.5m AHD) stating “This is subject to flooding”.</p> <p>m) All habitual floors have to be above or protected from flooding to the flood planning level of 4.5m AHD.</p> <p>n) Flood compatible materials are to be used for all flood exposed construction below the flood planning level of 4.5m AHD.</p> <p>o) All electrical wiring and fixed electrical equipment is to be located above or waterproofed to the flood planning level of 4.5 m AHD.</p> <p>Conditions B.11, B12 and B.16 have been modified in accordance with the recommendations of Council’s Development Engineer.</p>
<p>Trees and Landscaping Annexure 5</p>	<p>Council’s Trees and Landscape Officer advised that the following additional information is required before further assessment of the application can be undertaken:</p> <ul style="list-style-type: none"> • Supply modified drawings that indicate the proposed driveway crossing to Glenmore Road is to be located to the west of the group of three mature Lemon-scented Gum trees standing on the Council verge adjacent to the south east corner of the site. It is recommended that Arborists advice is sought pre-design on the location of any driveway crossing adjacent to the Lemon-scented Gum trees. The three Lemon-scented Gum trees must be retained. • Supply an Arborists Impact Assessment report addressing any tree impacts that may arise from the construction of the proposed Glenmore Road driveway exit ramp. The report must comply with the recommendations of AS 4970 Protection of trees on development sites. Root mapping must be undertaken where excavations are proposed within AS 4970 defined Structural Root Zones of any tree to be retained. • The applicant should be advised that wherever mature trees are proposed for removal Council will be seeking new tree plantings to replace any lost tree canopy coverage. • Landscaping of the site should maximise tree canopy coverage with an emphasis placed on the shading of areas that may act as urban heat sinks. <p>Following the comments of Council’s Trees and Landscape Officer, the application was amended to relocate the driveway to Glenmore Road and retain the Lemon-Scented Gums. The second, third and fourth points of the Trees & Landscaping referral response have been integrated into the modified Conditions B.6 and B.7.</p>
<p>Environmental Health Annexure 6</p>	<p>Council’s Environmental Health Officer reviewed the proposal and advised that it is acceptable subject to the following conditions being imposed, in addition to those imposed on the original approval:</p>

Referral	Summary of Referral Response
	<p>C.1 Food Premises – Construction Certificate Plans & Specifications</p> <p>The person with the benefit of this consent must submit to Council details for the construction and fit out of food premises. Such details must demonstrate compliance with the <i>Food Act</i> 2003, <i>Food Regulation</i> 2004; the <i>Food Standards Code</i> as published by Food Standards Australia and New Zealand and Australian Standard AS 4674-2004: <i>Construction and fit out of food premises</i>.</p> <p>No <i>Construction Certificate</i> relating to the construction or fitout of food premises must be issued until Council's Environmental Health Officers' have advised in writing that the plans and specification are considered satisfactory.</p> <p>The details for the construction and fit out of food premises, as considered satisfactory by Council's Environmental Health Officers' must form part of any <i>Construction Certificate</i>.</p> <p>F.1 Food Premises - Inspection and Registration</p> <p>Prior to the issue of any <i>Occupation Certificate</i> or occupation or use of any food premises:</p> <ol style="list-style-type: none">The <i>Principal Contractor</i> or <i>owner</i> must arrange an inspection of the fit out of the Food Premises by Council's Environmental Health Officer;A satisfactory final inspection must have been undertaken by Council's Environmental Health Officer; andThe <i>owner</i> or <i>occupier</i> must have registered the Food Premises (Notification of conduct under section 100 of the <i>Food Act</i> 2003). <p>The proposal as modified does not give consent to the carrying out of works and therefore construction and occupation certificates will not be issued for the proposed development.</p> <p>The conditions recommended by Council's Environmental Health Officer have not therefore been imposed as they can be imposed on any future detailed development applications.</p>
<p>Open Space and Recreation Annexure 7</p>	<p>Council's Team Leader of Open Space and Recreational Planning considers the proposal acceptable subject to resolution and/ or conditioning of the following matters:</p> <ul style="list-style-type: none">The recreational facilities are open to the general public.That further discussions with the applicant are explored to meet Council's objectives and controls of the draft White City DCP which included public access through the site from Trumper Park to Rushcutters Bay Park. <p>The operational details of the development will be provided with any future development applications, at which point access to the facilities can be considered. However, as the White City DCP 2007 has been repealed,</p>

Referral	Summary of Referral Response
	discussions in relation to achieving the objectives of that document are not relevant to the subject modification application.
Community Services Annexure 8	<p>Council's Community Services Officer reviewed the proposal and advised that the proposed childcare centre should:</p> <ul style="list-style-type: none">• provide a minimum of 40 child care places;• comply with the objectives and controls outlined in Council's DCP;• meet the requirements of the NSW State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017• meet the requirements of the Education and Care Services National Regulations for child care centres.• incorporate outdoor play space that allows children to explore and experience the natural environment. <p>The above issues can be addressed via design and operational details that would be provided with any future development applications.</p>
Fire Safety Annexure 9	<p>Council's Fire Safety Officer has advised that the proposal is acceptable subject to conditions of consent, relating to fire safety and the upgrade of the buildings to comply with the BCA.</p> <p>These are matters that would be addressed via the imposition of conditions on any future development applications and have not been reflected in the recommended conditions.</p>
Urban Design Annexure 10	<p>Council's Urban Designer reviewed the proposal and advised that the proposed amendments do not significantly alter the previously approved application from an Urban Design perspective, and recommended approval of the amendments.</p>
Traffic Engineering Annexure 11	<p>Council's Traffic Engineer reviewed the proposal and raised no objection, subject to the provision of further details with any future development applications as follows:</p> <ul style="list-style-type: none">• On-site bicycle parking and associated trip-end facilities are to be provided as per the minimum rate stipulated by <i>Section E1.6.2</i> of the Woollahra DCP 2015.• On-site motorbike parking is to be provided as per the minimum rate stipulated by in <i>Section E1.7.1</i> of the Woollahra DCP 2015.• The design of the bicycle and motorbike parking are to comply with <i>Sections E1.6.2 and E1.7.1</i> of the Woollahra DCP 2015.• A reduced parking provision may be accepted if the applicant can demonstrate that the accumulative parking demand is below the DCP minimum requirement.• Architectural plans are to clearly indicate the updated parking provision. <p>The above comments have been integrated into the modified Condition B.12.</p>

7.2. Desired Future Character

The subject site is located within the Paddington Heritage Conservation Area. *Chapter C1: Paddington Heritage Conservation Area* of the Woollahra DCP 2015 sets out the desired future character for the area, which is considered in Table 10 below.

Table 10: Consideration of desired future character objectives

<i>Principle</i>	<i>Comment</i>
<i>Retains the unique national heritage significance of Paddington and recognises it as a rare and distinctive urban area</i>	The cultural and heritage significance of White City including its uniqueness and its contribution to Paddington are adequately addressed in the revised Heritage Interpretation Strategy (HIS).
<i>Retains and promotes evidence of the historical development of the area and enables interpretation of that historical development</i>	The cultural and heritage significance of White City is adequately addressed in the revised HIS. Subject to Condition B.9 , which was imposed on the original consent, the proposal will enable interpretation of the historical development of the site.
<i>Retains the cohesive character evident in low scale, high density built form</i>	The proposed building envelopes achieve a development that is better integrated with the public domain and improves the streetscape character and public views, due to the refurbishment of the southern grandstand and provision of access from Glenmore Road.
<i>Retains distinctive features such as...complex of roads, laneways and alleyways...subdivision patterns and buildings which follow the landform and the distinctive patterns of terrace house groups</i>	The proposal as modified, retains roads and laneways within the site and the subdivision pattern of the site. Condition B.4 , which was imposed on the approved development requires a road, pedestrian and cycle network plan showing connectivity into the wider urban context, for any future development applications.
<i>Continues to cater for varied uses and building types within the residential area</i>	The proposal as modified, provides a range of land uses and building types within a predominantly residential area.
<i>Enables people to walk or cycle to shops, public transport, schools, parks and entertainment facilities in a safe, pleasant and healthy environment</i>	Subject to Condition B.4 , which requires future development applications to demonstrate connectivity into the wider urban context, it is considered that the proposal as modified, would allow patrons of the site to walk or cycle to use the facilities.
<i>Provides for sharing of views and vistas</i>	The proposal as modified will preserve the open valley floor in the eastern part of the site, and does not unreasonably impact important views and vistas (Refer to Figure 8).
<i>Exhibits contemporary design excellence</i>	The concept proposal is for building envelopes and indicative uses only, and does not detail architectural details and finishes. Condition B.2 was imposed on the original approval which requires future developments to demonstrate design excellence by way of a high level of building modulation/articulation, high quality materials and finishes.

7.3. Land Use

The approved development included indicative land uses including indoor and outdoor recreational uses (including outdoor tennis and football, and indoor swimming pool, sports hall, gym and health

studios), child care centre, ancillary café, registered club and associated facilities and community facilities.

The modified proposal does not involve significant change to the mix of land uses on the site. As discussed in Section 5.3.2 of the report, all the proposed land uses are permissible within the RE2 Zone, provided that the café and shop operate as ancillary to the sporting facilities.

The configuration of the uses on the site and operational matters will be addressed in future detailed development applications.

7.4. Built Form, Layout and Urban Design

The building form, layout and design of the proposal as modified has been assessed and is considered to be satisfactory for the following reasons:

- **Building heights** – The proposed building heights are similar to the approved development, although the retention of the southern grandstand results in an increased building height presenting to Glenmore Road, as the approved building adjoining Glenmore Road was lower than the existing southern grandstand.

The retention of the southern grandstand will result in a building height to Glenmore Road which is unchanged from the existing situation, and is supported from a heritage perspective, and the resultant increased building height is acceptable.

- **Density** – The density of the modified proposal is similar to that of the approved development and is appropriate having regard to the large area of the site, the proximity of public transport and the absence of a floor space ratio control on the site.
- **Site Layout** – The site layout of the modified proposal is similar to that of the approved development. The retention of the southern grandstand and its modification to address Glenmore Road would positively integrate the site into the surrounding neighbourhood and is supported.
- **Building envelopes, siting and setbacks** – The proposal as modified maintains adequate setbacks from the residential properties to the north along Walker Street, and the east along Glenmore Road. Following the amendment of the proposal on 17 July 2019, the proposed sports hall building envelope has also been set back appropriately from the western boundary to Sydney Grammar School, in accordance with the originally approved development.

The proposed services building in the south western corner of the site has a minimum setback of 900mm from the boundaries of Sydney Grammar School, and the residential properties at 1 Lawson Street and 302 Glenmore Road. This minimal setback would contribute to an adverse visual impact to those properties, and **Condition B.24** is therefore recommended requiring that the proposed services building be set back a minimum of 5.5m above the height of RL 11.00, and not exceed an overall maximum height of RL 14.00. The overall maximum height of RL 14.00, would ensure that the services building is not prominent from Glenmore Road, as the footpath levels are approximately RL13.4 – RL14.3 adjoining the site's south-western corner.

This would result in a setback similar to that of the approved childcare drop-off area, which is replaced with the proposed services building in the proposal as modified.

- **Open Space** – The configuration of open space on the site is not substantially altered by the proposed modifications, which maintain the location of open space along the eastern and northern sides of the site, in the same approximate location as the existing tennis courts.

7.5. Access, Linkages and Circulation

A number of objections raised the issue of access through the site. The concerns of the objectors relate to how the development connects to the wider urban context and provides pedestrian access within, or through the site.

This matter was also raised by Council's Team Leader of Open Space and Recreational Planning who recommended approval on the following basis:

- The recreational facilities are open to the general public.
- That further discussions with the applicant are explored to meet Council's objectives and controls of the draft White City DCP which included public access through the site from Trumper Park to Rushcutters Bay Park.

The issues of public access within the site, and the creation of pedestrian access traversing the site was considered in the assessment of the approved concept development. Council's Assessment Officer provided the following comment in relation to this issue:

"It is considered unreasonable to impose a condition requiring public access to the recreational facilities as the land is privately owned and the proposed uses are permissible in the RE2 Private Recreation zone. The proposed uses would provide additional/ improved facilities to the community and have a positive impact regardless of whether access is public (i.e. casual usage for fee) or members only. The public access to the recreational facilities would be considered in future development application(s)."

It is agreed that public through-site links across the White City site to Rushcutters Bay Park (towards the north) and a linkage to Trumper Park (towards the east) would be of great benefit to the community. However, there is no current site specific DCP identifying opportunities for through-site-links. Opportunities for a through-site links are further constrained by existing surrounding developments and land ownership.

*The pedestrian/ cycle layout within the site and connectivity into the wider urban context has not been adequately addressed. The general site layout of the building envelopes and road network establishes broad parameters for a legible pedestrian and cycle network between the various elements on the site and multiple frontages to the public domain. **Condition A.5** is recommended to require a Pedestrian and Cycle Network Plan be submitted as part of any future development application(s)."*

The above assessment is concurred with and maintained. The previously imposed **Condition A.5** remains in effect on the proposal as modified, and the modifications do not raise any new issues that warrant the provision of public access through the site.

7.6. Transport, Traffic and Parking

The proposed modifications increase the indicative parking provision on the site from 270 spaces to 321 spaces, and alters the configuration of driveway access to Glenmore Road.

A Traffic and Parking Report prepared by Ason Group was submitted with the application. That document estimated that 253 parking spaces would be required to satisfy forecast weekday peak parking demand, and that the weekend peak parking demand would be 328 parking spaces. Whilst this results in a shortfall of 7 parking spaces on weekends, this is a lesser shortfall than the approved development, which had a 74 space deficiency during the weekend peak period.

The Traffic Report forecasts that the total number of trips generated by the proposal as modified, would be lower than the number generated by the approved development, as detailed in the table below.

Peak Hour	DA Approved Trip Generation	S4.55 Proposal Trip Generation	Net Change
AM Peak Hour	246	146	-100
School Peak Hour	109	55	-54
PM Peak Hour	306	264	-42
Saturday AM Peak Hour	248	229	-19

As such, the proposed modifications reduce the traffic impact of the development compared to the approved development and are acceptable with regard to traffic generation.

Council's Traffic Engineer raised no objection to the proposed driveway configuration in relation to pedestrian and vehicle safety. It is noted that **Condition B.14**, which was imposed on the approved development application and is unchanged in the proposed modifications, required extensive further details to be submitted in future development applications in order to render the proposal satisfactory with regard to traffic, parking and vehicular access.

7.7. Heritage

Council's Heritage Officer reviewed the proposed modifications and advised that it is an improvement over the approved development due to its retention of a greater proportion of original fabric, and in particular the southern grandstand.

7.8. Trees and Landscaping

Council's Trees and Landscaping Officer reviewed the proposal and advised that the location of the driveway to Glenmore Road was unsatisfactory, given that it will result in the potential loss of three Lemon-Scented Gums. Following this, the applicant amended the architectural plans on 17 July 2019 to relocate the driveway so as to ensure retention of the Lemon-Scented Gums.

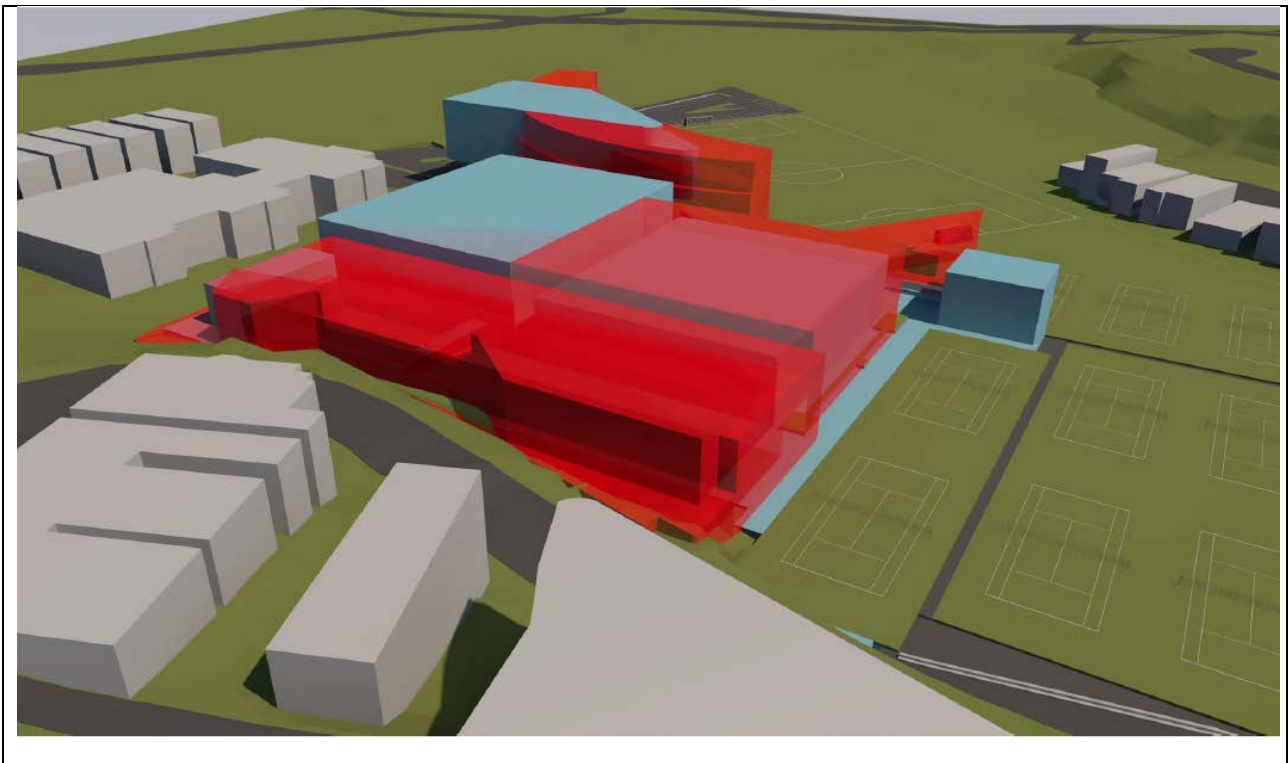
Conditions B.6 and **B.7** were imposed on the original DA consent, requiring the submission of a detailed landscape plan and arborist report with future detailed development applications. The modified conditions of consent update these conditions to respond to the proposal as modified.

7.9. Views and Vistas

As seen in the building envelope comparison images below, the building bulk of the proposal as modified is similar to that of the approved development. The principal change is the retention of the southern grandstand, which results in a higher building envelope at the Glenmore Road interface than approved.

Notwithstanding this, the southern grandstand is an existing building, and the proposal would therefore not obscure any views that are currently attained across this area.

Furthermore, the modified clubhouse building to the south-west of the proposed football field, is more compact than the approved building and would enhance vistas across the site.



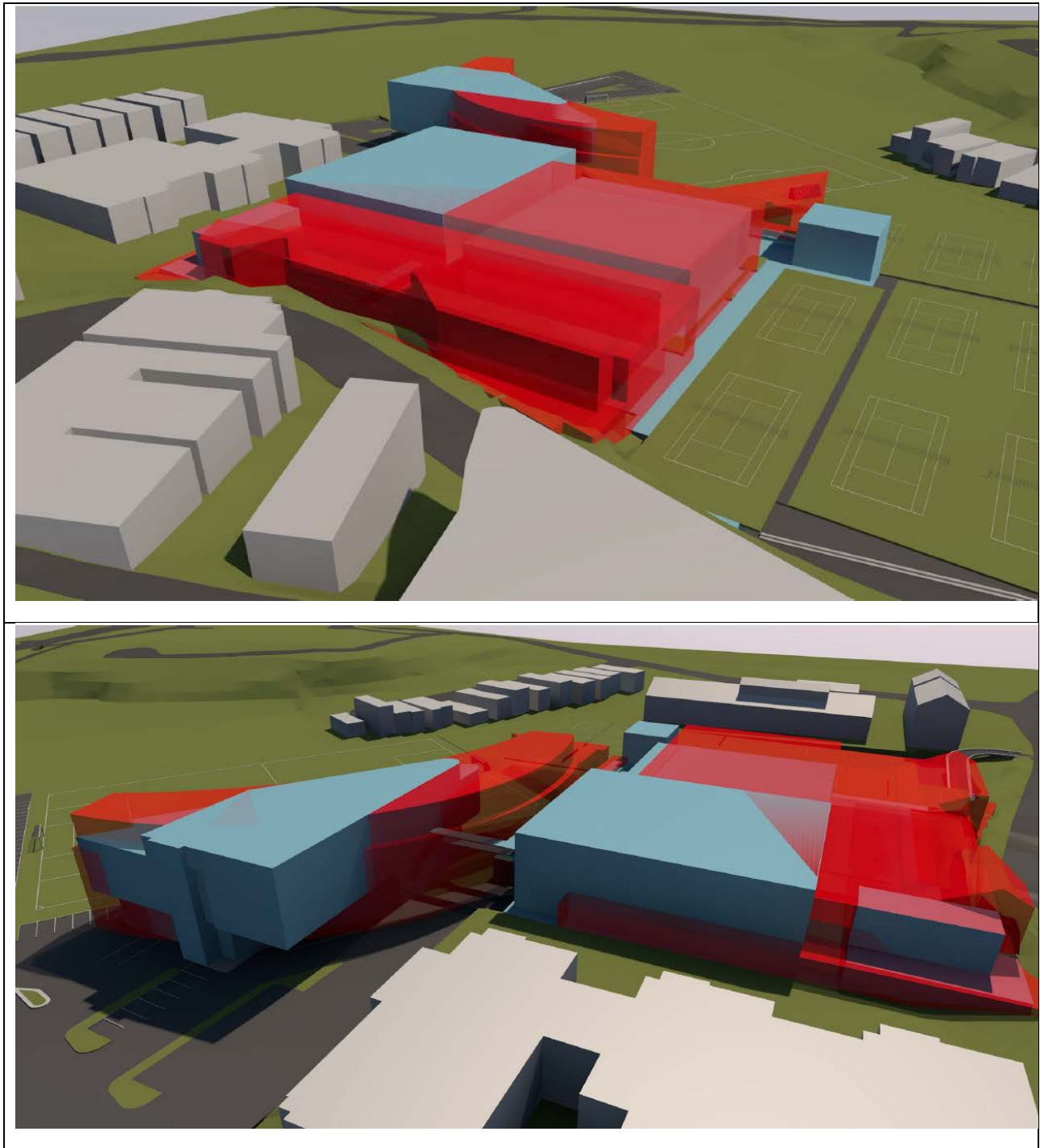


Figure 8 - The building envelope comparisons above shows the approved building envelopes in red, relative to the proposal as modified in blue

7.10. Residential Amenity

Solar Access

The proposal as modified adequately maintains solar access to the open space of adjoining properties. In particular it is noted that the playground of the Sydney Grammar School, to the west of the site, maintains retains solar access to the majority of its area, between 9.00am and 12.00pm on June 21.

Visual and Acoustic Privacy

As the concept proposal involves building envelopes and indicative uses only, visual and acoustic privacy will be considered further upon the lodgement of any future detailed development application, which will contain architectural details, and will also provide an opportunity to assess the ongoing operation of the White City site, in order to identify and consider acoustic impacts.

Light Pollution

Condition B.21 which was imposed on the original consent, requires the submission of a light spill assessment with future detailed development applications.

7.11. Stormwater and Flooding

The site is located within the flood planning area. The S4.55 application has not included a flood assessment, although the original proposal included a flood study, which was considered in the assessment.

Council's Development Engineer and Stormwater and Drainage Engineer reviewed the proposal as modified and advised that it remains satisfactory with regard to stormwater and flooding issues, subject to the update of the previously imposed **Condition B.16**.

7.12. Social and Economic

In considering the social and economic impacts of the approved proposal, Council's assessment officer provided the following comments:

'The existing structures lack functionality and flexibility and are in a dilapidated state. The Applicant has undertaken detailed investigations to determine whether the existing facilities could be retained and adapted to meet current requirements. There are significant structural limitations in retaining the existing grandstand structures. A Structural Assessment of the Grandstands Report (2013) and an Estimated Costs for Structural Repairs Report (2013) were submitted with the development application. The costs of repairs to the northern and southern grandstands is approximately \$4 million. Due to the lack of demand for the use of the grandstand space (and relocation of Tennis NSW to Homebush Bay), the Applicant states that the commercial return on investment is not economically viable.

The proposal involves demolition of the existing structures and includes a CMP and detailed Heritage Interpretation Strategy which are considered acceptable by the independent heritage consultant. On this basis, and the proposed demolition of the majority of the existing structures and fabric is considered acceptable.

A Social Impact Assessment, prepared by Urban Advisers dated August 2015, was submitted with the development application outlining the need and justification for the proposal.

The need and demand for additional recreational facilities and childcare facilities within the Woollahra LGA, and within Paddington is acknowledged. This is documented in the referral responses from Council's Open Space and Recreation Officer and Council's Community Services Officer (Annexures 6 & 7).

The Woollahra Child Care Study 2014 found a gap in places across the LGA with Paddington listed as the suburb with the second highest gap in places. The Woollahra Recreation Needs Assessment 2006 recognised soccer, swimming, tennis, going to the gym and yoga as having high attendance rates in the community.

The proposed childcare centre, indoor swimming pool, indoor multi-purpose sports facility and full-size football field provide facilities that will provide social benefits to the community.

The proposal will have positive social and economic impacts to the local and broader community.'

The proposed modifications do not have any significant implications in relation to the overall social and economic merits of the proposal. It is noted that the proposed modifications reduce the scale of the childcare component of the development, however the smaller childcare centre will still provide a social benefit to the community.

With regard to the social impacts of the licensed premises within the registered club, this is a matter that can be further considered upon the lodgement of a future development applications providing operational details for the premises. A 'registered club' is a permitted use within the RE2 Zone, and it is a suitable use for the location given the large site area and setback of the proposed clubhouse buildings from nearby residential development.

7.13. Other Matters

Construction Impacts

The high level of community concern about health and safety risks during the construction process is acknowledged.

Section 4.22 of the Environmental Planning & Assessment Act 1979 stipulates that a consent granted on the basis of a concept development application does not authorise the carrying out of development on the site. Furthermore, Clause 5 of Section 4.22 makes clear that the consent authority does not need to consider the likely impact of the 'carrying out of development that may be the subject of subsequent development applications'.

As such, the impact of the construction works are not a matter for consideration at concept development application stage, and will be assessed upon the lodgement of future detailed development applications.

Council imposes detailed conditions on all development consents which relate to the removal of asbestos and other hazardous materials, as well as dust mitigation. Furthermore, **Condition B.22**, which was imposed on the original consent requires the submission of a construction management plan to accompany any future development applications.

Reconsideration of Original Consent

Several of the submissions argued that the assessment of the subject S4.55 application should revisit the original determination.

The consent authority must consider the totality of the development as proposed to be modified, however there is no requirement or capacity to revisit a consent that has been lawfully granted under S4.55 of the Act.

Adequacy of Information

The proposal relates to an application to modify an approved concept development, which comprised building envelopes, indicative parking layout and indicative land uses. The application contains adequate information to allow an assessment of the proposed modifications to the approved development, including building envelope plans, amended massing elevations, amended indicative architectural plans, an amended traffic report and a planning statement.

Impact on Property Values and Setting of a Precedent

The impact of the proposed development on property values is not a relevant consideration under S4.15 of the Act, which requires consideration of economic impacts in the *locality*.

It is the long standing position of the Land and Environment Court that the loss of property values to individual owners is not a relevant planning consideration (*Alphatex Australia v the Hills Shire Council*) [2009].

The subject property is a unique site, which is zoned differently from surrounding land and has a distinct character due to its historical use and development. As such, it is not considered that the proposed development sets a precedent in the locality.

NSW Green Grid Plan

The 'NSW Green Grid Plan' is a preliminary report released in March 2017, which provides preliminary prioritisation of Green Grid opportunities in terms of their strategic potential. The subject site does not form part of any of the identified Green Grid project opportunities listed within that plan.

7.14. Site Suitability

The proposal as modified, is considered to be appropriate for the site having regard to its characteristics and location as follows:

- The proposed uses are permissible, or are ancillary to nominate permissible uses and are consistent with the objectives of the RE2 Private Recreation Zone,
- The site area and dimensions can accommodate the proposed building envelopes, whilst still retaining large areas of open space.
- The proposed site layout and building envelopes are compatible with surrounding development, and maintain a suitable relationship to adjoining properties, subject to **Condition B.24**, which requires the proposed services building to be setback from the boundary.
- The proposal improves the streetscape presentation to Glenmore Road, compared to the existing situation and the approved development.
- The proposal retains vistas across the eastern side of the site, thereby preserving the open character of the valley floor.

- The modified Heritage Interpretation Strategy is supported, and the proposal retains a greater proportion of original fabric compared to the approved development.
- The proposal as modified contributes to wider social and economic benefits to the community within the Woollahra Local Government Area.

7.15. Public Interest

In determining whether or not the proposal is in the public interest, both the wider public interest and the sectionalised public interest must be taken into consideration. In the event that the wider public interest outweighs the sectionalised public interest, the proposal can be determined to be in the public interest.

In the assessment of the approved concept proposal, Council's Assessment Officer commented on the public interest as follows:

“Wider public interest

In giving consideration to the wider public interest, it is acknowledged that White City is valued as a community resource for its recreational and community aspects being an important historic sporting facility in the Paddington area. White City has been used for recreation and sporting purposes since 1922.

The use of White City has declined since 1999 when Tennis NSW vacated the site and moved to Homebush Bay. The facilities have since become dilapidated and some of the facilities are unsafe and unusable. The costs of repairs to the grandstands alone are \$4 million and there is a lack of demand for tennis (grandstand) facilities which makes the repair of the site economically unviable.

The proposed redevelopment of White City for a sporting and cultural facility includes a mix of indicative uses that respond to the need and demand for recreational and community facilities in Paddington. The proposed uses will provide an essential service to the community as a whole. Interpretation of the historic uses and character provides for much of the vitality and essential character of the proposal.

The proposal provides a community benefit by facilitating private sporting and recreational uses, childcare centre, café, registered club and community facilities. The recreational facilities (tennis courts, full size football field, indoor swimming pool, sports hall, gym and health studios) promote healthy lifestyle, sporting, social and entertainment activities for the community.

Of the 96 public submissions, 30 submissions supported the proposal for the following reasons:

- *Improved recreational, community and childcare facilities resulting in social benefits and community building.*
- *Improved streetscape and public views.*
- *Heritage interpretation.*
- *Flow-on economic benefits to locality.*

Localised public interest

In giving consideration to the sectionalised public interest, it must be accepted that by virtue of normal operation of the uses must be seen in its true context. This report has addressed all of the issues which must be assessed when giving consideration to the amenities of the neighbours who live within the close proximity to White City.

There have been 96 public submissions, including 66 objections which have raised concern with the proposal. These concerns relate to traffic matters, operational matters, planning matters, environmental concerns, heritage matters and social impacts. Many of the matters raised relate to the detailed aspects of the intensity of the uses and the likely operational impacts of the uses. Given this development application does not include any physical works, these more detailed aspects will be addressed in future development application(s).

The existing impacts on residential amenity are considered consistent with what can reasonably be expected in an area where different uses with different impacts (i.e. recreation and residential) coexist in close proximity. It is noted that these uses have historically coexisted in evenings since the 1920s. It is also noted that the site is currently being underutilised due to its dilapidated state. Accordingly, the impact of the existing, and historic, activities on the site is considered acceptable.

The overall capacity of the White City site to accommodate the proposed indicative uses is considered acceptable. The intensification of the uses and the impact of the proposal would be further assessed under future development application(s).

In conclusion, it is considered that the proposal is acceptable against the relevant considerations under Section 79C of the Environmental Planning and Assessment Act 1979 and would be in the public interest.

On this basis, it is considered that the wider public interest outweighs the impact upon surrounding residents.”

The proposal as modified is similar to the approved development, with the principal changes being the reconfiguration of car parking and vehicle access, the reconfiguration of uses, the reduction in the scale of the childcare centre, the reduction in the scale of the clubhouse building and the retention of the southern grandstand to Glenmore Road.

The proposed modifications do not raise any significant implications for the public interest. Many of the issues raised in submissions are beyond the scope of the subject Section 4.55 application and will be considered in further detail upon the lodgment of future detailed development applications.

As such, the comments contained within the original assessment report are concurred with, and it is considered that the proposal as modified, remains acceptable with regards to the public interest.

8. CONCLUSION

The proposed modifications to the concept development proposal for building envelopes and indicative use of White City for a multi-purpose sports centre and registered club facilities are considered acceptable with regards to the relevant considerations under Section 4.15 for the following reasons:

- The bulk, scale and location of the modified building envelopes are appropriate to the site context and do not unreasonably impact the amenity of adjoining properties. The proposed reduction in the scale of the clubhouse building is supported, and will enhance vistas across the site.
- The building heights are generally consistent with the approved development, which was compatible with the context of the site. Whilst the proposed retention of the southern grandstand results in a higher building to Glenmore Road, this does not alter the existing building height that presents to Glenmore Road, and is supported due to the positive heritage outcome resulting from the retention of this structure.
- The modified heritage interpretation strategy is supported, and the proposal as modified retains a greater percentage of the original built form on the site, relative to the approved development. In this regard, the proposal as modified remains acceptable with regards to its heritage impact on the Paddington heritage conservation area.
- The proposal as modified enables the reactivation and enhancement of an underutilised site, and will provide social benefits to the Woollahra community in the form of new and improved recreation, community and childcare facilities.

Operational matters and the impact of construction would be assessed under future development application(s).

9. DISCLOSURE STATEMENTS

No disclosure statement was received regarding political donations or gifts made to any Councillor or to a council employee.

10. RECOMMENDATION: PURSUANT TO SECTION 4.16 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

THAT the Sydney Eastern City Planning Panel, as the consent authority, grant development consent to DA 438/2015/2 for modifications to the approved Stage 1 concept proposal which includes building envelopes, indicative uses, vehicle access and car parking and the heritage interpretation strategy on land at 30 Alma Street PADDINGTON, subject to the modification of the previously imposed conditions as follows:

Conditions A.2, B.6, B.7, B.8, B.9, B.11, B.12, B.13, B.14 and B.16 are modified to read as follows:

Condition A.2 - Determination of Future Stage 2 Applications

In accordance with Section 4.22(1) of the Environmental Planning and Assessment Act 1979, all physical works shall be subject of future development application(s).

The determination of the future development application(s) shall be consistent with the terms of development consent as described in Part B.

- B.6** A Landscape Plan for the whole site and the adjoining public domain areas and road reserves shall be submitted with any future development application(s) for Stage 2.

The Landscape Plan shall include a planting scheme that does not obscure significant views and maintains the open valley floor character of the site in accordance with the Policy No.24 of the approved Conservation Management Plan.

The Landscape Plan shall address the following matters:

- Retention of trees 45 and 51;
- Retention in-situ or transplanting of trees 4 and 16;
- Retention or replacement planting for tree 24;
- Replacement planting in the south-west area of the site (consistent with TPO approval 358/2014/1 which included the re-planting of 3 x 400 litre trees at the south-western boundary);
- Replacement planting along the eastern boundary adjoining Sydney Grammar School site; and
- Retention of replacement planting of trees 2, 3, 4, 6 and 8 located at the southern boundary of the existing carpark adjoining Sydney Grammar School.

The Landscape Plan must demonstrate that wherever mature trees are proposed for removal, new trees must be planted to replace lost tree canopy coverage. Landscaping of the site should maximise canopy coverage with an emphasis placed on the shading of areas that may act as urban heat sinks.

- B.7** Future development application(s) shall include an Arborist Report. The Arborist report shall include a Tree Protection Plan and Exploratory Root Mapping for major encroachments as follows:

- Exploratory root mapping for tree impacts that may arise from the construction of the Glenmore Road driveway exit ramp, where excavations are proposed within AS 4970 defined Structural Root Zones of the three Lemon-Scented Gums.

- B.8** Future development application(s) shall comply with the approved Conservation Management Plan for White City prepared by Urbis dated 25 November 2015 and incorporate the strategies outlined in the Heritage Interpretation Strategy **prepared by Group GSA dated October and December 2018.**

- B.9** The relevant Stage 2 development application shall incorporate a detailed Interpretation Plan that illustrates how information on the history and significance of the White City site will be provided. Interpretation by design should form an integral aspect of the plan, in addition to other devices such as display, web based interpretive media and public art. The Interpretation Plan shall provide details as to the type, location and spatial requirements of the interpretation, including for archaeological display (where required). The Interpretation Plan should be prepared by a Heritage Consultant and should be guided by a detailed Interpretation Strategy incorporating the interpretation strategy included in the Stage 1 development application.

This Interpretation Plan should have regard to the following more detailed strategies:

- History of early Aboriginal occupation needs to be clearly acknowledged during the interpretative process.
- The audience of heritage interpretation, as required under the NSW Heritage Council's Heritage Interpretation Policy, needs to be clearly identified as to tailor the heritage interpretative initiatives and locations.
- Historical themes relevant to the site need to be clearly identified and addressed in the report.
- A selection of historical images of the site with detailed sources and references made available for interpretative purposes.
- It is important that Heritage Interpretation responds to 'Why and for whom is the White City important?' and covers all aspect of heritage significance.
- The Interpretation section of the CMP in particular Policy 23 and guidelines in section 9.11 and 9.13 should be included such as retention of the concrete stormwater channel as a visible expression of the Glenmore Creek, undertaken oral history and retention of NSTWA gates.
- A comprehensive historic research and heritage reports should be left accessible for visitors and researchers, either onsite or through accession into a publicly accessible library/local studies unit.
- Existing record of the current precinct layout should be recorded and made publicly accessible to researchers. This includes the undertaking of a photographic archival recording prior to the site redevelopment.
- Retention of a minimum of 15 of the 19 Southern Stand trusses in situ and the retention of all Northern Stand Stage 1 arches in situ and the retention of the NSW Tennis Association Gate.

B.11 Future development application(s) shall provide on-site car parking in relation to the peak demand of the whole facility in accordance with the car parking rates set out in Woollahra DCP 2015 and the RTA (RMS) Guide to Traffic Generating Development to the satisfaction of Council.

Provision shall also be made for adequate loading and unloading facilities for service vehicles, suitably sized and designed for the proposed use.

A reduced parking provision may be accepted if the applicant can demonstrate that the accumulative parking demand is below the DCP minimum requirement.

Architectural plans are to clearly indicate the updated parking provision.

B.12 Future development application(s) shall include an appropriate amount of bicycle and motorbike parking spaces addressing the following:

- a) On-site bicycle parking and associated trip-end facilities are to be provided as per the minimum rate stipulated by Section E1.6.2 of the Woollahra DCP 2015.
- b) On-site motorbike parking is to be provided as per the minimum rate stipulated by Section E1.7.1 of the Woollahra DCP 2015.
- c) The design of the bicycle and motorbike parking are to comply with DCP Clause E1.6.2 and E1.7.1.

B.13 Future development application(s) shall include a Transport Management Plan.

To minimise the impact upon on street parking and local traffic during peak operating periods of the White City site (in particular during matches), a detailed *Operational Transport Management Plan* is requested for approval by Council's Engineering Services. This plan would take the form of a control document to be implemented in the ongoing use of the White City site.

The objective of the *Transport Management Plan* is to specify the management and operation of a shuttle bus service which is to operate during peak periods. The plan must contain (but not be limited to) the following details;

- Shuttle bus route and service stops.
- Bus capacity.
- Operating times and dates/ periods.
- Management of vehicles entering and leaving the site, including operation of the boom gates.
- Management of the overflow parking areas.
- Arrangement of drop off and pick up areas.

B.14 Future development application(s) shall include the following:

- a) **Local Area Traffic Management Scheme (LATM)**
The Applicant develop, fund and implement a local area traffic management scheme (LATM) in the area bound by Glenmore Road, Lawson Street, Neild Avenue and New South Head Road, to the satisfaction of the Council's Engineering Services Department.
- b) **Glenmore Road entry works**
The Applicant develop, fund and implement the modification to the existing concrete median along Glenmore Road and additional signposting and pavement markings generally in front of the proposed child care frontage to provide left-in-left-out access to the pick-up/drop-off area, to the satisfaction of the Council's Engineering Services Department.
- c) **Glenmore Road and Cambridge Street intersection works**
The Applicant develop, fund and implement suitable intersection treatments (in the form of a roundabout or kerb extensions) at T-intersection of Glenmore Road and Cambridge Street to calm traffic and allow safer turning movements, to the satisfaction of the Council's Engineering Services Department.
- d) **Pedestrian facilities**
The Applicant develop, fund and implement new/upgraded pedestrian facilities surrounding the White City site to improve pedestrian safety and access, to the

satisfaction of the Council's Engineering Services Department, including (but not limited to) raising the existing pedestrian crossings adjacent to the roundabout of Glenmore Road and Cascade Street, introducing a crossing facility at the intersection of Glenmore Road and Cambridge Street, in accordance with Austroads Guide to Traffic Management – Part 6, Australian Standard 1742.10 and RMS Australian Standard Supplements.

e) Cycling facilities

The Applicant develop, fund and implement new/upgraded cycling infrastructures surrounding the White City site that have been identified as On-Road Route B3 in Woollahra Bicycle Strategy 2009 to include Glenmore Road (between Cascade Street and Lawson Street) and Lawson Street (full length) to better encourage cycling as an attractive transport mode for both visitors and staff, ensuring where reasonable that direct and safe paths of travel are provided together with end of trip facilities (i.e. showers, parking, etc), to the satisfaction of the Council's Engineering Services Department.

f) Street lighting

The Applicant is to upgrade the existing street lights generally along Alma Street and Glenmore Road site frontages near the proposed pedestrian access point and vehicular access point in accordance with AS/NZS 1158, ensuring that the area of roadway and footpaths directly adjacent to the site and bounded by the next street light pole complies with this standard. The applicant must engage an Ausgrid accredited street lighting design consultant and submit the design with a future development application. Ausgrid has requirements concerning access to services that it provides. All costs associated with the street light upgrades must be borne by the applicant.

g) Timed parking scheme

To minimise the impact on the existing on-street parking in the surrounding local streets including Alma Street, Lawson Street and Glenmore Road, the Applicant consider the introduction of a timed parking scheme which allows free parking in the main parking area for future patrons of the White City.

h) Loading bays

To cater for various parking demands, the Applicant consider the design of a loading bay to accommodate medium rigid vehicles and a bus bay to accommodate standard buses/coaches on-site.

The detailed design is to be prepared by a suitably qualified engineer in accordance with Council's requirements.

i) RMS Requirements

The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.

B.16 Future development application(s) shall include the following flood protection measures:

- a) A permanent flood risk management plan is to be installed in a frequented area of the basement carpark.
- b) A permanent flood risk management plan is to be installed in an area frequented by the facility staff.
- c) A permanent flood risk management plan is to be installed in a frequented area of the ground level carpark.
- d) A flood warning system is to be installed to monitor water levels in the adjacent stormwater channel. The system is to be designed to warn occupants when water in the channel is rising quickly so flood affected areas can be evacuated. The warning system is to be developed in consultation with Council, BOM, Sydney Water and the SES
- e) A flood evacuation plan is to be developed in consultation with Council and the SES
- f) Permanent brass plaques are to be fixed in a prominent outdoor area indicating the 1% AEP level (4m AHD) and the PMF level (6.5m AHD)
- g) All fences traversing the overland flow paths are to be designed to be flow through.
- h) All fences and walls are to be designed to be structurally stable during flood events
- i) The proposed below ground car park is to be protected by a physical threshold set at or above the flood planning level of 4.3m AHD
- j) Emergency self-powered lighting, indicating the safe exits is to be installed in the car parking area
- k) The underground parking area is to be tanked.
- l) Installation of permanent signage in the above ground level parking area indicating the 1% flood level of AEP level (4m AHD) and the PMF level (6.5m AHD) stating "This is subject to flooding"
- m) All habitable floors have to be above or protected from flooding, to the flood planning level of 4.5m AHD
- n) Flood compatible materials are to be used for all flood exposed construction below the flood planning level of 4.5m AHD.
- o) All electrical wiring and fixed electrical equipment is to be located above or waterproofed to the flood planning level of 4.5 m AHD.

The additional Conditions A.5, B.24, B.25, B.26 and B.27 are imposed as follows:

A.5 Approved Amended (section 4.55) Plans and Supporting Documents

Those acting upon or under this amended consent must carry out all work and maintain the use and works in accordance with the approved plans and supporting documents listed in the original consent, as amended by the amended architectural approved plans to which is affixed a Council stamp "Approved" and supporting documents as submitted by the Applicant listed below otherwise than modified by further condition(s).

Where the plans relate to amendments, alterations or additions only those works shown in colour or highlighted are approved.

Reference	Description	Author/Drawn	Date(s)
DA 1006 (Issue C)	Envelope Plan	Cottee Parker JPRA	19/07/2019
DA 1007 (Issue D)	Site Plan		04/07/2019
DA 3050 (Issue C)	Envelope Massing Elevations 1 – Clubhouse East Elevation & West Elevation		

DA 3051 (Issue C)	Envelope Massing Elevations 2 – Clubhouse Northeast Elevation, Clubhouse Southern Elevation & Clubhouse Section 01		
DA 3052 (Issue E)	Envelope Massing Elevations 3 – Aquatic Centre and Childcare: Northern Elevation, Eastern Elevation, Southern Elevation & Western Elevation		12/07/2019
DA 7001 (Issue B)	Heritage Interpretation Strategy 1		20/12/2018
DA 7003 (Issue B)	Heritage Interpretation Strategy 3		
DA 7004 (Issue B)	Heritage Interpretation Strategy 4		
DA7002 (Issue A)	Heritage Interpretation Strategy 2		11/10/2018

Note: These plans and supporting documentation may be subject to conditions modifying the development imposed under section 4.17(1)(g) of the *Act* (refer to conditions which must be satisfied prior to the issue of any *Construction Certificate*.)

Standard Condition: A6

B.24 Modification of Details of the Development

Future development applications must detail the following amendments to the approved concept plans:

- a) The proposed services building in the south-western corner of the site must incorporate a minimum setback of 5.5m from the western site boundary, above the height of RL 11.00; and it must not exceed a total maximum height of RL 14.00 to AHD.

B.25 Design and materiality of the proposed football field

Future development applications must provide details in relation to the surface material and drainage of the proposed football field.

If the proposal seeks to utilise artificial surface materials for the football field, it must be demonstrated to Council that it will perform equally with or superior to a natural grass surface, with regard to heat absorption, stormwater absorption and runoff into the Sydney Water stormwater channel and Sydney Harbour.

B.26 Sydney Water Setback Requirements

Future development applications must demonstrate that the football field, car park, tennis courts and any other facilities adjacent to Sydney Water's stormwater channel have a minimum of 1m setback from the outside face of the stormwater channel. This 1m setback from the outside face of the stormwater channel applies to all fencing arrangements and vehicle safety barriers required for these facilities.

B.27 Operation of the Proposed Café and Pro-Shop

In order to demonstrate that the proposed café and pro-shop are lawful and permissible uses on the site, future development applications must provide details including but not limited to a plan of management, which demonstrate that they will operate as ancillary to the permissible recreational uses.

AS AMENDED, THE DEVELOPMENT CONSENT READS AS FOLLOWS:

PART A – TERMS OF APPROVAL

A.1 Condition A.1 - Development Description

Consent is granted to Stage 1 concept proposal for the proposed land uses, building envelopes and not the detailed illustrated drawings marked “planning detail indicative only”. This consent does not authorise the carrying out of any physical works which must be the subject of future development application(s).

A.2 Condition A.2 - Determination of Future Stage 2 Applications

In accordance with Section 4.22(1) of the Environmental Planning and Assessment Act 1979, all physical works shall be subject of future development application(s).

The determination of the future development application(s) shall be consistent with the terms of development consent as described in Part B.

A.3 Condition A.3 - Approved Plans and Supporting Documents

Those with the benefit of this consent shall carry out development in accordance with the plans and supporting documents listed below unless modified by any following condition.

Reference	Description	Author/Drawn	Date(s)
1050 [Rev A]	Envelope Plan	Group GSA	02/09/2015
1060 [Rev A]	Building Envelope – Sports + Pool Hall Elevations East + West	Group GSA	02/09/2015
1061 [Rev A]	Building Envelope – Sports + Pool Hall Elevations North + South	Group GSA	02/09/2015
1062 [Rev A]	Building Envelope – Clubhouse Elevations: South + North + Café	Group GSA	02/09/2015
1063 [Rev A]	Building Envelope – Clubhouse Elevations: East + West + Café	Group GSA	02/09/2015
1064 [Rev A]	Building Envelope: Sports + Pool Hall + Sections AA + BB	Group GSA	02/09/2015
1065 [Rev A]	Building Envelope: Sports + Pool Hall + Section CC	Group GSA	02/09/2015
1066 [Rev A]	Building Envelope: Clubhouse Sections DD + EE + FF + Café Sections GG + HH	Group GSA	02/09/2015
Rpt. No. 02-25.11.2015	Conservation Management Plan	Urbis	Nov 2015
4000 [Rev B]	Heritage Interpretation Strategy – Sheet 1	Group GSA	19/11/2015
4001 [Rev B]	Heritage Interpretation Strategy – Sheet 2	Group GSA	19/11/2015

4002 [Rev B]	Heritage Interpretation: Centre Court Interpretation Sheet 1	Group GSA	19/11/2015
4003 [Rev B]	Heritage Interpretation: Centre Court Interpretation Sheet 2	Group GSA	19/11/2015
4004 [Rev B]	Heritage Interpretation: Southern Stand Trusses	Group GSA	19/11/2015
4005 [Rev B]	Heritage Interpretation: Northern Stand Arches – Sheet 1	Group GSA	19/11/2015
4006 [Rev B]	Heritage Interpretation: Northern Stand Arches – Sheet 2	Group GSA	19/11/2015
4007 [Rev B]	Heritage Interpretation: Moveable Heritage + Market Gardens	Group GSA	19/11/2015

A.4 Condition A.4 - Lapsing of Approval

This consent does not lapse if the use of any land, building or work the subject of this consent is actually commenced before the date on which the consent would otherwise lapse.

A.5 Approved Amended (section 4.55) Plans and Supporting Documents

Those acting upon or under this amended consent must carry out all work and maintain the use and works in accordance with the approved plans and supporting documents listed in the original consent, as amended by the amended architectural approved plans to which is affixed a Council stamp “Approved” and supporting documents as submitted by the Applicant listed below otherwise than modified by further condition(s).

Where the plans relate to amendments, alterations or additions only those works shown in colour or highlighted are approved.

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DA 3052 (Issue E)	Envelope Massing Elevations 3 – Aquatic Centre and Childcare: Northern Elevation, Eastern Elevation, Southern Elevation & Western Elevation		12/07/2019
DA 7001 (Issue B)	Heritage Interpretation Strategy 1		20/12/2018
DA 7003 (Issue B)	Heritage Interpretation Strategy 3		
DA 7004 (Issue B)	Heritage Interpretation Strategy 4		
DA7002 (Issue A)	Heritage Interpretation Strategy 2		11/10/2018

Note: These plans and supporting documentation may be subject to conditions modifying the development imposed under section 4.17(1)(g) of the *Act* (refer to conditions which must be satisfied prior to the issue of any *Construction Certificate*.)

Standard Condition: A6

PART B – CONDITIONS TO BE MET IN FUTURE DEVELOPMENT APPLICATION(S) FOR STAGE 2

Built Form

- B.1** Future development application(s) for the new curved clubhouse design shall incorporate transparency to allow vistas of the valley floor from the Alma Street entry.
- B.2** Future development application(s) shall demonstrate that the development achieves design excellence incorporating a high level of building modulation / articulation and a range of high quality materials and finishes.
- B.3** Future development application(s) shall demonstrate an appropriate interface with surrounding streets and public domain areas and provide an appropriate visual presentation to the streetscape.
- B.4** A Road, Pedestrian and Cycleways Network Plan for the whole site showing the proposed internal road, pedestrian and cycleway network and connectivity into the wider urban context shall be submitted with any future development application(s) for Stage 2.

Maintaining White City as one facility

- B.5** Future development application(s) shall manage and operate the White City site as one sporting field and facility regardless of subdivision or ownership to ensure its intangible historical associations are maintained.

Trees and Landscaping

- B.6** A Landscape Plan for the whole site and the adjoining public domain areas and road reserves shall be submitted with any future development application(s) for Stage 2.

The Landscape Plan shall include a planting scheme that does not obscure significant views and maintains the open valley floor character of the site in accordance with the Policy No.24 of the approved Conservation Management Plan.

The Landscape Plan shall address the following matters:

- Retention of trees 45 and 51;
- Retention in-situ or transplanting of trees 4 and 16;
- Retention or replacement planting for tree 24;
- Replacement planting in the south-west area of the site (consistent with TPO approval 358/2014/1 which included the re-planting of 3 x 400 litre trees at the south-western boundary);
- Replacement planting along the eastern boundary adjoining Sydney Grammar School site; and
- Retention of replacement planting of trees 2, 3, 4, 6 and 8 located at the southern boundary of the existing carpark adjoining Sydney Grammar School.

The Landscape Plan must demonstrate that wherever mature trees are proposed for removal, new trees must be planted to replace lost tree canopy coverage. Landscaping of the site should maximise canopy coverage with an emphasis placed on the shading of areas that may act as urban heat sinks.

B.7 Future development application(s) shall include an Arborist Report. The Arborist report shall include a Tree Protection Plan and Exploratory Root Mapping for major encroachments as follows:

- Exploratory root mapping for tree impacts that may arise from the construction of the Glenmore Road driveway exit ramp, where excavations are proposed within AS 4970 defined Structural Root Zones of the three Lemon-Scented Gums.

Heritage Conservation & Interpretation

B.8 Future development application(s) shall comply with the approved Conservation Management Plan for White City prepared by Urbis dated 25 November 2015 and incorporate the strategies outlined in the Heritage Interpretation Strategy prepared by Group GSA dated October and December 2018.

B.9 The relevant Stage 2 development application shall incorporate a detailed Interpretation Plan that illustrates how information on the history and significance of the White City site will be provided. Interpretation by design should form an integral aspect of the plan, in addition to other devices such as display, web based interpretive media and public art. The Interpretation Plan shall provide details as to the type, location and spatial requirements of the interpretation, including for archaeological display (where required). The Interpretation Plan should be prepared by a Heritage Consultant and should be guided by a detailed Interpretation Strategy incorporating the interpretation strategy included in the Stage 1 development application.

This Interpretation Plan should have regard to the following more detailed strategies:

- History of early Aboriginal occupation needs to be clearly acknowledged during the interpretative process.
- The audience of heritage interpretation, as required under the NSW Heritage Council's Heritage Interpretation Policy, needs to be clearly identified as to tailor the heritage interpretative initiatives and locations.
- Historical themes relevant to the site need to be clearly identified and addressed in the report.
- A selection of historical images of the site with detailed sources and references made available for interpretative purposes.
- It is important that Heritage Interpretation responds to 'Why and for whom is the White City important?' and covers all aspect of heritage significance.
- The Interpretation section of the CMP in particular Policy 23 and guidelines in section 9.11 and 9.13 should be included such as retention of the concrete stormwater channel as a

visible expression of the Glenmore Creek, undertaken oral history and retention of NSTWA gates.

- A comprehensive historic research and heritage reports should be left accessible for visitors and researchers, either onsite or through accession into a publicly accessible library/local studies unit.
- Existing record of the current precinct layout should be recorded and made publicly accessible to researchers. This includes the undertaking of a photographic archival recording prior to the site redevelopment.
- Retention of a minimum of 15 of the 19 Southern Stand trusses in situ and the retention of all Northern Stand Stage 1 arches in situ and the retention of the NSW Tennis Association Gate.

Heritage Archive

- B.10** A full archival record of the whole White City site shall be submitted, to the satisfaction of Council's Heritage Officer. The archival record is to be completed by a heritage consultant listed by the NSW Heritage Office or by another suitably qualified consultant who must demonstrate a working knowledge of archival principles.

Traffic and Transport Management

- B.11** Future development application(s) shall provide on-site car parking in relation to the peak demand of the whole facility in accordance with the car parking rates set out in Woollahra DCP 2015 and the RTA (RMS) Guide to Traffic Generating Development to the satisfaction of Council.

Provision shall also be made for adequate loading and unloading facilities for service vehicles, suitably sized and designed for the proposed use.

A reduced parking provision may be accepted if the applicant can demonstrate that the accumulative parking demand is below the DCP minimum requirement.

Architectural plans are to clearly indicate the updated parking provision.

- B.12** Future development application(s) shall include an appropriate amount of bicycle and motorbike parking spaces addressing the following:
- d) On-site bicycle parking and associated trip-end facilities are to be provided as per the minimum rate stipulated by Section E1.6.2 of the Woollahra DCP 2015.
 - e) On-site motorbike parking is to be provided as per the minimum rate stipulated by Section E1.7.1 of the Woollahra DCP 2015.
 - f) The design of the bicycle and motorbike parking are to comply with DCP Clause E1.6.2 and E1.7.1.

- B.13** Future development application(s) shall include a Transport Management Plan.

To minimise the impact upon on street parking and local traffic during peak operating periods of the White City site (in particular during matches), a detailed Operational *Transport*

Management Plan is requested for approval by Council's Engineering Services. This plan would take the form of a control document to be implemented in the ongoing use of the White City site.

The objective of the *Transport Management Plan* is to specify the management and operation of a shuttle bus service which is to operate during peak periods. The plan must contain (but not be limited to) the following details;

- Shuttle bus route and service stops.
- Bus capacity.
- Operating times and dates/ periods.
- Management of vehicles entering and leaving the site, including operation of the boom gates.
- Management of the overflow parking areas.
- Arrangement of drop off and pick up areas.

B.14 Future development application(s) shall include the following:

j) Local Area Traffic Management Scheme (LATM)

The Applicant develop, fund and implement a local area traffic management scheme (LATM) in the area bound by Glenmore Road, Lawson Street, Neild Avenue and New South Head Road, to the satisfaction of the Council's Engineering Services Department.

k) Glenmore Road entry works

The Applicant develop, fund and implement the modification to the existing concrete median along Glenmore Road and additional signposting and pavement markings generally in front of the proposed child care frontage to provide left-in-left-out access to the pick-up/drop-off area, to the satisfaction of the Council's Engineering Services Department.

l) Glenmore Road and Cambridge Street intersection works

The Applicant develop, fund and implement suitable intersection treatments (in the form of a roundabout or kerb extensions) at T-intersection of Glenmore Road and Cambridge Street to calm traffic and allow safer turning movements, to the satisfaction of the Council's Engineering Services Department.

m) Pedestrian facilities

The Applicant develop, fund and implement new/upgraded pedestrian facilities surrounding the White City site to improve pedestrian safety and access, to the satisfaction of the Council's Engineering Services Department, including (but not limited to) raising the existing pedestrian crossings adjacent to the roundabout of Glenmore Road and Cascade Street, introducing a crossing facility at the intersection of Glenmore Road and Cambridge Street, in accordance with Austroads Guide to Traffic Management – Part 6, Australian Standard 1742.10 and RMS Australian Standard Supplements.

n) Cycling facilities

The Applicant develop, fund and implement new/upgraded cycling infrastructures surrounding the White City site that have been identified as On-Road Route B3 in Woollahra Bicycle Strategy 2009 to include Glenmore Road (between Cascade Street and

Lawson Street) and Lawson Street (full length) to better encourage cycling as an attractive transport mode for both visitors and staff, ensuring where reasonable that direct and safe paths of travel are provided together with end of trip facilities (i.e. showers, parking, etc), to the satisfaction of the Council's Engineering Services Department.

o) Street lighting

The Applicant is to upgrade the existing street lights generally along Alma Street and Glenmore Road site frontages near the proposed pedestrian access point and vehicular access point in accordance with AS/NZS 1158, ensuring that the area of roadway and footpaths directly adjacent to the site and bounded by the next street light pole complies with this standard. The applicant must engage an Ausgrid accredited street lighting design consultant and submit the design with a future development application. Ausgrid has requirements concerning access to services that it provides. All costs associated with the street light upgrades must be borne by the applicant.

p) Timed parking scheme

To minimise the impact on the existing on-street parking in the surrounding local streets including Alma Street, Lawson Street and Glenmore Road, the Applicant consider the introduction of a timed parking scheme which allows free parking in the main parking area for future patrons of the White City.

q) Loading bays

To cater for various parking demands, the Applicant consider the design of a loading bay to accommodate medium rigid vehicles and a bus bay to accommodate standard buses/coaches on-site.

The detailed design is to be prepared by a suitably qualified engineer in accordance with Council's requirements.

r) RMS Requirements

The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.

Flooding and Stormwater

B.15 Future development application(s) shall include a Stormwater Management Plan detailing the following:

- a) General design in accordance with the Council's Woollahra DCP 2015 Chapter E2 – Stormwater and Flood Risk Management.
- b) Compliance with the objectives and performance requirements of the BCA;
- c) Any rainwater tank (See Note below) required by BASIX commitments including their overflow connection to the *Stormwater Drainage System*, and
- d) General compliance with the Council's Woollahra DCP 2015 Chapter E2 – Stormwater and Flood Risk Management.

B.16 Future development application(s) shall include the following flood protection measures:

- p) A permanent flood risk management plan is to be installed in a frequented area of the basement carpark.
- q) A permanent flood risk management plan is to be installed in an area frequented by the facility staff.
- r) A permanent flood risk management plan is to be installed in a frequented area of the ground level carpark.
- s) A flood warning system is to be installed to monitor water levels in the adjacent stormwater channel. The system is to be designed to warn occupants when water in the channel is rising quickly so flood affected areas can be evacuated. The warning system is to be developed in consultation with Council, BOM, Sydney Water and the SES
- t) A flood evacuation plan is to be developed in consultation with Council and the SES
- u) Permanent brass plaques are to be fixed in a prominent outdoor area indicating the 1% AEP level (4m AHD) and the PMF level (6.5m AHD)
- v) All fences traversing the overland flow paths are to be designed to be flow through.
- w) All fences and walls are to be designed to be structurally stable during flood events
- x) The proposed below ground car park is to be protected by a physical threshold set at or above the flood planning level of 4.3m AHD
- y) Emergency self-powered lighting, indicating the safe exits is to be installed in the car parking area
- z) The underground parking area is to be tanked.
- aa) Installation of permanent signage in the above ground level parking area indicating the 1% flood level of AEP level (4m AHD) and the PMF level (6.5m AHD) stating "This is subject to flooding"
- bb) All habitable floors have to be above or protected from flooding, to the flood planning level of 4.5m AHD
- cc) Flood compatible materials are to be used for all flood exposed construction below the flood planning level of 4.5m AHD.
- dd) All electrical wiring and fixed electrical equipment is to be located above or waterproofed to the flood planning level of 4.5 m AHD.

Sydney Water Requirements

B.17 Future development application(s) shall address Sydney Water's requirements in relation to:

- (a) required amplification works to existing drinking water mains;
- (b) required amplification works to the wastewater system;
- (c) approval for discharge of trade wastewater (where necessary); and
- (d) application for Section 73 certificates as necessary

Contamination

B.18 Future development application(s) shall include a detailed contamination assessment (involving sampling and testing of soil) and incorporate relevant recommendations of such assessment including:

- Retention of fill in situ to minimise ecological disturbance.
- In areas where excavation is required, soil that is to be removed from the site shall be removed under an appropriate waste classification and disposed of at a facility licenced to accept the material.

- Any new planting introduced to the site should be in raised containers or the existing fill removed and replaced with suitable imported growing media.
- A new Risk Assessment for the proposed uses shall be prepared in accordance with current guidelines.
- An Environmental Management Plan shall be prepared to inform and advise intrusive workers (e.g. underground service technicians etc.) of the contamination detected at the site so that appropriate protection and procedures can be implemented.

Environmental Performance

B.19 Future development application(s) shall demonstrate achievement of minimum 5 star Green Star ratings (or equivalent rating of a superseding environmental rating system).

B.20 Future development application(s) shall demonstrate the incorporation of Ecologically Sustainable Development principles in the design, construction and ongoing operation phases of the development.

Operational Details

B.21 Future development application(s) shall include (but not limited to) the following:

- Plan of Management
- Light Spill Assessment
- Acoustic Report (including appropriate mitigation measures to maintain amenity to surrounding residential properties)

Construction

B.22 Future development application(s) shall provide analysis and assessment of the impacts of construction and shall include (but not limited to) the following:

- Construction Management Plan
- Site Waste Management Plan
- Erosion and Sediment Control Plan
- Geotechnical Investigation
- Acid Sulphate Soil Assessment and Management Plan

Utilities and Services

B.23 Future development application(s) shall include detailed investigations and assessment of the impact on utilities and services.

Additional S4.55 Conditions

B.24 Modification of Details of the Development

Future development applications must detail the following amendments to the approved concept plans:

- b) The proposed services building in the south-western corner of the site must incorporate a minimum setback of 5.5m from the western site boundary, above the height of RL 11.00; and it must not exceed a total maximum height of RL 14.00 to AHD.

B.25 Design and materiality of the proposed football field

Future development applications must provide details in relation to the surface material and drainage of the proposed football field.

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In order to demonstrate that the proposed café and pro-shop are lawful and permissible uses on the site, future development applications must provide details including but not limited to a plan of management, which demonstrate that they will operate as ancillary to the permissible recreational uses.

ANNEXURES

1. Architectural Documentation and Heritage Interpretation Strategy
2. Assessment Report for the Approved Development
3. Heritage Referral Response
4. Development Engineering Referral Response
5. Trees and Landscaping Referral Response
6. Community Services Referral Response
7. Environmental Health Referral Response
8. Open Space and Recreation Referral Response
9. Fire Safety Referral Response
10. Urban Design Referral Response
11. Traffic Engineering Referral Response
12. Roads and Maritime Services (RMS) Submission
13. Natural Resources Access Regulator Submission
14. Sydney Trains Submission
15. Sydney Water Submission
16. Applicant Response to the Submissions