

DEVELOPMENT APPLICATION ASSESSMENT REPORT

ITEM No.	0.0
FILE No.	DA438/2015/1
ADDRESS	30 Alma Street PADDINGTON (White City)
SITE AREA	2.9ha (i.e. 29,000m ²)
ZONING	RE2 Private Recreation
PROPOSAL	Stage 1 concept development pursuant to Section 83B of the EP&A Act for building envelopes and indicative use of White City for a multi-purpose sports centre and registered club facilities including a Heritage Interpretation Strategy
TYPE OF CONSENT	Staged development application & integrated development
COST OF WORKS	\$45,750,000
DATE LODGED	02/09/2015
APPLICANT	Hakoah Club Limited
OWNERS	Hakoah Club Limited & Sydney Maccabi Tennis Club Ltd
AUTHOR	Ms R Coull
TEAM LEADER	Mr G Fotis
SUBMISSIONS	96 submissions (66 objections)
RECOMMENDATION	Conditional approval
DETERMINING BODY	Joint Regional Planning Panel (JRPP)
JRPP MEETING DATE	15 December 2015

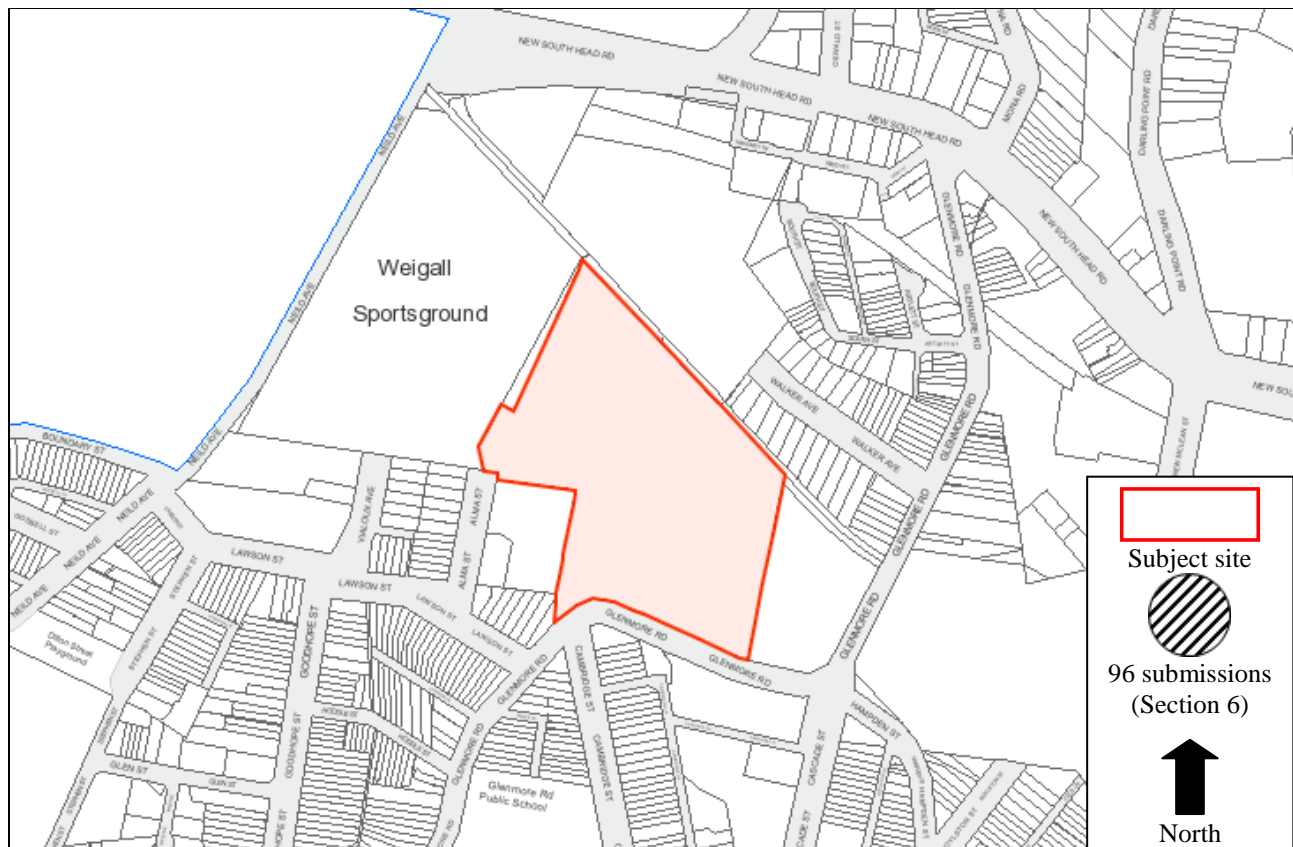


Figure 1: The Subject Site 'White City'

EXECUTIVE SUMMARY

This is an assessment report for an integrated Staged Development Application pursuant to Section 83B 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 which will include the following:

- Site layout comprising three (3) building envelopes as follows:-
 - A “sports” building adjacent to Glenmore Road (15.8m in height).
 - A curved “Clubhouse” building (19.25m in height).
 - A triangular “café” building (8.58m in height).
- Indicative use for a range of indoor and outdoor recreational uses (including outdoor tennis and football, indoor swimming pool, sports hall, gym, health studios), child care centre, ancillary café, registered club and associated facilities and community facilities.
- Heritage Interpretation Strategy.

Indicative details have been provided in relation to internal road layout, basement carpark, at-grade parking, nine (9) tennis courts and one (1) football field.

In accordance with Section 83B of the *Environmental Planning and Assessment Act 1979*, this development assessment is only considering 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, licenced floor areas, patron numbers and hours of operation.

A development application (DA 437/2015/1) for subdivision of the parent lot into two allotments was lodged concurrently with this application and is currently under assessment.

The subject site, White City, is located in the Paddington Heritage Conservation Area. White City possesses cultural and heritage significance. The project has a Capital Investment Value (CIV) of \$45.75 million. In accordance with the *Environmental Planning and Assessment Act 1979*, the Joint Regional Planning Panel (JRPP) is the consent authority for this development application as the CIV is more than \$20 million.

The application was advertised and notified from 23 September to 22 October 2015 (30 days). Ninety-six (96) submissions (including 66 objections) were received in response. Four (4) submissions from public authorities were also received. The public 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>
Building heights	Two of the three proposed building envelopes exceed the height development standards set out in Clauses 4.3 & 4.3B of Woollahra LEP 2014. The Clause 4.6 variation request submitted by the Applicant justifies the contravention of the

	development standards by demonstrating that compliance with the height development standards is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify the contravention. The proposed building heights are supported.
Public domain and streetscape presentation to Glenmore Road	The proposal provides an opportunity to improve the Glenmore Road streetscape by removal of the existing metal sheeting and retention of the majority of the southern grandstand trusses which is a key element of the Heritage Interpretation Strategy. Conditions B3 & B4 are recommended to ensure that an appropriate street interface is provided as part of future development application(s).
Land uses	The proposed indicative use of the site for a range of indoor and outdoor recreational uses, childcare centre, ancillary café, registered club and community facilities are permissible in the RE2 Private Recreation zone. The configuration of the uses within the building envelopes, intensity of the uses and operational details (e.g. hours of operation) will be subject to future development application(s). Whilst it is anticipated that the proposed uses will result in some impacts to surrounding properties, these impacts are consistent with what can reasonably be expected by the redevelopment of the White City site.
Built form, site layout and urban design	The proposed site layout and building envelopes respond appropriately to the site conditions, the surrounding development and the desired future character of the Paddington Heritage Conservation Area. The built form is concentrated into three building envelopes. Whilst the proposed clubhouse building does extend into the open valley floor, additional open areas are provided on the site where they achieve more public benefit (e.g. additional tennis courts on the eastern side which achieve better public views). The open valley floor character of the site will not be unreasonably impacted. The siting of the building envelopes will provide appropriate view sharing and provide opportunity for a better interface to Glenmore Road. The proposal does not unreasonably impact on sunlight access or privacy to neighbouring residential properties. The site layout will result in the removal of a number of trees from the site, but it is considered that a landscape design that incorporates suitable replacement planting would form a fundamental component of the detailed design which would form part of future development application(s).
Circulation and pedestrian/ cycle network	The indicative site layout does not specify a pedestrian network showing internal circulation and connectivity into the wider urban context. Condition B4 is recommended to require a road, pedestrian and cycle network plan to be submitted with any future development application(s). The provision of through-site links to New South Head Road (north) and Glenmore Road (west) are desirable but constrained by land ownership and absence of strategic plans that identify these connections.
Traffic and parking	The proposal will result in increased traffic and parking impacts. In particular, the introduction of the new vehicle access at Glenmore Road does not fully address implications on the existing road network. Conditions B11, B12, B13 & 14 are recommended to require infrastructure works to facilitate safe traffic movement, sufficient car parking and transport planning which must be satisfied as part of future development application(s).
Heritage conservation and interpretation strategies	White City is historically significant due to its evolution from market gardens (1860-1910) to White City Amusement Park (1913-1917) and then to White City Tennis Centre (1922 onwards). The proposal includes a Conservation Management Plan (CMP) and Heritage Interpretation Strategy (HIS) for retention of structures, adaptive reuse of structures and interpretation strategies. The proposal appropriately references the historical role of the White City site as a longstanding sporting venue and prior to that as amusement park and market gardens. The proposal will protect the character of the Paddington Heritage Conservation Area. The impact of the proposal on the currently recognised heritage values of the site

	are considered to be negligible subject to conditions requiring further detailed heritage interpretation strategies as part of future development application(s).
Trees and landscape strategy	Although no physical works are proposed, the proposal will require the removal of 69 of the 85 trees on the site. The site layout does not specify a landscape scheme. Condition B6 is recommended to require the submission and approval of a Landscape Plan that addresses the open valley landscape character (and compliance with the Conservation Management Plan) prior to future development application(s).
Public views	An assessment of significant views from the public domain has been undertaken. The proposal involves the removal of the intrusive metal sheeting to Glenmore Road which will open up views from the public domain at Glenmore Road. There will be some view loss at the Alma Street entry resulting from the clubhouse but on balance, this view loss is considered acceptable as the important public views to the north will be retained. Condition B1 is recommended to provide a degree of transparency to the clubhouse building in order to allow for views across the valley floor from the Alma Street entry. Views from other key locations will not be unreasonably impacted. Whilst the clubhouse building will be visible in some of these important views, the building will not dominate, obstruct or detract from these key public views.

The proposal will have a number of positive impacts including:

- New recreational and sporting facilities and new childcare centre.
- Improved streetscape presentation and interface to Glenmore Road.
- Enhanced public views across the site from Glenmore Road.
- Introduction of a second vehicle access point at Glenmore Road which will relieve traffic impacts at Alma Street.
- Heritage Interpretation Strategy.

This report has assessed the merits of the proposal in accordance with the relevant matters under Section 79C, the objects of the *Environmental Planning and Assessment Act 1979* and ecologically sustainable development and has also taken into consideration the issues raised in all submissions. The impacts have been satisfactorily addressed, the proposal is in the public interest and it is recommended that the JRPP approve the application, subject to conditions.

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1. LEVEL OF DELEGATION

The application is to be determined by the Joint Regional Planning Panel as the proposed development has a Capital Investment Value of more than \$20 million.

2. PROPOSAL

2.1 Overview

The proposed Staged Development Application is for building envelopes and indicative use of White City for a multi-purpose sports centre and registered club facilities, including a heritage interpretation strategy. No physical works are proposed.

The proposed development is detailed in Table 2 below.

Table 2: Key Components of Development

<i>Aspect</i>	<i>Description</i>
Building Form and Height	Site layout comprising three (3) building envelopes as follows:- <ul style="list-style-type: none">• A “sports” building adjacent to Glenmore Road (which also contains basement car parking).• A curved “clubhouse” building.• A triangular “café” building.
Indicative Uses	Indicative uses comprising of indoor and outdoor recreational uses (including outdoor tennis and football, indoor swimming pool, sports hall, gym, health studios); child care centre; ancillary café; registered club and associated facilities; and community facilities.
Heritage Interpretation Strategy	Heritage Interpretation Strategy outlining commitments for the retention and adaptive re-use of original elements on the site as well as interpretation strategies and display of tennis memorabilia.

All other details submitted with the development application are indicative only.

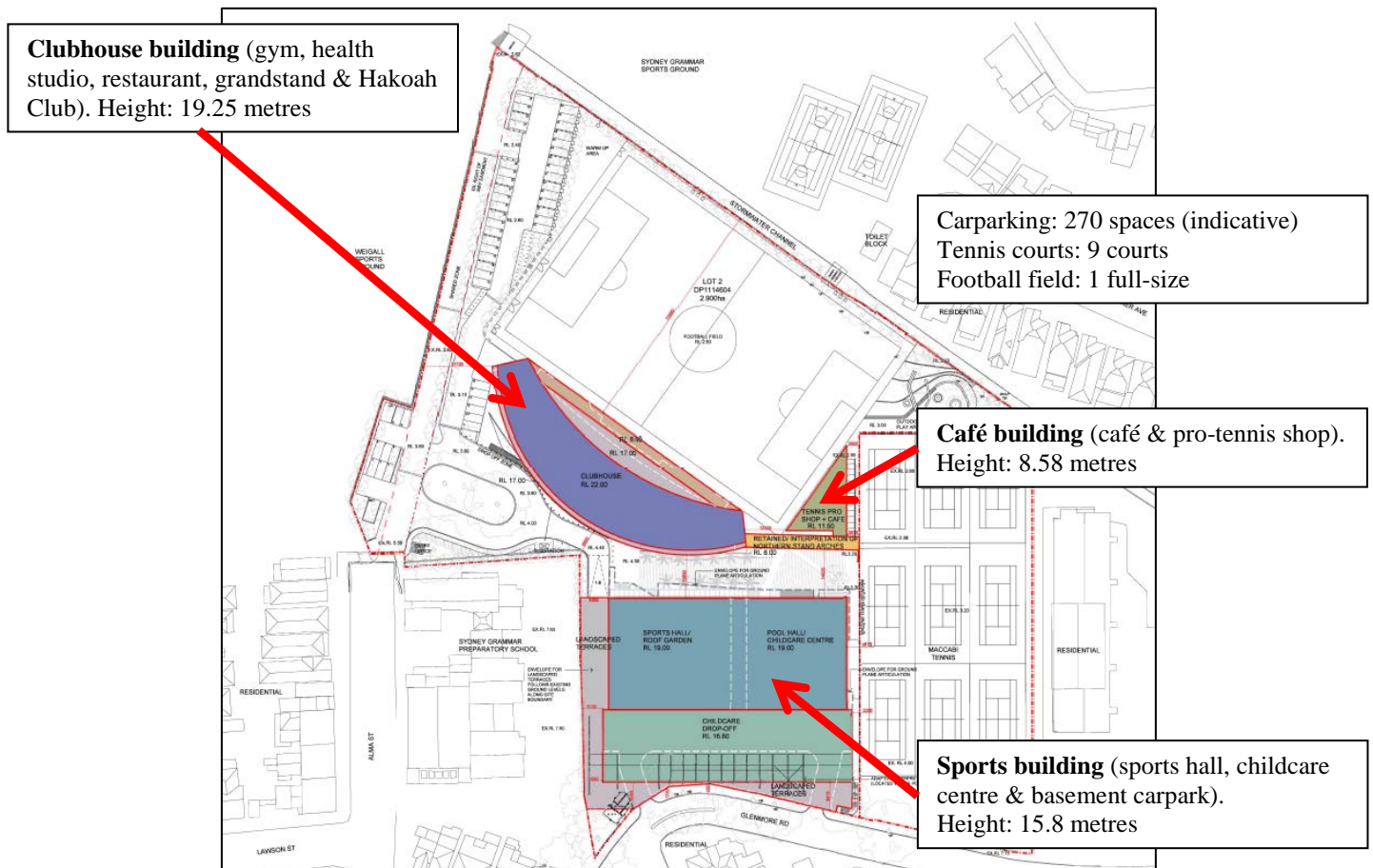


Figure 2: Proposed Site Plan showing building envelopes and indicative uses

A more detailed description of the proposal is provided below.

2.2 Built Form and Massing

The proposal comprises of three building envelopes which are detailed in Table 3 below.

Table 3: Building heights

<i>Element</i>	<i>Building height</i>
The sports building	15.8 metres (RL 22.0 AHD)
The clubhouse building (curved building)	19.25 metres (RL 19.0 AHD)
The café building (triangular building)	8.58 metres (RL 11.5 AHD)

The building envelope for the clubhouse includes a grandstand with a seating capacity for 500 people with 250 undercover (indicative only).

Overall, the proposed building envelopes include a gross floor area of 10,238m² (indicative only).

2.3 Indicative Uses

The proposed indicative uses within the proposed building envelopes comprises of:

- Sports bar.
- Gymnasium.

- Health studios.
- Community facility offices.
- Café.
- Pro-shop.
- Sports hall.
- Pool hall.
- Maccabi NSW officer.
- Child care centre.
- Football field.
- Tennis courts.

The childcare centre includes a capacity for 70 children (indicative only).

The specific and detailed design of these buildings including the exact nature of the use will be fully assessed in detailed future development application(s).

2.4 Vehicle Access and Parking

The proposed indicative vehicle access and parking comprises of:

- Retention of the primary vehicle access from Alma Street.
- Parking (at-grade) along the western boundary.
- Widening of the existing driveway (right-of-way) to the Grammar sports fields to the north.
- New roundabout, loading zone and drop off zone.
- New drop-off zone for childcare centre with access and egress to Glenmore Road.
- Basement carpark comprising of two levels below the 'sports' building.

The proposal includes a total indicative car parking capacity of 270 spaces.

2.5 Heritage Interpretation Strategy

The Heritage Interpretation Strategy proposes to celebrate the heritage significance of the site with retention and adaptive reuse of original elements on the site as well as multiple interpretation strategies and display of tennis memorabilia.

The commitments outlined in the Heritage Interpretation Strategy will be incorporated into future development application(s).

Table 4 below summarises the proposed interpretation strategy.

Table 4: Heritage Interpretation Strategies

<i>Interpretation Strategy</i>	<i>Description</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.
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 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.
Centre Court Interpretation: Continued Use as a Sporting Venue	<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.
Centre Court Interpretation: Southern Stand Trusses (1923 Section)	<ul style="list-style-type: none"> • The majority of the 1923 Southern Stand trusses shall be retained.
Green and Open Valley Floor	<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.
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.
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.
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.
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).
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).

3. BACKGROUND

3.1 Site and Locality

Table 5: Overview of site and locality

<i>Physical Features</i>
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 is gently sloped 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 comprises of the following:

- Landscaping, concentrated around the perimeter of the site, including 85 trees.
- Vehicle access from Alma Street and at-grade 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 approximately 500m to the west of Edgecliff train station and commercial centre, 900m to the south-east of Kings Cross train station and 2km to the south-east of Sydney CBD. Key recreational facilities within the surrounding area include Ruschcutters Bay Park to the north and Trumper Park to the east.

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 surrounding development comprises of:

- North, north-west and west - the Sydney Grammar School site (comprising of 300 pupils). To the north and west are open playing fields whilst three storey school buildings are adjacent to the west.
 - North-east - the Sydney Water stormwater channel, beyond which are residential dwellings which front Walker Avenue.
 - East - a three and four storey residential flat building known as 400 Glenmore Road (comprising of 48 units).
 - South (across Glenmore Road) - two and three storey residential dwellings as well as a four and five storey mixed use development. Glenmore Road Public School is located to the south of the site, on Cambridge Street.
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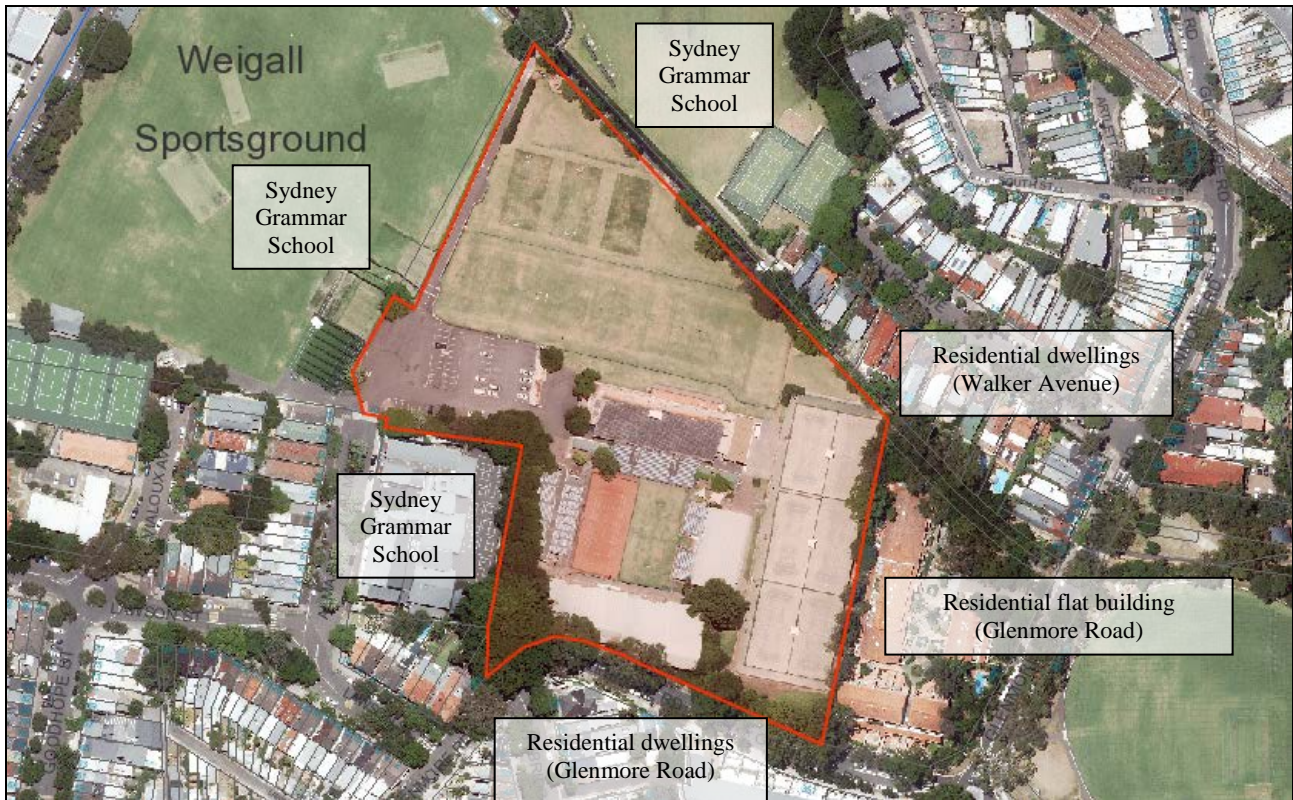


Figure 3: Aerial photograph of subject site

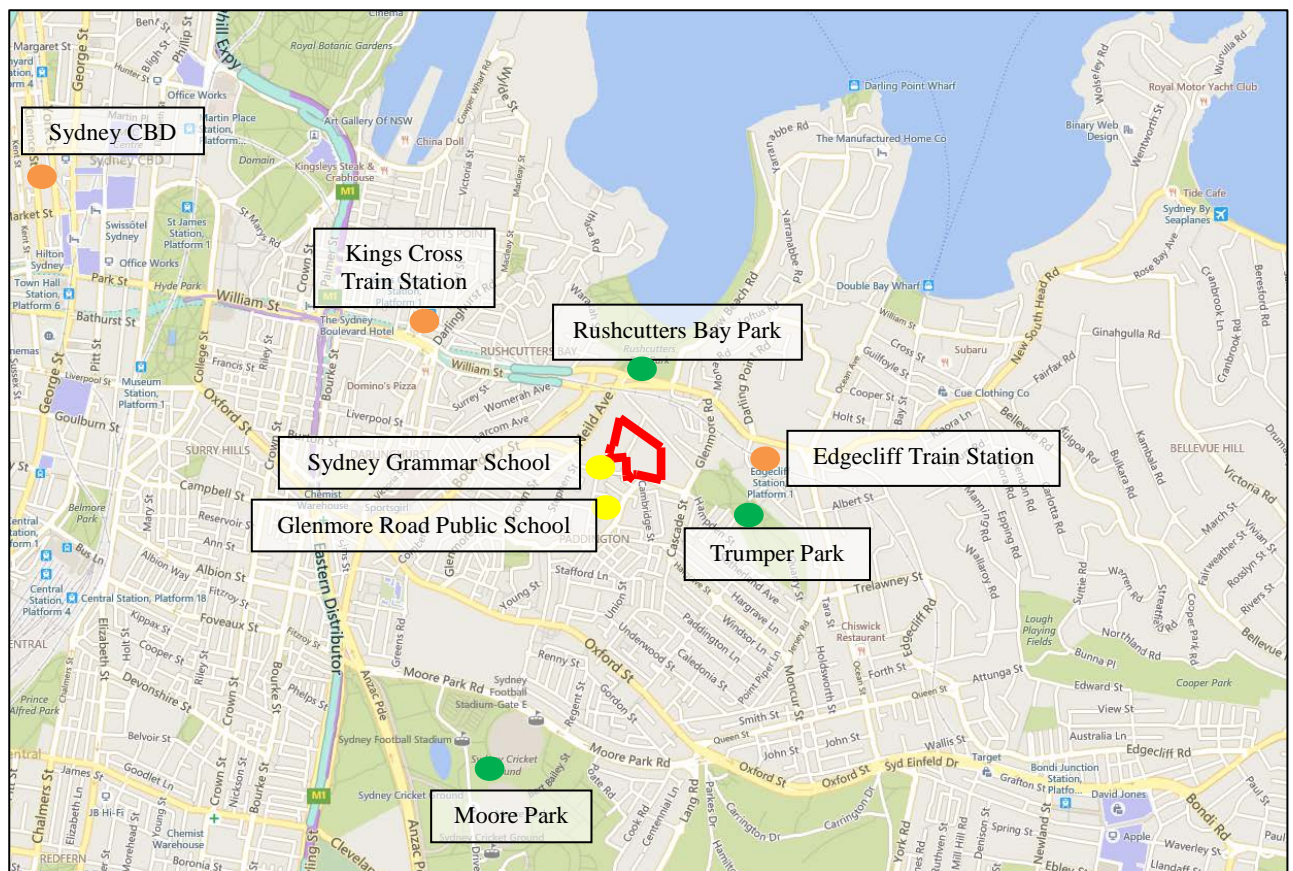


Figure 4: Locality map

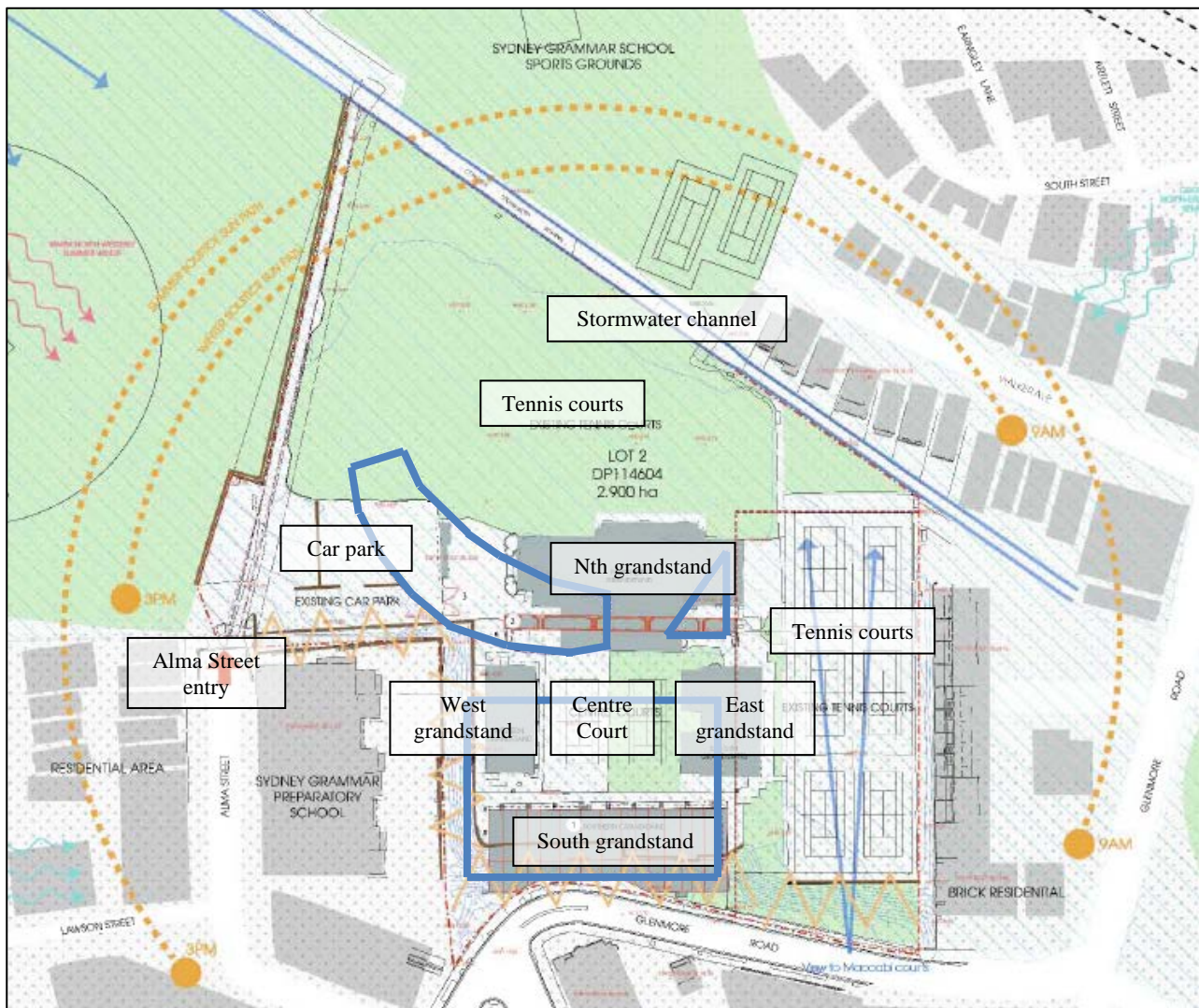


Figure 5: Plan showing existing structures (grey) on the site and the proposed envelopes (blue)

3.2 History

Table 6: Overview of site history and background

<i>Current use</i>
Recreation area; Recreation facility (indoor); and Recreation facility (outdoor).
<i>Relevant Application History</i>
<ul style="list-style-type: none"> DA 2015/437 – Subdivision of the parent lot into two allotments. Currently under assessment. 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.

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.

Additional Information and Replacement Applications

- On 11 September 2015, Council issued a letter requesting clarification of the nature of consent which is being sought. Response received 11 September 2015.
 - On 25 September 2015, Council issued a letter requesting additional information in relation to significant views and vistas and the demolition of existing fabric. A cover letter, View Analysis/ and an addendum to the Heritage Impact Statement were submitted on 4 November 2015.
 - On 02 October 2015, the Applicant submitted an independent peer review of the Heritage Interpretation Strategy, prepared by Graham Brooks & Associates, and two engineering reports detailing the extent of works required for structural repair and the associated estimated costs for the structural repairs, prepared by Davis Langdon and AECOM.
 - On 16 October 2015, the Applicant submitted an Outcomes Report for the (non-statutory) Community Information Sessions.
 - On 26 October 2015, the Applicant submitted a cover letter and an amended 'Sports + Pool Hall: Indicative Section CC' Dwg. No. MPDA3101 [Rev B], correcting an error on the plan.
 - On 16 November 2015, Council issued an email requesting amendments and/ or further information responding to the review undertaken by Council's appointed independent consultant of the Heritage Impact Statement, Conservation Management Plan and Heritage Interpretation Strategy. Correction of the errors on height plane analysis was also requested.
 - On 19 & 25 November 2015, the Applicant submitted a revised Statement of Environmental Effects and Height Plane Analysis correcting errors on the height analysis plan. The Applicant submitted a revised Heritage Impact Statement and Conservation Management Plan with amended recommendations section. The Applicant also submitted a revised Heritage Interpretation Strategy.
 - On 19, 20, 25 & 26 November 2015, the Applicant submitted responses to the public submissions.
-

Land and Environment Court Appeal(s)

Not applicable.

3.3 Strategic Planning

Heritage Status of the Site

The heritage significance of White City and the potential listing of the site as a heritage item was raised as a concern in a number of the objections to the proposal.

Whilst there is a history of 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.

Most recently, 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.

On 15 December 2014, Council resolved to prepare a site specific development control plan for the White City site. A draft site specific DCP was prepared but the exhibition of the draft DCP was deferred by Council on 9 February 2015 pending a resolution of the heritage listing planning proposal.

Therefore, the former White City DCP 2007 and the draft site specific DCP are not relevant considerations 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.

4. STATUTORY CONTEXT

4.1 The Environmental Planning and Assessment Act 1979

Section 5 - Objects of the Act

The objects of the *Environmental Planning and Assessment Act 1979* include:

- (a) *to encourage:*
- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) *the protection, provision and co-ordination of communication and utility services,*
- (iv) *the provision of land for public purposes,*
- (v) *the provision and co-ordination of community services and facilities, and*
- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) *ecologically sustainable development, and*
- (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The proposal complies with objects a(ii) and a(vii) as the proposal promotes the orderly and economic use and future development of the site for a recreation facility and associated ancillary uses. Further, the heritage interpretation strategies are consistent with the Ecologically Sustainable Development (ESD) principles.

Section 79C – Matters for Consideration

The relevant matters for consideration under Section 79C 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

These matters are addressed in this assessment report.

Section 91 - Integrated Development

The redevelopment of the site will require de-watering associated with the excavation works and is therefore ‘integrated development’ pursuant to Section 91 of the *Environmental Planning and Assessment Act 1979* as dewatering requires the approval of the NSW Office of Water under Section 91 of the *Water Management Act 2000*.

The relevant public authorities have been consulted about the proposed development (Section 5.2).

It is noted that the proposal does not seek consent for physical works. Any future development application(s) that meet the provisions of integrated development will also be considered under the relevant provisions.

Section 83B - Staged Development

Section 83B of the *Environmental Planning and Assessment Act 1979* provides as follows:

- (1) *For the purposes of this Act, a staged development application is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications. The application may set out detailed proposals for the first stage of development.*
- (2) *A development application is not to be treated as a staged development application unless the applicant requests it to be treated as a staged development application.*
- (3) *If consent is granted on the determination of a staged development application, the consent does not authorise the carrying out of development on any part of the site concerned unless:*
 - (a) *consent is subsequently granted to carry out development on that part of the site following a further development application in respect of that part of the site, or*
 - (b) *the staged development application also provided the requisite details of the development on that part of the site and consent is granted for that first stage of development without the need for further consent.*
- (4) *The terms of a consent granted on the determination of a staged development application are to reflect the operation of subsection (3).*

This development application seeks consent for a concept proposal which comprises of:

- The location and height (footprint and envelope) of the proposed buildings.
- The indicative uses.
- The Heritage Interpretation Strategy.

Therefore in accordance with Section 83B of the *Environmental Planning and Assessment Act 1979*, the development assessment is only considering 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. Future development application(s) will be made containing detailed proposals.

4.2 Environmental Planning Instruments

4.2.1. 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 the ‘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 proposed development is not considered to be a recreation facility (major) as it is not anticipated to be attended by large numbers of people as would be the case in purpose built sports stadiums. Therefore the proposed development is not State Significant Development.

4.2.2. State Environmental Planning Policy (Infrastructure) 2007

The aim of SEPP (Infrastructure) 2007 is to facilitate the effective delivery of infrastructure across the 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 that has parking for more than 200 vehicles. Therefore, under Schedule 3, the proposal is considered to be a traffic generating development.

The relevant public authorities have been consulted about the proposed development (refer to Section 5.2).

4.2.3. 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 proposal was supported by a Phase 2 Detailed Site Investigation Report, prepared by Douglas Partners, dated 1 September 2015. The report finds that the proposed uses are generally consistent

with the existing and historical uses on the site. The contaminated fill that is left in situ would minimise ecological and environmental disturbance. The fill that is required to be removed due to excavation and landscaping works must be undertaken in an appropriate manner.

Council's Environmental Health Officer has reviewed the proposal and considers the proposal acceptable.

In accordance with the recommendations of the Phase 2 Detailed Site Investigation report, **Condition B18** is recommended requiring that the following matters be addressed in future development application(s):

- Soil should be left in-situ where possible to minimise ecological and environmental disturbance.
- 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.
- New planting on the site shall be in raised containers or the soil removed and replaced.
- 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.

The proposal is therefore considered acceptable with regard to SEPP 55.

4.2.4. Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The land is within the Sydney Harbour Catchment but is outside the Foreshores and Waterways Area and therefore there are no specific matters for consideration.

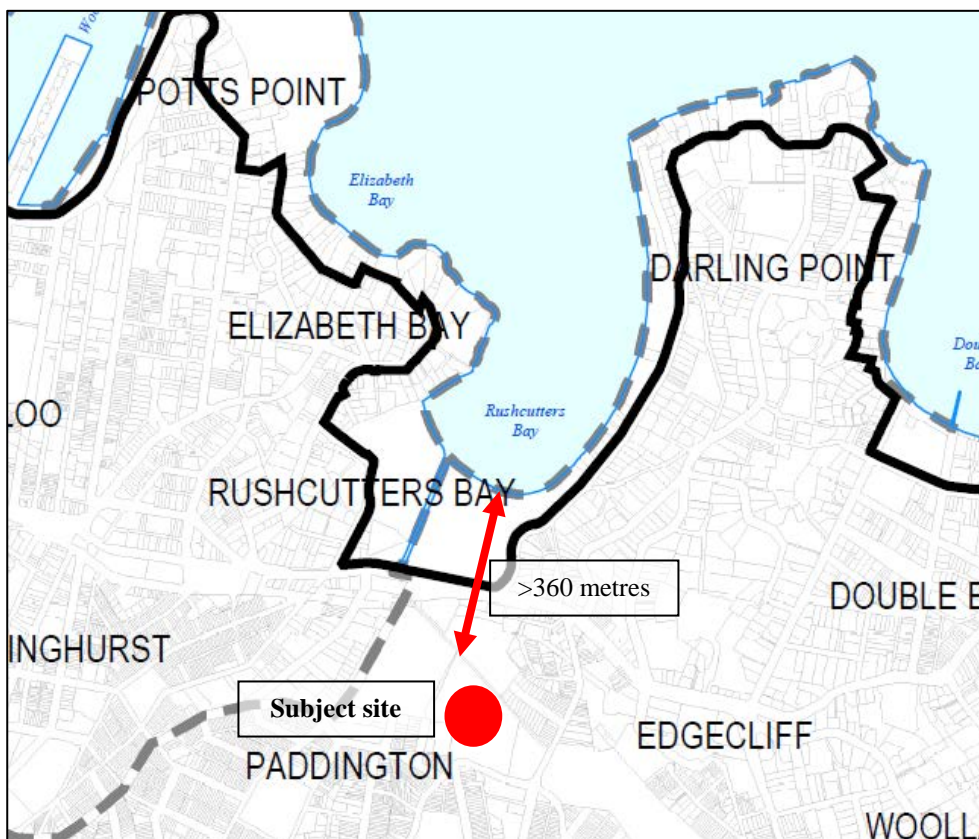


Figure 6: SREP Foreshore and Waterways Area Boundary

The proposal is consistent with the relevant planning principles for development within the Sydney Harbour Catchment, under Clause 13 of the SREP as the proposed development will not have any significant adverse impact or contribute to unacceptable cumulative impacts on the Sydney Harbour Catchment. The proposed development will not adversely 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 measures demonstrating management of environmental impacts associated with the development (erosion, sediment control, acid sulphate soils and stormwater) are required to be satisfied under future development application(s).

Clause 25 in relation to the scenic quality of the foreshores and waterways is not relevant as the site is not located within the SREP Foreshore and Waterways Area boundary (Figure 6).

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 over 360 metres from the Harbour and foreshore area and will not be 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.

The proposal is therefore considered acceptable with regard to SREP (Sydney Harbour Catchment) 2005.

4.3 Woollahra Local Environmental Plan 2014

4.3.1. Part 1.2: Aims of Plan

The proposal is consistent with the aims in Part 1.2(2) of the Woollahra LEP 2014 in the following ways:

- (a) *to ensure that growth occurs in a planned and co-ordinated way*
- The proposal will ensure that growth occurs in a planned and co-ordinated way. The site layout and building envelopes are a contextual fit, the indicative uses are permissible and the Heritage Interpretation Strategy ensures that the heritage significance of the White City site is incorporated into the proposal.

(f) to conserve built and natural environmental heritage

- The proposal will conserve the built and natural environmental heritage of White City as outlined in the Conservation Management Plan and Heritage Interpretation Strategy. The proposal maintains the historical link with tennis sport and sporting activities in general by providing new recreational activities and improving the amenities for the economic use of the property.

(j) to promote a high standard of design in the private and public domain

- The proposal will promote a high standard of design in the private and public domain as it will enhance the Glenmore Road streetscape and preserve and enhance important public views. **Conditions B2, B3, B4 and B6** will ensure that design excellence, pedestrian networks, landscaping and streetscape are appropriately addressed in future development application(s).

(k) to minimise and manage traffic and parking impacts

- The proposal will appropriately manage traffic impacts subject to **Conditions B13 and B14** which require a transport management plan and infrastructure works.
- The proposal will minimise parking impacts subject to **Condition B11** which requires future development application(s) to include adequate on-site car parking.

(l) to ensure development achieves the desired future character of the area

- The proposal will achieve the desired future character of the Paddington Heritage Conservation Area as it recognises and interprets the heritage significance of the White City site, will improve the streetscape presentation of Glenmore Road and will preserve and enhance important public views (refer to Section 6.2).

4.3.2. Land Use Table

The proposal is defined as the following uses:

- Child care centre.
- Recreation facility (indoor).
- Recreation facility (outdoor).
- Registered club.
- Community facilities.
- Café.

Schedule 1(4) additional Permitted Uses for 30 Alma Street also allows for the following:

“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 building envelope for the proposed café is of a scale that is considered ancillary to the recreation facilities on the site.

The proposed uses are permitted with consent and are consistent with the objectives of the RE2 Private Recreation zone and Part 1(4) of Woollahra LEP 2014.

4.3.3. 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 7) and provides additional provisions for the subject site allowing for a greater height of 11.5m for development on part of the land to the west of the centre courts (Figure 8).



Figure 7: Woollahra LEP 2014 Height Map – ‘Area I’

Table 7: Height compliance table

<i>Element</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	9.5m & 11.5m	9.75m	7.75m	NO¹
Sports building	15.8m	9.5m & 11.5m	6.3m	4.3m	NO¹
Cafe	8.58m	9.5m	N/A	N/A	YES

¹ Clause 4.6 variation request submitted

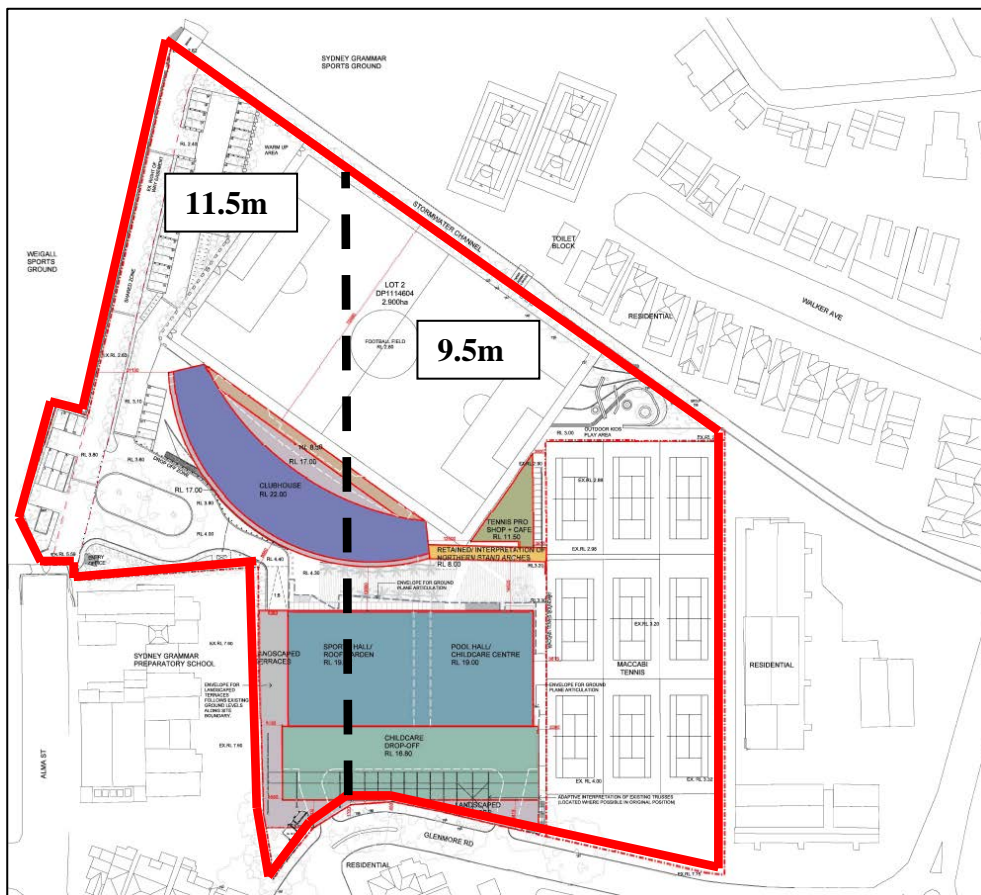


Figure 8: Proposed building envelopes in relation to height development standards

The proposal does not comply with the building height development standards of Clause 4.3 and Clause 4.3B of the Woollahra LEP 2014 as detailed and assessed in Section 4.3.4 below.

4.3.4. Part 4.6: Exceptions to Development Standards

Departure

The proposal involves non-compliances with the following development standards of the Woollahra LEP 2014:

- Clause 4.3 Height of building; and
- Clause 4.3B Exceptions to building heights (Area I – White City Tennis Club).

Table 8: Extent of variations to height development standards

LEP Clause	Development Standard	Element	Departure from Development Standard
Clause 4.3	Height of building	Clubhouse	9.75m (103%) over the maximum building height development standard of 9.5m.
		Sports building	6.3m (66%) over the maximum building height development standard of 9.5m.
Clause 4.3(b)	Exceptions to building heights (Area I—White City Tennis Club)	Clubhouse	7.75m (67%) over the maximum building height development standard of 11.5m.
		Sports building	4.3m (37%) over the maximum building height development standard of 11.5m.

Purpose

Clause 4.6 allows a contravention of a development standard with the objectives being to allow an appropriate degree of flexibility in applying certain development standards to particular development and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Written Request

Clause 4.6(3) stipulates that a written request is required from the applicant that justifies the contravention of the development standard by demonstrating that compliance with it is unreasonable or unnecessary and there are sufficient environmental planning grounds to justify the contravention.

The applicant has provided written requests in relation to the departures (Annexure 13). A summary of the reasons put forward for variations of the development standards are provided below:

- **Balance between building footprints and open space.** There are many areas of the site (e.g. Glenmore Road frontage) where there are no building envelopes proposed even though the height control would allow for structures in these locations. The building footprints have been minimised and concentrated to achieve larger open space areas on the site and to maintain flood storage capacity.
- **Variation in topography.** The building envelopes are located on the low parts (valley floor) of the site rather than the high parts (i.e. top of embankments) where a compliant height (measured from the existing ground level) would have greater impacts. The variation in topography to adjoining sites has also been considered. A complying building on the adjacent Grammar School site would be 4 to 5 metres higher than a development on the subject site due to the variations in site topography.
- **Streetscape presentation.** The proposed building envelopes achieve a better streetscape presentation to Glenmore Road. The existing metal sheeting (visible from Glenmore Road) will be removed, views across the site will be improved and the building envelope (sports building) will present as one storey above the street level.
- **Views.** The proposed building envelopes achieve better view sharing compared to the existing situation.
- **Amenity impacts.** The proposed building envelopes will not result in adverse overshadowing or privacy impacts to adjacent sites. The minimal amount of overshadowing of the north-eastern corner of the playground of Sydney Grammar is reasonable.
- **Relationship to surrounding development.** The relationship of the existing and proposed heights (in terms of RLs) of the surrounding buildings (refer to Figures 9 & 10). The proposed development is compatible with the context.

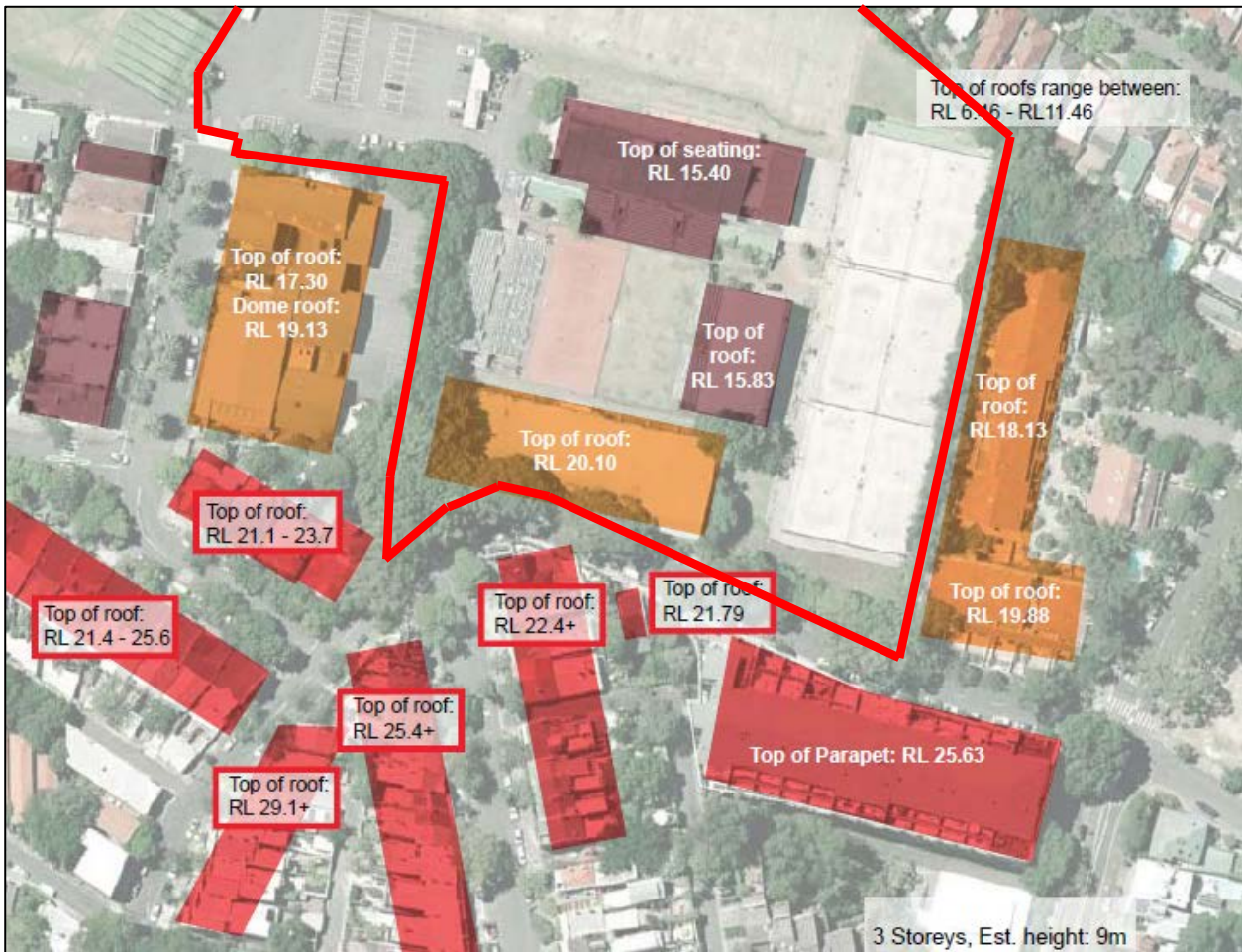


Figure 9: Existing heights on the subject site in relation to adjacent developments (provided by Applicant)

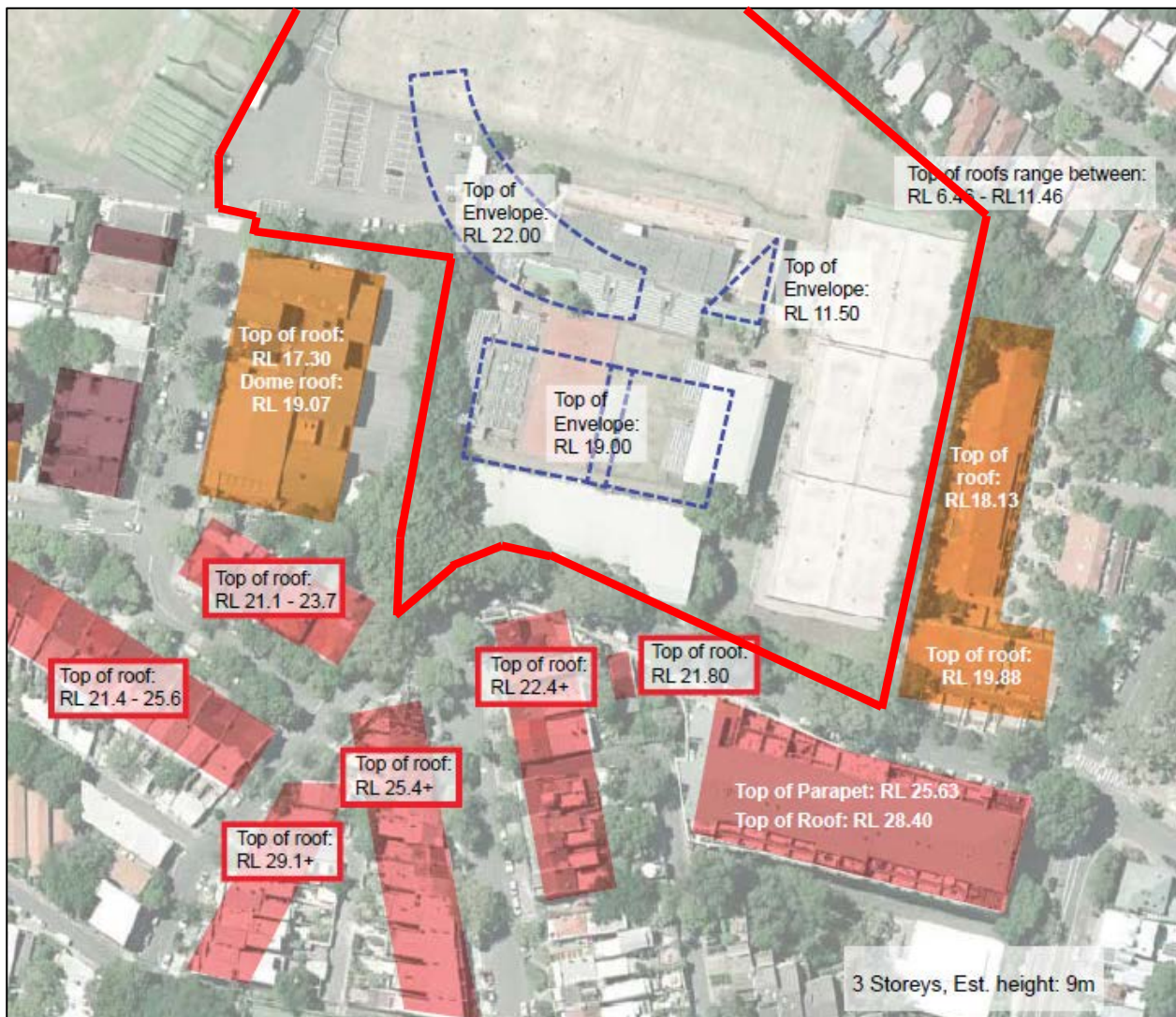


Figure 10: Proposed heights on the subject site in relation to adjacent development (provided by Applicant)

Assessment

Clause 4.6(4) requires Council to be satisfied that the written request has adequately addressed the relevant matters, the proposed development will be in the public interest because it is consistent with the relevant objectives of the particular standards and zone and the concurrence of the Director General has been obtained.

The applicant's written request has addressed the relevant matters.

An assessment considering the Applicants written request is provided below.

Clause 4.3 Height of building (9.5m height standard applicable to the whole site)

Assessment against the objectives of Clause 4.3 building height (9.5m) development standard:

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

Applicant's submission: *“Due to the topography of the site and surrounds and the fact that the subject site is significantly lower than the adjacent Sydney Grammar site, the height control does not result in a consistency of scale within the neighbourhood. The proposed heights of the building envelopes are commensurate with the heights of the adjacent Sydney Grammar building to the west and the residential flat building to the east and therefore satisfy the objective of the height control to achieve building heights which are consistent with the character of the neighbourhood”.*

Planning assessment: The proposed building envelopes are considered to be compatible with existing surrounding development and consistent with the desired future character for the Paddington Heritage Conservation which is set out in the Woollahra DCP 2015 (refer to Section 6.2). The proposed building envelopes will preserve and enhance key views from the public domain (refer to Section 6.9). The proposed building envelopes are a contextual fit for the site. The proposal respects the significant physical elements of White City that contribute to the character area. The proposal achieves consistency with objective (a).

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

Applicant's submission: *“The subject site has the same height control as the adjacent residential zones to the north and the west as well as the SP2 Special Use zone to the west for Sydney Grammar. The eastern adjoining site has a higher height of 13.5 metres to reflect the higher density residential zone. The proposed development provides a transition in scale in that whilst the height control applies across the entire site, the building envelopes are setback a significant distance from the northern boundary in particular and the lower scale of the residential dwellings in Walker Avenue. Accordingly, the distribution of building envelopes on the site ensures that an appropriate transition is achieved to the lower scale Walker Avenue dwellings notwithstanding the proposed height variation”.*

Planning assessment: The proposed building heights are considered to be compatible with and provide a transition to the existing surrounding development in adjacent zones. The proposed building heights (Clubhouse RL 22.0, sports building RL 19.0 and café RL 11.5 AHD) relate to the surrounding building heights (Table 9). The building footprints are sited away from the residential developments on adjacent lands with large open areas (tennis courts, football field and playground) which provide separation and also offset the height of the buildings. The proposed building heights will have no adverse impacts on residential amenity (refer to Section 6.11). The proposal will maintain an appropriate transition in scale between zones and will achieve consistency with objective (b).

Table 9: Height of surrounding development

Surrounding development	Height
West: Sydney Grammar School	RL 17.3 – 19.13 AHD
East: 400 Glenmore Road	RL 18.13 – 19.88 AHD
South: Residential and mixed use developments along Glenmore Road	RL 21.1 – 25.63 AHD

Note: the existing building heights on the subject site range between RL 15.4 to 20.1 AHD

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

Applicant's submission: *"The proposed building envelopes are located on the southern side of the site such that the proposed variation to the height control does not result in any significant overshadowing impacts. The proposal results in some minor shadow to a corner of the playground of Sydney Grammar early in the morning on 21 June, however, this shadow is removed by mid-morning. There is no shadow impact from the proposal to any residential properties".*

Planning assessment: The proposal will not result in any loss of solar access to any residential properties or the public domain. The proposal will result in minor overshadowing impacts to the playground area on the Sydney Grammar School site. The extent of overshadowing is, on balance, considered acceptable (refer to Section 6.10). The proposal will achieve consistency with objective (c).

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

Applicant's submission: *"The proposed development will actually increase views across the site from Glenmore Road in comparison to the existing situation. Due to the distance of the proposed building envelopes from adjacent residential properties, the proposal does not result in any adverse visual privacy impacts. The proposal does not result in any unreasonable shadow impacts as discussed above".*

Planning assessment: The proposal will not result in any overshadowing to adjoining or nearby residential properties. Amenity impacts in terms of privacy and visual intrusion have been satisfactorily addressed by providing suitable separation distances and setbacks. These impacts will be adequately managed in future development application(s). The proposed building envelopes have an acceptable outcome in terms of view sharing (refer to Section 6.9). The proposal will achieve consistency with objective (d).

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

Applicant's submission: *"The amenity of the public domain is significantly enhanced as a result of the proposal which will remove the existing metal sheeting which presents to Glenmore Road and replace it with an active streetscape and presence to the street. The proposal will significantly improve views across the site from Glenmore Road".*

Planning assessment: Key views relate to the open valley floor. The most significant views are from Glenmore Road and the Alma Street entry. These key views will be retained and enhanced. Less significant views also exist from New South Head Road and Neild Avenue. These views will not be adversely impacted. The proposed building envelopes have an acceptable outcome in terms of public views (refer to Section 6.9). The detailed design of the proposal, including streetscape presentation and the amenity of the public domain will be addressed under future development application(s). The proposal will achieve consistency with objective (e).

Clause 4.3B Exceptions to building heights (Area I – White City Tennis Club) (11.5m height standard allowing for a height of 11.5m for development on part of the land to the west of the centre courts)

Clause 4.3B provides the following:

4.3B Exceptions to building heights (Area I—White City Tennis Club)

- (1) *The objectives of this clause are as follows:*
- (a) *to retain views from Glenmore Road over certain land surrounding White City Tennis Club,*
 - (b) *to permit a greater maximum building height on part of that land, subject to certain criteria,*
 - (c) *to protect the visual privacy and amenity of nearby residences,*
 - (d) *to conserve and recognise the heritage significance of the existing centre courts.*
- (2) *Despite clause 4.3, the maximum height of a building on the land identified as “Area I” on the Height of Buildings Map is 11.5 metres if:*
- (a) *the building is located on the western side of the centre courts, and*
 - (b) *the consent authority is satisfied that the development does not affect view lines from Glenmore Road, and*
 - (c) *the building maintains the heritage significance of White City Tennis Club.*

Assessment against the provisions of Clause 4.3B(2) building height (11.5m) development standard:

(a) the building is located on the western side of the centre courts

Planning assessment: The subject site is located in ‘Area I – White City Tennis Club’. The proposed building envelopes extend over the western side of the centre courts. This assessment under Clause 4.3B has been undertaken for the parts of the buildings located on the western side of the centre courts (refer to assessment below). Therefore, the proposal satisfies criteria (a).

An assessment of the remaining structures under Clause 4.3 has also been undertaken.

(b) the consent authority is satisfied that the development does not affect view lines from Glenmore Road

Planning assessment: The proposal meets the criteria (b) as the development does not adversely affect view lines from Glenmore Road (refer to Section 6.9).

(c) the building maintains the heritage significance of White City Tennis Club

Planning assessment: The proposal meets criteria (c) as the proposal will interpret the heritage significance of the site. This is reflected in the Heritage Interpretation Strategy (refer to Section 6.7).

The proposal is considered to satisfy Clause 4.3B(2). Therefore, an assessment against the objectives of Clause 4.3(1) has been undertaken below.

Assessment against the objectives of Clause 4.3B(1) building height (11.5m) development standard:

(a) to retain views from Glenmore Road over certain land surrounding White City Tennis Club

Applicant's submission: *"The proposal will remove the existing metal sheeting which presents to Glenmore Road and replace it with an active streetscape and presence to the street. The proposal will significantly improve views across the site from Glenmore Road".*

Planning assessment: Significant public views from Glenmore Road will be preserved and enhanced (refer to Section 6.9). Increasing the number of tennis courts on the eastern side of the site (from 6 to 9 courts) will maintain an important view corridor from Glenmore Road to the north and north-west across the open valley floor. The sports hall building envelope will also improve views by setting the built form back from Glenmore Road and lowering the height (RL 19.0 AHD is proposed to replace the existing RL 20.1 AHD). The proposal will achieve consistency with objective (a).

(b) to permit a greater maximum building height on part of that land, subject to certain criteria

Applicant's submission: *"The proposal meets the criteria under Clause 4.3B(2) in that the development does not adversely affect view lines from Glenmore Road and the proposed development will preserve and respect the heritage significance of White City Tennis Club. Accordingly, the 11.5 metre height control applies to the area of the site which is located to the west of the existing Centre Court".*

Planning assessment: The proposal will achieve consistency with objective (b). Refer to assessment under the provisions of Clause 4.3B(2) above.

(c) to protect the visual privacy and amenity of nearby residences

Applicant's submission: *"Due to the distance of the proposed building envelopes from adjacent residential properties, the proposal does not result in any adverse privacy impacts".*

Planning assessment: The proposal will maintain an acceptable level of visual privacy to nearby residences (refer to Section 6.11). The proposal does not result in any shadow impacts to nearby residential properties (refer to Section 6.10). The proposal has an acceptable outcome in terms of view sharing with nearby residences (refer to Section 6.9). The proposal will achieve consistency with objective (c).

(d) to conserve and recognise the heritage significance of the existing Centre Courts

Applicant's submission: *"The development maintains and celebrates the heritage significance of White City Tennis Club as illustrated in the Heritage Interpretation Strategy which accompanies this application".*

Planning assessment: The proposal involves the demolition of the existing Centre Courts. However, the proposed Heritage Interpretation Strategy recognises the heritage significance of the existing Centre Courts and provides interpretation strategies that retain key elements (including some of the original grandstand trusses) and other strategies that interpret the former use and form of the Centre Courts. The proposal will achieve consistency with objective (d).

The objectives of the RE2 Private Recreation zone

- ***To enable land to be used for private open space or recreational purposes.***

Planning assessment: The proposed use of the site for a child care centre; recreation facility (indoor); recreation facility (outdoor); registered club; community facilities and ancillary café are permitted with consent in the RE2 Private Recreation zone. The proposal achieves consistency with this objective.

- ***To provide a range of recreational settings and activities and compatible land uses.***

Planning assessment: The proposal includes a range of recreational activities and compatible land uses that will contribute to a vibrant multi-purpose facility. The proposal achieves consistency with this objective.

- ***To protect and enhance the natural environment for recreational purposes.***

Planning assessment: The proposed building envelopes are sufficiently setback from the stormwater channel to maintain the open valley floor character of the existing site. Whilst the proposal will require removal of the majority of trees on the site, it is considered that a suitable landscape strategy that recognises the special landscape character of the valley floor area can be incorporated as part of future development application(s). The proposal achieves consistency with this objective.

Compliance with the development standard is unreasonable or unnecessary

The assessment of whether compliance with the standards is unreasonable or unnecessary in the circumstances of the case has adopted what is considered the most appropriate of the five alternate ways that can be founded according to *Wehbe v Pittwater Council* [2007] NSW LEC 827 ie, that the objectives of the standard are achieved notwithstanding the non-compliance with the standard.

Based on the analysis set out above, the objectives of the standards and the objectives of the zone are met by the proposal even though it contravenes the height development standards and therefore strict compliance with the standard is considered unreasonable and unnecessary in the circumstances of the case.

Environmental planning grounds which justify the contravention of the standard

In having regard to this consideration, it is not sufficient to support a variation to a development standard by merely pointing to an absence of environment harm (*Hooker Corporation Pty Ltd v Hornsby Shire Council* [1986] 130 LGERA 438; *Memel Holdings Pty Ltd v Pittwater Council* [2000] NSWLEC 106; *Winten Property Group Ltd v North Sydney Council* [2001] NSW LEC 46). Therefore it is necessary to demonstrate that the public interest is satisfied in the circumstances of the case.

In this regard, the applicant's written submission has demonstrated consistency with the objectives of the development standards. The design of the proposal is a contextual fit and responds to the heights of the surrounding development. The proposal incorporates large open space areas that will achieve a good outcome in terms of public views across the site. The proposal responds to the site topography and respects the significant physical elements of White City that contribute to the character area. It is considered that there will be no significant adverse environmental impacts

upon adjoining properties or the public domain and that the proposal is considered to be in the public interest (refer to Section 6.16).

Concurrence of the Director General

According to Clause 64 of the *Environmental Planning and Assessment Regulation 2000*, where the Council's standard LEPs includes Clause 4.6-Exceptions to Development Standards, the Director General's [Secretary's] concurrence can be assumed subject to the Council being notified by the Director General [Secretary] of such. On 9 May 2008 the Department of Planning issued a Planning Circular (no PS08 – 003) notifying councils that they may assume the Director General's [Secretary's] concurrence under environmental planning instruments that adopt clause 4.6(4)(b).

Conclusion

The applicant's written request has adequately addressed the relevant matters.

The Clause 4.6 variation requests are considered to be well founded as the proposal demonstrates the following:

- The objectives of the Clause 4.3 Height of buildings development standard have been satisfied, notwithstanding the variation;
- The objectives of the Clause 4.3B Exceptions to building heights (Area I – White City Tennis Club) have been satisfied, notwithstanding the variation;
- The objectives of the RE2 Private Recreation zone have been satisfied;
- Strict compliance with the height of building development standards would be unreasonable and unnecessary in the circumstances of this development;
- There are sufficient environmental planning grounds to justify the proposed variation;
- It is considered reasonable and appropriate to vary the height of buildings development standard to the extent proposed;
- The proposed development is in the public interest and there is no public benefit in maintaining the standard in this instance;
- The proposed variation will not hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the *Environmental Planning & Assessment Act 1979*; and
- The contravention does not raise any matter of State or Regional Significance.

The proposal is in the public interest and consistent with the objectives of the building height development standard (Clause 4.3) and the site specific building height objectives (Clause 4.3B) of the Woollahra LEP 2014. The departures from these controls are supported.

4.3.5. Part 5.9: Preservation of Trees or Vegetation

The objective of Part 5.9 is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.

The proposal involves the removal of 69 of the 85 trees on the subject site to accommodate the new buildings and associated infrastructure.

An Arboricultural Impact Assessment, prepared by Tree IQ, dated 1 September 2015 was submitted with the application.

Whilst the proposal requires the removal of a significant proportion of vegetation on the site, it is considered that a suitable landscape scheme could be provided detailing transplanting and/ or replacement planting that would preserve the amenity and open valley landscape character of the White City site.

The proposal seeks consent for building envelopes and indicative uses and does not involve any physical works. **Condition B6** is recommended to require that a suitable Landscape Plan be included as part of any future development application(s). This landscape plan will be required to comply with the approved Conservation Management Plan that includes conservation strategies for the landscaping of the site.

The proposal is acceptable in terms of Part 5.9.

4.3.6. Part 5.10: Heritage Conservation

The subject site is not listed as a heritage item but is located in the Paddington Heritage Conservation Area. White City is considered to possess cultural and heritage significance.

The site is located within close proximity to locally listed 7 Canary Island Date Palms located along Alma Street.

The objectives of Part 5.10 are:

- (a) *to conserve the environmental heritage of Woollahra*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views*
- (c) *to conserve archaeological sites*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance*

A Conservation Management Plan, Heritage Impact Statement and Heritage Interpretation Strategy prepared by Urbis and GSA Group were submitted with the development application. A Peer Review of these documents prepared by Graham Brooks and Associates was also submitted with the development application.

The CMP identifies that the heritage significance of White City should be guided by the conservation strategies that include the following:

- Provide a sense of arena through adaptation.
- Interpret the Centre Courts as the former focus of the White City Tennis complex both in form and content.
- Preserve the playing of tennis on the site.
- Conserve identified significant fabric in-situ or in an appropriate location.
- The open spaces as part of the unified character of the area should be conserved. Grass courts should be retained as part of that open space.
- Significant views within and to the site should be retained.
- Landscaping to respect the significance of the open flatland nature of the area.

The proposal includes a Heritage Interpretation Strategy which incorporates the above matters in the following ways:

- The continuous use of the site as a sporting venue;

- The incorporation of interpretative features into the design;
- Integration of part of existing building structures into the new proposed buildings and landscapes (steel trusses and Northern Stand arches);
- Integration of artworks and historic photography interpreting the history and evolution of the White City;
- Integration of site features dating from the White City Amusement Park period into the playground area;
- The creation of a Museum Walk integrating movable heritage items and memorabilia;
- The installation and planning of interpretative markers to be located near the Museum Walk and at the Glenmore Road entrance.
- Integration of new landscape items such as an avenue of palm trees that references the adjacent heritage listed Canary island Date Palms planted along Alma Street;
- Transmission of a sense of arena through adaptation of existing structures; and
- Building positioning as to maintain significant views and distance from the Creek to retain the open valley floor character of the existing site

Council commissioned an independent heritage consultant (City Plan Heritage) to review the CMP and Heritage Interpretation Strategy. The review concludes that the proposal is acceptable and that the following matters are required to be addressed in future development application(s):

- **Condition B1** – requiring a degree of transparency to the clubhouse building to achieve views across the valley floor from the Alma Street entry.
- **Condition B5** – White City to be managed and operated as one facility.
- **Condition B8** – requiring compliance with the Conservation Management Plan and Heritage Interpretation Strategy.
- **Condition B9** – requiring a more detailed interpretation strategy addressing specific matters.
- **Condition B10** – photographic archival recording of the whole site.

The independent heritage report concludes that the proposal will have no adverse impact on the heritage significance of the Paddington Heritage Conservation Area and the heritage significance of the 7 Canary Date Palms in Alma Street.

The proposal will maintain the most significant aspect of the site which is its provision and association with sporting facilities, in particular tennis. The impact of the proposal on the currently recognised contributory values of the site within the conservation area is negligible.

The proposal is acceptable in terms of Part 5.10.

4.3.7. 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 the development application. The report identifies that some disturbance to ASS is expected due to excavation and piling works.

The proposal seeks consent for building envelopes and indicative uses and does not involve any physical works. **Condition B22** requires an Acid Sulphate Soil Assessment and Management Plan to be submitted as part of future development application(s).

The proposal is acceptable in terms of Part 6.1.

4.3.8. 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 proposal seeks consent for building envelopes and indicative uses and does not involve any physical works. Notwithstanding this, a Geotechnical Investigation, prepared by Douglas Partners, dated January 2015, was submitted with the proposal and addresses the proposed earthworks, dewatering, retaining walls and foundations. The proposed earthworks are up to a depth of 10 to 12 metres on the southern side of the site and 1.5 to 2 metres on the western side of the site.

The excavation setbacks to the site boundaries and the proposed landscaping above are matters that require a more detailed assessment as part of future development application(s).

The extent of proposed excavation required to accommodate the proposed building envelopes is unlikely to have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding lands.

Condition B22 requires excavation impacts and mitigation measures to be addressed in more detail in future development application(s).

The proposal is considered acceptable in terms of Part 6.2.

4.3.9. Part 6.3: Flood Planning

Clause 6.2 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 development application. The report includes recommendations, including minimum floor levels, to minimise flood risk.

The proposal seeks consent for building envelopes and indicative uses and does not involve any physical works. The placement of building envelopes is considered satisfactory. **Conditions B15 & B16** requires the more detailed elements of the stormwater design and flood mitigation to be addressed as part of any future development application(s).

The proposal is considered acceptable in terms of Part 6.3.

4.4 Ecologically Sustainable Development

The Act adopts the definition of Ecologically Sustainable Development (ESD) found in the Protection of the *Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle.*
- (b) *inter-generational equity.*
- (c) *conservation of biological diversity and ecological integrity.*
- (d) *improved valuation, pricing and incentive mechanisms.*

Council has assessed the proposed development in relation to the ESD principles and has made the following conclusions:

- **Precautionary principle** – the site has been appropriately planned for development and will not result in any serious or irreversible environmental damage.
- **Inter-generational equity** – the proposal will not have adverse impacts on the environment and will assist in maintaining the environment and heritage values of the site for future generations.
- **Biodiversity principle** – the site is located in a highly urbanised area and the project would not disturb any significant flora or fauna.
- **Valuation principle** – the proposal includes a number of mitigations to reduce environmental impacts. More detailed mitigation measures would be addressed under future development application(s) (e.g. waste management).

Future applications will be required to demonstrate that ESD principles have been incorporated into the detailed design,

5. CONSULTATION AND SUBMISSIONS

5.1 Advertising and Notification

The application was advertised and notified from 23 September to 22 October 2015 (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 22 October 2015 declaring that the site notice for DA438/2015/1 was erected and maintained during the notification period in accordance with Chapter A2.3.5 of the Woollahra DCP 2015.

5.2 Public Authority Submissions

A total of four (4) submissions were received from public authorities. The issues raised by public authorities are summarised in Table 9 below and/ or by way of a recommended condition in the instrument of consent in Section 9.

Table 10: Summary of public authority submissions

NSW Roads and Maritime Services – Transport

Annexure 9

RMS raises no objection to the application.

NSW Department of Primary Industries – Water

Annexure 10

The proposed development is deemed to be an aquifer inference activity requiring authorisation under water management legislation. General terms of approval are recommended.

These conditions would be addressed in future applications.

Sydney Trains

Annexure 11

A condition is recommended requiring the applicant to undertake a services search to identify any rail services (pipes or cables) which may be impacted.

This condition would be addressed in future applications.

A condition is recommended requiring an Electrolysis Risk Report addressing stray currents and that the building design includes measures to control that risk.

This matter would be addressed in future applications.

Sydney Water

Annexure 12

A Section 73 Certificate under the Sydney Water Act must be obtained prior to the issue of an Occupation Certificate.

This condition would be addressed in future applications (refer to **Condition B17**).

A condition is recommended requiring Building Plan Approval for any Sydney Water assets (sewer, water mains, easements) which may be impacted.

This condition would be addressed in future applications (refer to **Condition B17**).

5.3 Submissions

Submissions objecting to the proposal were received from:

1. Charles Adams, 36 Cambridge Street PADDINGTON
2. Caroline Africh, 16 Cambridge Street PADDINGTON
3. Tim Blake, 40 Lawson Street PADDINGTON
4. Justin Bowra & Stella McGinn, 28 Cambridge Street PADDINGTON
5. Richard Broinowski, Owner's Corporation, 400 Glenmore Road PADDINGTON
6. Peter (Joe) Brown, The Journey Masters, 74 Paddington Street PADDINGTON
7. Brad Campbell, Sydney Grammar School, College Street DARLINGHURST
8. Ruth Carr, 63 Cambridge Street PADDINGTON
9. Robert Chambers , BBC Consulting Planners, obo Sydney Grammar School PADDINGTON
10. Tony Connelly, 22 Lawson Street PADDINGTON
11. Stuart Crawford, Glenmore Road Public School, Cambridge Street PADDINGTON
12. Kevin & Katie Curran, 44 Cambridge Street PADDINGTON
13. Lloyd Davies, 20 Gurner Street PADDINGTON
14. John Davies, 8 Alma Street PADDINGTON
15. Genevieve & Ilan Dekell, 73 Goodhope Street PADDINGTON
16. Geoff & Sandra Denman, 10 Lawson Street PADDINGTON
17. Flora J Dixon, 41/400 Glenmore Road PADDINGTON
18. G C Docking, 69 Cambridge Street PADDINGTON
19. James & Victoria Dolton, 52 Cambridge Street PADDINGTON
20. Anna Durbin, 30 Cambridge Street PADDINGTON
21. Mark Evans & Kate Moses, 104 Lawson Street PADDINGTON

22. Kate Ferguson, 12 Alma Street PADDINGTON
23. Emma Finn, 48 Cambridge Street PADDINGTON
24. Alex Greenwich, Independent Member for Sydney, 58 Oxford Street PADDINGTON
25. Richard Hale & Tania Noonan, 44 Lawson Street PADDINGTON
26. Jo Hargroves-Talbot, 86 Lawson Street PADDINGTON
27. Peter Hiom & Elizabeth Daley, 317/357 Glenmore Road PADDINGTON
28. Judith Horton, 420 Glenmore Road EDGECLIFF
29. Anthony Howley, 79 Cambridge Street PADDINGTON
30. Keri Huxley, 34 Paddington Street PADDINGTON
31. Frank Ingui, 12 Lawson Street PADDINGTON
32. Lisa Kinahan, 302 Glenmore Road PADDINGTON
33. Catrina Lake, 81 Cambridge Street PADDINGTON
34. Anna Lennon-Smith, 6 Lawson Street PADDINGTON
35. Robert & Victoria Licon, 24 Lawson Street PADDINGTON
36. Bette Liu & Luke Bromilow, 45 Cambridge Street PADDINGTON
37. Nigel Lowry & Nicole Clisdell, 26 Cambridge Street PADDINGTON
38. Charles Lynam, 77 Goodhope Street PADDINGTON
39. Wendy Mackay, 23 Cambridge Street PADDINGTON
40. Robert MacKay, 3 Royston Street PADDINGTON
41. Elizabeth Maher, Address Unknown
42. Julian Martin & Lawson Street Owners, 1 Lawson Street PADDINGTON
43. Dominic Maunsell & Graham Wickes, 430 Glenmore Road EDGECLIFF
44. David May, 402/2 Neild Avenue RUSHCUTTERS BAY
45. Paul Murphy & Pamela Kelly, 267 Glenmore Road PADDINGTON
46. Nader Naderi, 18 Alma Street PADDINGTON
47. James & Rebecca O'Donnell, 46 Cambridge Street PADDINGTON
48. Mario Pamboris, 61 Brown Street PADDINGTON
49. Bill Parker, 13/16 Neild Avenue DARLINGHURST
50. Anne Parker, 506/357 Glenmore Road PADDINGTON
51. George & Olivia Patchett, 90 Lawson Street PADDINGTON
52. Ilias Pavlopoulos & Joanne Bonomo, 30 Lawson Street PADDINGTON
53. Graham Quint, The National Trust of Australia (NSW), Upper Fort Street, Observatory Hill
MILLERS POINT
54. Claire Rasmussen, 8 Walker Avenue EDGECLIFF
55. Hilary Robbins, 28 Lawson Street PADDINGTON
56. Sue Sackar, 2 Lawson Street PADDINGTON
57. Sandra See, 2 Victoria Avenue PADDINGTON
58. Emily See-Winder, 26 Lawson Street PADDINGTON
59. Edward & Juliana Slack, 457 Glenmore Road EDGECLIFF
60. Dominic Stewart, Address Unknown
61. David Stockler, obo 525/357 Glenmore Road PADDINGTON
62. Janne Sutcliffe, 357 Glenmore Road PADDINGTON
63. The Paddington Society, PO Box 99 PADDINGTON
64. Susan & Phaeton Vass, 23 Lawson Street PADDINGTON
65. Stephen Warner, 510/357 Glenmore Road PADDINGTON
66. Richard & Virginia Wood, 14 Walker Avenue EDGECLIFF

Submissions supporting the proposal were received from:

67. Jonny Abrams, 8/400 Glenmore Road PADDINGTON
68. Gil Baron, 21 Carrington Avenue BELLEVUE HILL
69. Adam Blackman, Quantum Partners, Suite 1 Level 1 97 Grafton Street BONDI JUNCTION

70. Ben Einfeld, 3 Cambridge Avenue VAUCLUSE
71. Oliver Franel, 95 Cascade Street PADDINGTON
72. Peter Frankenstein, PO Box 73 DOUBLE BAY
73. Michael Gayst, 3/22 Flinton Street PADDINGTON
74. Michael Green, 16/337 New South Head Road DOUBLE BAY
75. Mark Grynberg, 21 Streatfield Road BELLEVUE HILL
76. David Itzkowic, 4/16 Bundarra Road BELLEVUE HILL
77. Bernie Jacoby, 1/24 Bellevue Road BELLEVUE HILL
78. Stan Kalinko, Address Unknown
79. Debbie Kaplan, 9/61 Liverpool Street PADDINGTON
80. Jeanie Kitchener, 6 Walker Avenue EDGECLIFF
81. Joe Koch, 30/15-19 Boundary Street RUSHCUTTERS BAY
82. Jim Kornmehl, 2/6 O'Sullivan Road ROSE BAY
83. Robert Krochmalik, PO Box 3096 BELLEVUE HILL
84. Mervyn Levin, 10A Annandale Street DARLING POINT
85. Deborah Lewis, 3/14 Darling Point Road DARLING POINT
86. Susie Linder-Pelz, 7/17-23 Cecil Street PADDINGTON
87. Carolyn Linz, 4 Fairweather Street BELLEVUE HILL
88. Gideon & Beata Lipman, 42 Cecil Street PADDINGTON
89. Phil Lipschitz, Address Unknown
90. Russell Lyons, 47 Bulkara Road BELLEVUE HILL
91. Ben Opit, 8/22 Etham Avenue DARLING POINT
92. Rita Opit, 1/1A Eastbourne Road DARLING POINT
93. George Pal, 106 Ebley Street BONDI JUNCTION
94. Jon Pillemer, 4 Pine Hill Avenue DOUBLE BAY
95. Elliot Placks, Ray White Double Bay, 356 New South Head Road DOUBLE BAY
96. Miri Sonnabend, 43 Kambala Road BELLEVUE HILL

Figure 11 below illustrates the key objectors concerns.

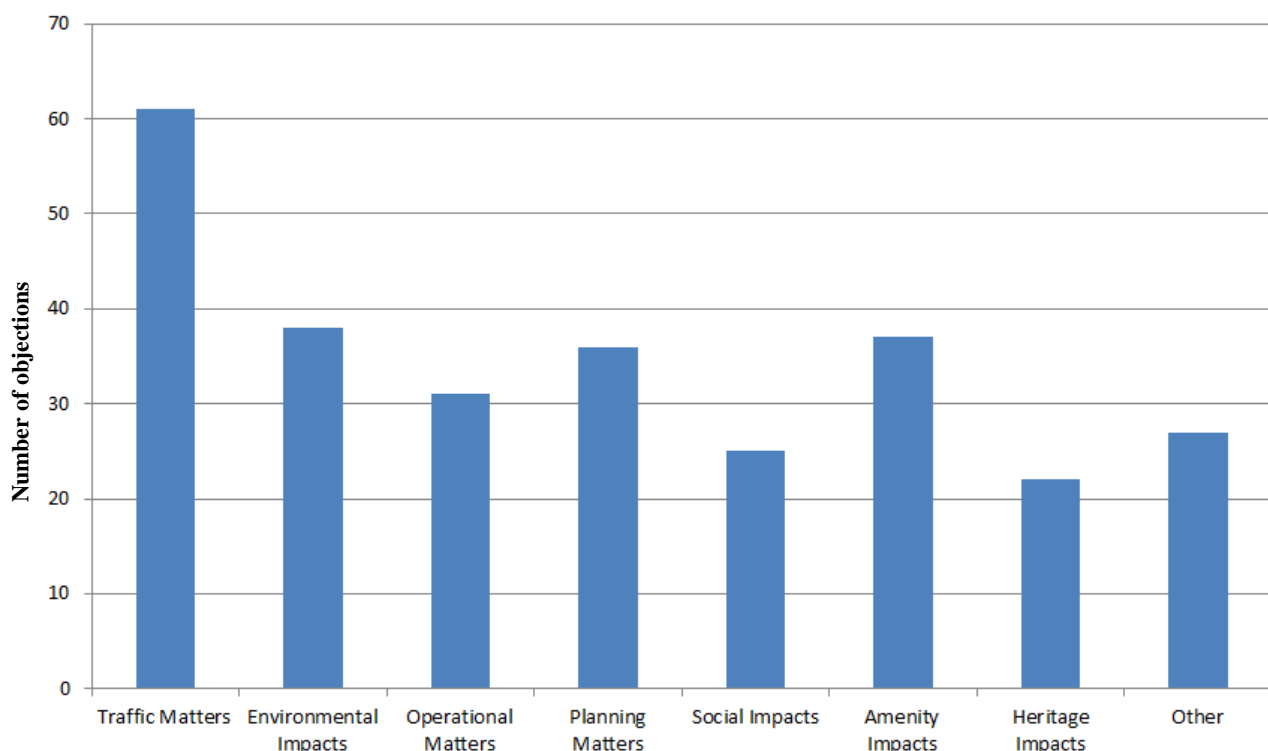


Figure 11: Key objectors' concerns

Table 11: Summary of public submissions

Traffic and parking	
• Vehicle access via New South Head Road should be provided.	Section 6.6
• Glenmore Road access to childcare centre is not supported:	Section 6.6
– Glenmore Road and Cambridge Street intersection (blind corner).	
– The arrangement only caters for east-bound traffic resulting in west-bound traffic doing illegal u-turns.	
– Narrowness of Glenmore Road.	
– Traffic impacts – existing traffic worsened (use of Glenmore Road as a ‘rat-run’).	
– Pedestrian safety of new driveway crossings close to Glenmore Road Public School and Sydney Grammar School.	
• Insufficient car parking:	Section 6.6
– Errors in the parking calculations (likely demand is 344 vehicles, 74 vehicles above the proposed 270 spaces – review by McLaren Traffic Engineering).	
– No assessment of peak event management – the proposal has capacity to host sporting events up to 500 people.	
– The number of parking spaces should be increased or capacity reduced.	
– The GFA’s used to calculate the parking rates are incorrect.	
– The patron numbers used to calculate the parking rates are not a true reflection of the maximum capacity of the uses.	
– The parking rates used are incorrect. The clubhouse is nominated as being a food and drink premises (7 spaces/ 100sqm) which requires significantly less parking than a Registered Club (20 spaces/100sqm).	
– Reduction of on-street parking.	
• Increased traffic congestion:	Section 6.6
– Errors in the likely traffic generation.	
– No assessment of peak event management – the proposal has capacity to host sporting events up to 500 people.	
– Cumulative impacts with nearby uses (two schools and Trumper Park).	
– Increased traffic in peak periods.	
• School drop off/ pick up issues:	Section 6.6
– Glenmore Road Public School via Cambridge Street will be impacted.	
– Sydney Grammar School via Alma Street will be impacted - the practicality of the queuing arrangement for Sydney Grammar School and no consultation with the school.	
• Pedestrian and cycle network:	Section 6.6
– No internal pedestrian and cycle paths specified.	
– No connections to existing public pedestrian and cycle paths.	
– Poor pedestrian and cycle connections to public transport including no through-site link to New South Head Road or Walker Avenue.	
• Loading and servicing:	Section 6.6
– Connectivity of loading docks to the sports building and childcare centre (concern drop-off area will also be used for loading).	
Operational matters	
• Intensity of the uses:	Section 6.3

<ul style="list-style-type: none"> - The capacity of the clubhouse and stadium should be reduced. - The frequency of peak events and functions should be capped. 	
• Hours of operation.	Section 6.11
• Noise impacts.	Section 6.11
• Licenced premises.	Section 6.15
• Public access to facilities.	Section 6.13
Amenity impacts	
• Noise impacts:	Section 6.11
<ul style="list-style-type: none"> - Noise impact to Walker Avenue residences due to the location of the outdoor play area. - Noise impacts to 400 Glenmore Road by increasing the number of tennis courts - Noise impacts to Sydney Grammar School. - Noise impacts to Glenmore Road and Cambridge Street due to natural topography (White City lies at the base of the Paddington amphitheatre). - Noise impacts from the new football field (with maximum capacity for 500 spectators). - Noise impacts from roof terrace (i.e. childcare playground). - Use of amplification equipment in outdoor areas. - Lack of noise assessment of peak events (Acoustic Report is based on a worst-case scenario of 100 spectators, where a 500 seat grandstand is proposed). - Request to condition a noise limit for the site. 	
• Visual privacy impacts.	Section 6.11
• Overshadowing impacts:	Section 6.10
<ul style="list-style-type: none"> - Overshadowing of Sydney Grammar School playground on midwinter mornings due to proposed building heights. The playground is utilized from 7.30am and the shadow impact results from a non-compliant building height. The height should be reduced so that there is no overshadowing impact. 	
• Light spill impacts.	Section 6.11
• Exhaust/ mechanical equipment location.	Section 6.11
Planning	
• Building height:	Sections 4.3.3 & 4.3.4
<ul style="list-style-type: none"> - Non-compliance with LEP height control. - Clause 4.6 request for exemption to the LEP height limit is not supported. - The clubhouse/ grandstand is too high and is located within the open valley floor. It will obstruct public views from Glenmore Road and Neild Avenue. Adjoining developments are pulled back from the 'main open bowl' or open valley floor that is a significant aspect of White City and Weigall Sports Ground. - The heights are not compatible with surrounding development. The RL height comparisons relate to development that is some distance from the proposed development and some of which is located on higher ground (where the RLs would typically be higher). - The sports building is too high and should be reduced to open up views from Glenmore Road across the site. 	
• Bulk and scale:	Section 6.4
<ul style="list-style-type: none"> - Overdevelopment. 	

<ul style="list-style-type: none"> - Building footprints too large. - Density/ capacity is too high. 	
<ul style="list-style-type: none"> • Land uses and layout: - Building envelopes should fall within the existing grandstand envelopes. - Function centres are not permitted. - Recreation facility (major) is not permitted. - The café is not ancillary. - Childcare centre should be relocated within the site (closer to Alma St). - The childcare playground should not be permitted in the form of a roof terrace. - The playground should be relocated away from Walker Avenue residences. - The number of tennis courts on the eastern side should not be increased. 	Sections 6.4 & 6.5
<ul style="list-style-type: none"> • Public views. 	Section 6.9
<ul style="list-style-type: none"> • Circulation and access. - No internal pedestrian and cycle paths specified. - No connections to existing public pedestrian and cycle paths including no links to Trumper Park and Rushcutters Bay Park. - Poor pedestrian and cycle connections to public transport including no through-site link to New South Head Road or Walker Avenue. 	Section 6.5
<ul style="list-style-type: none"> • White City DCP. 	Section 3.3
Environmental	
<ul style="list-style-type: none"> • Landscaping and trees: - Tree removal (heritage listed trees, Glenmore Road trees and screening). - Lack of deep soil planting and mature trees. - Landscape plan (including replanting) required. - Increased excavation setbacks to retain more existing trees. - The football field should be a natural grass pitch rather than synthetic. 	Section 6.8
<ul style="list-style-type: none"> • Construction impacts. 	Section 6.14
<ul style="list-style-type: none"> • Increased demand on utilities (water/ sewerage). 	Section 6.14
<ul style="list-style-type: none"> • Stormwater management. 	Section 6.12
<ul style="list-style-type: none"> • Flooding impacts. 	Section 6.12
<ul style="list-style-type: none"> • Pollution/ air quality impacts (exhaust fumes from ventilation system). 	Section 6.4
Heritage/ conservation	
<ul style="list-style-type: none"> • Heritage significance of White City and Centre Court: - The site should be listed as a local and state heritage item. - Centre Court should be retained (interpretation strategies inadequate). - The existing facility has not been maintained and left to deteriorate on purpose. - White City is listed by the National Trust. 	Section 6.7
<ul style="list-style-type: none"> • Impact on the special character of the White City site: - Built forms - new buildings should fit within the outermost alignment of the existing structures. - Clubhouse – the footprint projects into the open valley floor, it does not form an edge. The height, bulk and scale will dominate the space and block views across the valley. The curved envelope does not reflect existing White City forms (rectangular shape) 	Section 6.7

more appropriate).	
– Internal road along western boundary – crosses the valley floor.	
– Heritage landscape - The CMP and HIS do not address landscape. Tree planting within the valley floor should be limited to maintain the open valley character and preserve important views.	
• Impact on the Paddington Heritage Conservation Area:	Section 6.7
– Inconsistent with the desired future character of the area.	
– Visual appearance.	
– Relationship to Glenmore Road. The removal of the metal sheeting is supported but the proposed childcare drop-off area is not supported.	
– Tree removal will adversely impact landscape character.	
• Heritage interpretation strategies:	Section 6.7
– Centre Court - the displacement of the actual Centre Court open space now interpreted as an internal space and its change of scale is not supported.	
– Centre Court interpretation is inadequate. The roof of the sports building should reference the Centre Court by including a landscaped roof with permanent line markings accessible for communal use and heritage display/ public art (similar to Paddington reservoir roof).	
– Roof garden - the Centre Court playing surfaces should include a requirement for the Centre Court markings to be on one plane.	
– Sports hall ceiling – the ceiling layout should be required to not inappropriately interrupt the image.	
– Southern stand trusses – it is inappropriate that 4 of the 19 trusses will be removed and relocated to accommodate driveway ramps.	
– Outdoor childrens play area - an experienced landscape architect should be required to design the garden to interpret the White City Amusement Park.	
Social	
• Anti-social behaviour.	Section 6.13
• Safety and security.	Section 6.13
• No demand for full size football field with seating for 500 spectators.	Section 6.13
• Registered club (licenced premises) located next to a school.	Section 6.3
• Restrictions on public access to facilities.	Section 6.5
Other	
• Public benefits:	Future DA
– Section 94 contributions/ planning agreement.	
• Fragmented ownership/ management of the overall site (e.g. tennis courts run by Maccabi Tennis Club, not Hakoah Club).	Section 6.7
• History of compliance issues with Maccabi and Hakoah (noise and operating hours).	-
• Lack of consultation with community.	Section 5
• Inadequate notification process.	Section 5
• Inadequate documentation.	Section 3

5.4 Applicant's Response to Submissions

Following the advertising and notification process, the Applicant provided a response to submissions addressing the key issues including traffic, land uses, site layout, bulk and scale, height, built form, heritage, access, landscaping and operational matters. The response of submissions and supporting diagrams provided by the application are referenced in the relevant parts of this assessment (Section 6).

No changes were made to the proposed design as a result of the response to submissions.

6. ASSESSMENT

6.1 Referrals

Table 12: Summary of the referral responses

<i>Referral</i>	<i>Summary of Referral Response</i>
Heritage (independent) Annexure 2	<p>The independent heritage referral from CityPlan concludes that the proposal is acceptable subject to conditioning of the following matters:</p> <ul style="list-style-type: none"> • The proposal is considered satisfactory in terms of views, subject to the provision of a degree of transparency into the future detailed design of the new curved clubhouse to allow for views across the valley floor from the Alma Street entry (Condition B1). • White City site should be managed and operated as one sporting field and facility (Condition B5). • The Heritage Interpretation Strategy is considered to be satisfactory subject to more detailed strategies to be provided as part of future development application(s) (refer to Section 6.7) (Condition B9). • Photographic archival recording of the whole White City site (Condition B10). <p>Archaeological matters during construction would be addressed as part of future development application(s).</p>
Technical Services Annexure 3	<p>Council's Development Engineer considers the proposal acceptable subject to the following matters which are required to be addressed in future development application(s):</p> <ul style="list-style-type: none"> • Site drainage/ stormwater management (Condition B15 – SWP). • Flooding and overland flows (Condition B16 – flood management). • Geotechnical and hydrogeological matters (Condition B22 – construction impacts). • Parking and access (including a detailed Operational Transport Management Plan and traffic engineering/ infrastructure upgrade

<i>Referral</i>	<i>Summary of Referral Response</i>
	<p>matters) (Conditions B13 & B14 –transport and infrastructure).</p> <ul style="list-style-type: none"> • Impacts on Council infrastructure. • Construction management. • Provision of an electricity substation.
<p>Trees and Landscaping Annexure 4</p>	<p>Council’s Tree & Landscape Officer considers the proposal acceptable subject to the following matters which are required to be addressed in future development application(s):</p> <ul style="list-style-type: none"> • Retention of trees in-situ, transplanting or suitable replacement planting (Tree Nos. 2, 3, 4, 6, 8, 16, 24, 45 & 51) (Condition B6 – Landscape plan). • Exploratory root mapping where major encroachments are proposed (Tree Nos. 85, 86, 88 & 89) (Condition B7 – arborist report, tree protection and exploratory mapping). • Tree protection plan for Council street trees (Tree Nos. 85, 86, 88 & 89) (Condition B7– arborist report, tree protection and exploratory mapping). • Landscape Plan (Condition B6 – Landscape plan). <p>The removal of a tree of high significance (Tree No. 24) is addressed in Section 6.8.</p>
<p>Environmental Health Annexure 5</p>	<p>Council’s Environmental Health Officer considers the proposal acceptable subject to the following matters which are required to be addressed in future development application(s):</p> <ul style="list-style-type: none"> • Land contamination (Condition B18 – contamination). • Operational details (Condition B21 – Plan of Management). • Acoustic impacts (Condition B21 – Acoustic Report and measures). • Sportsfield lighting (Condition B21 – light spill). • Acid sulphate soils (Condition B22 – ASS). • Erosion and sediment control (Condition B22 – construction impacts). • Soil and waste management plan (Condition B22 – construction impacts).
<p>Open Space and Recreation Annexure 6</p>	<p>Council’s Open Space & Recreation Officer considers the proposal acceptable subject to resolution and/ or conditioning of the following matters:</p> <ul style="list-style-type: none"> • Public access to recreational facilities. • Public access (through-site-link) from Trumper

<i>Referral</i>	<i>Summary of Referral Response</i>
	Park to Rushcutters Bay Park.
Community Services Annexure 7	Council's Community Services Officer considers the proposal acceptable as the additional recreational and childcare facilities will benefit the community.
Fire Safety Annexure 8	Council's Fire Safety Officer considers the proposal acceptable.

6.2 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, this is assessed in Table 13 below.

Table 13: Assessment against the relevant overarching principles of the desired future character contained in Chapter C1 Paddington Heritage Conservation Area of the Woollahra DCP 2015

<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 the Paddington Heritage Conservation Area are adequately addressed in the CMP and 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 including evidence of the historical development of the Paddington area as market gardens, amusement park and tennis facility are adequately addressed in the CMP and HIS.

<i>Retains the cohesive character evident in low scale, high density built form</i>	The proposed building envelopes will achieve a development that is better integrated with the public domain, draws on its unique character and will improve the streetscape character and public views.
<i>Retains distinctive features such as...subdivision patterns and buildings which follow the landform and the distinctive patterns of terrace house groups</i>	The distinctive features of the site are identified in the CMP which has informed the proposed site layout and building envelopes. The open valley floor and important views will be maintained. Significant physical elements of the White City development will be retained, reused or interpreted.
<i>Provides for sharing of views and vistas</i>	The proposal will not unreasonably impact important views and vistas.
<i>Exhibits contemporary design excellence</i>	The proposal achieves contemporary design excellence through building envelopes that are a contextual fit for the site and sensitively respond to significant physical elements of White City, the valley floor character, public views, streetscape character and relationship to surrounding uses and built forms. Given the proposal is for building envelopes, not architectural design, Condition B2 is recommended to ensure that the detailed design of future buildings positively contribute to the overall architectural quality of Paddington.

An integral component of the proposal is the improvement of the streetscape along Glenmore Road. The proposed childcare drop off area should be appropriately treated so that activation and visual interest to the adjoining public domain area can be maximised. The applicant has included a Heritage Interpretation Strategy to retain the majority of the 1923 southern grandstand trusses (in their original locations) and integrate these with a landscaped terrace which will become a high quality architectural decorative feature that will contribute to an interesting and attractive streetscape presentation. This element will provide some screening to the exposed childcare drop off and parking area. **Condition B2** is recommended to ensure an appropriate streetscape outcome is achieved.

The proposal is considered to be of a suitable bulk, scale and massing. It will not overwhelm the context and is consistent with the predominant scale of the surrounding development in terms of height. Therefore, the proposal will positively contribute to the desired future character of the area.

6.3 Land Use

The indicative uses comprising of indoor and outdoor recreational uses (including outdoor tennis and football, indoor swimming pool, sports hall, gym, health studios), child care centre, ancillary café, registered club and associated facilities and community facilities.

48% of objections relate to operational matters including the intensity of the proposed uses. The submissions included requests to reduce the capacity of the clubhouse and stadium and provide a cap for the frequency of peak events and functions. The concerns also related to the introduction of a childcare centre and the potential impacts of the clubhouse (licenced premises).

It is noted that most of these uses already exist on the site. The site is also located close to public transport (including bus services along New South Head Road and rail services at Edgecliff Station); schools (Sydney Grammar and Glenmore Public School); and public recreation facilities (Trumper Park and Rushcutters Bay Park).

The proposed uses are consistent with the broader objectives of the RE2 Private Recreation zone as it will contribute to providing a diversity of compatible land uses which will service the local and wider community. The proposed uses are permissible on the site, consistent with the existing and historical uses on the site and are compatible with the surrounding development.

The proposal will have a positive outcome through long term continuity and evolution of the heritage significance of the site, in particular the continued use of the site for recreational activities and tennis facilities. The proposal will also activate and revitalise the surrounding public domain.

Childcare centre

The proposal includes a childcare centre (indicative 70 children). A number of the objectors concerns relate specifically to the new childcare centre. Most of these concerns relate to operational aspects of the proposed use. The detailed design of the childcare centre will be addressed in subsequent development applications for the detailed design of the development. Future development application(s) which include the childcare centre will be assessed having regard to Chapter F1: Child Care Centres of the Woollahra DCP 2015 and the Education and Care Services National regulations which sets out operational and physical space requirements.

Licenced premises

A number of the objectors concerns relate to the clubhouse which includes a bar and restaurant area (licenced premises).

On 19 March 2013 OLGR granted Club Licence LIQ330019627 to Hakoah Club Ltd (trading as Hakoah White City). The licence authorises the sale and supply of liquor to club members and their guests and the operation of gaming machines. There is no restriction on trading hours; in effect, registered clubs may trade for up to 24 hours a day on any day of the year. However, the actual trading hours are generally set by a Club's constitution.

The configuration of the uses on the site, any additional licenced floor area, the relationship to Sydney Grammar School and operational matters (including management of the licensed premises, maximum patron numbers and hours of operation) will be addressed in subsequent development applications for the detailed design of the development. Future development application(s) which include the licenced premises will be assessed having regard to Chapter F3: Licensed Premises of the Woollahra DCP 2015.

6.4 Built Form, Layout and Urban Design

56% of the objections relate to planning matters including building heights, bulk and scale, landuses and layout and circulation and access.

The building form, layout and urban design of the proposal including its relationship to existing heritage fabric and the surrounding context has been assessed and is considered satisfactory for the following reasons:

- **Building heights.** The building heights have been assessed in Section 4.3.4 and are supported.
- **Building envelopes and separation.** The number of building envelopes, setbacks, envelope sizes and separation distances are appropriate to the context, visual impacts and amenity impacts. The existing structures lack functionality and flexibility. The building envelope

sizes have regard to the nature of the indicative uses and required floor plan layouts (Figure 12). The width of the clubhouse building is offset by the narrow depth of the building envelope to ensure the building does not overwhelm the context.

- **Density.** The density is appropriate given the proximity to public transport and key centres. The proposal includes an indicative gross floor area of 10,238m². There is no floor space ratio control for the site. Based on the overall site area (2.9 hectares), the size of the proposed building envelopes can be comfortably accommodated on the site.
- **Site layout.** The existing development on the site is disconnected in terms of how the uses and buildings relate to one another as well as how they relate to the immediate surrounds. The proposal to cluster the building envelopes towards the street frontages where a more active interface can be provided is supported. The configuration of the uses within the site, including a centrally located café, will provide a good site layout and strong connections between the various uses. The proposed clubhouse building will provide an edge to the valley floor and is supported.
- **Heritage.** The configuration of the building envelopes demonstrates regard to the siting of the existing development on the site, retention of significant original fabric and interpretation of the historic uses.

The Heritage Interpretation Strategy is an integral part of the proposal that has driven the proposed built form, layout and urban design. The sports building that will be sited over the Centre Court will interpret the playing surfaces of the Centre Court. The landscaped terraces adjoining the sports hall will interpret the sense of contained space. The majority of the southern grandstand trusses will be retained at the Glenmore Road frontage. The outdoor football field and tennis courts will maintain the open valley floor character. The arches of the northern grandstand will be retained in-situ. Pedestrian walkways will incorporate memorabilia. A community plaza interpreting the market gardens and a children's play area will interpret the former amusement park. These elements have been comprehensively integrated into the overall development with the appropriate siting and massing of the proposed building envelopes.

- **Context.** The relationship of the proposed building envelopes to neighbouring residential uses to the east and north-east will be preserved by siting building envelopes away from the neighbouring residential buildings and maintaining (and increasing) the tennis courts in the eastern part of the site and providing a full size football field in the northern part of the site. The clubhouse building, which is the largest envelope, is located 78m from the nearest residence and 68m from Glenmore Road. The development is considered to be a contextual fit with the surrounding urban fabric. It responds to the existing spatial context and edges.
- **Open space.** The building envelopes are sited in the south-western corner of the site and the size of the building footprints have been minimised to maintain open space areas which respect the open valley floor character of the site and to maximize public views across the site (Figure 13). Whilst the proposed clubhouse building does extend into the open valley floor, additional open areas are provided on the site where they achieve more public benefit (e.g. additional tennis courts on the eastern side which achieve better public views).
- **Setbacks.** The setbacks of the proposed building envelopes to the street respond to the site topography (including embankments) and the relationship to the existing (and proposed)

vehicle and pedestrian networks. The setbacks have regard to providing an appropriate interface to the street.

- **Views.** The site is visible from a variety of vantage points. The streetscape presentation and public views from Glenmore Road will be improved. The clubhouse building would impact views from the Alma Street entry but it is considered that the design of this element be further refined through providing a degree of transparency allowing for views across the valley floor (refer to **Condition B1**).
- **Amenity.** The internal amenity has been addressed by orientating the building envelopes towards the north to benefit from winter sunlight and solar heat gain. Amenity impacts to adjoining properties have been adequately addressed.



Figure 12: Comparison of building footprints with existing and surrounding built forms (provided by Applicant)



Figure 13: Open valley floorspace (provided by Applicant)

On this basis, the proposed building form, layout and urban design is considered acceptable.

6.5 Access, Linkages and Circulation

33% of the objections relate to operational matters including public access to facilities. The objectors concerns relate to how the development connects to the wider urban context, through-site links and public access to the recreational facilities/ open space.

Council's Open Space & Recreation Officer considers the proposal acceptable subject to resolution and/ or conditioning of the following matters:

- Public access to recreational facilities.
- Public access (through-site-link) from Trumper Park to Rushcutters Bay Park

The concerns regarding private v public access to recreational facilities were also raised by Council's Community Services Officer.

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 A5** is recommended to require a Pedestrian and Cycle Network Plan be submitted as part of any future development application(s).

The proposal is considered acceptable in terms of access, linkages and circulation.

6.6 Transport, Traffic and Parking

An indicative site layout including new internal road network was submitted with the Application. The indicative road network includes a drop-off zone with access and egress to Glenmore Road which would operate as a one-way parking aisle. It includes a new loop road along the western boundary and it also and indicative parking for 270 vehicles (including basement car park).

A Traffic and Parking Report prepared by AECOM dated 1 September 2015 was submitted with the development application. The proposal has been referred to RMS as traffic generating development.

95% of the objections relate to traffic and parking matters, including:

- Vehicle access via New South Head Road should be provided.
- Glenmore Road access to childcare centre is not supported.
- Insufficient car parking.
- Increased traffic congestion.
- School drop off/ pick up issues.
- Pedestrian and cycle network.
- Loading and servicing.

The proposal will have an impact on the levels of existing on-street parking and will lead to additional traffic movements. However, on balance, these impacts are considered acceptable subject to infrastructure works and appropriate management of the uses as discussed below.

Traffic Generation

A number of the submissions have raised concerns regarding traffic impacts.

The Traffic and Parking Report submitted with the application relies on assumptions on estimated break down of the uses, capacity, hours of operation and vehicle occupancy. Council's Traffic Engineer has reviewed the report and raises concerns in relation to traffic overflow, in particular with the 500-seat grandstand during events.

Council's Traffic Engineer recommends that future development application(s) include a Local Area Traffic Management Scheme (LATM) in the area bound by Glenmore Road, Lawson Street, Neild Avenue and New South Head Road (**Condition B14**). This will ensure safe and efficient traffic and pedestrian movement within the vicinity of the site.

A Transport Management Plan is also required to be provided as part of any future development application(s) to minimize the traffic flow impact during peak events by discouraging car use and providing a shuttle bus service (**Condition B13**).

Local Traffic Issues

A number of submissions raised concerns regarding the impact of the proposal on existing school traffic.

Council's Traffic Engineer supports the proposed two-way looped road/ queuing arrangement during pick-up/drop-off for Sydney Grammar School along the western boundary of the White City site (Figure 14). The proposed arrangement will assist in reducing local queuing on Alma Street and Lawson Street. The vehicle circulation and pedestrian access will need to be designed to ensure safety and efficiency of school and sports traffic which will be further considered with future development application(s).

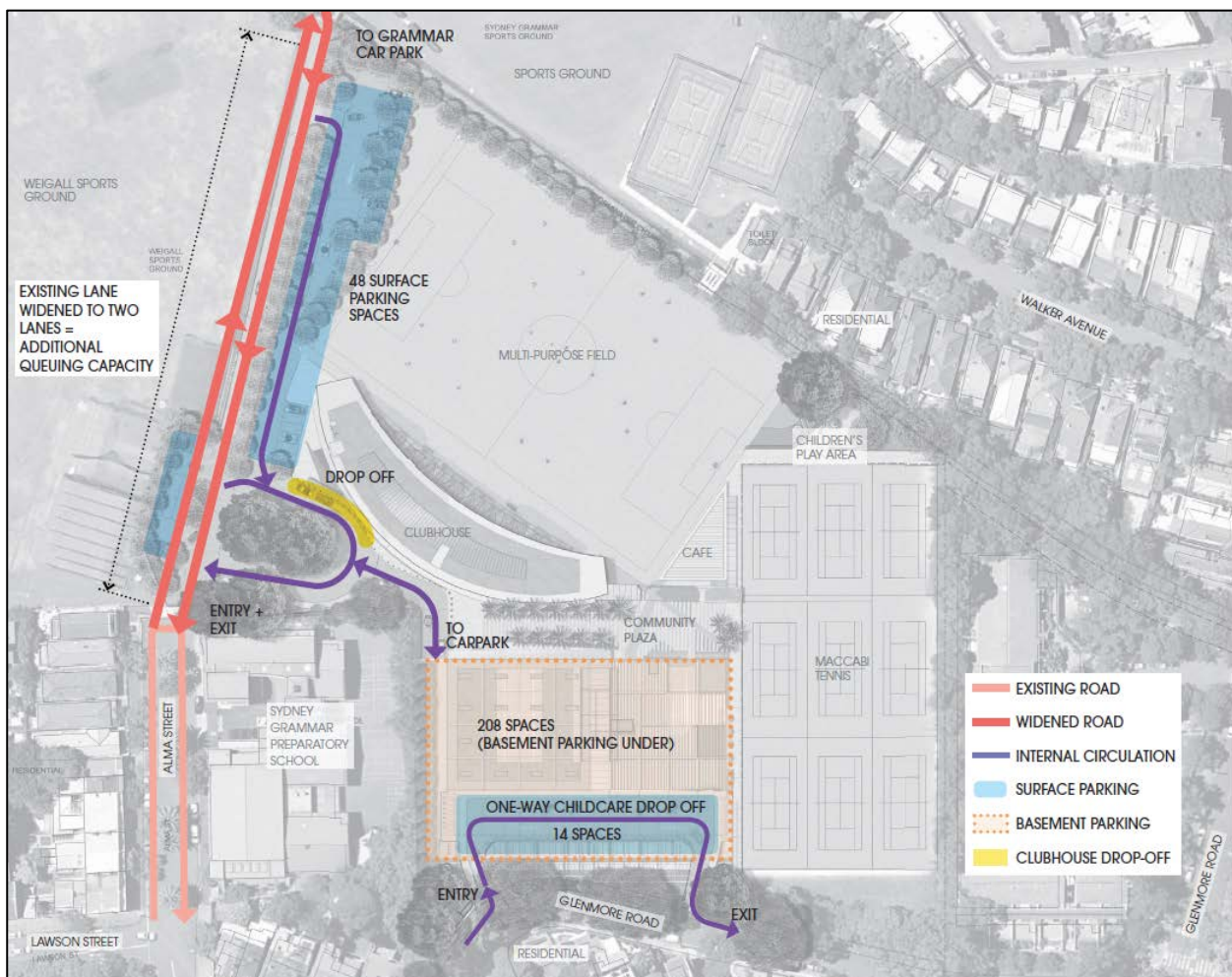


Figure 14: Queuing diagram and widened two-way loop road (provided by Applicant)

A number of submissions raised concerns regarding the impact of the two separate entry and exit points off Glenmore Road which will provide access to the childcare pick-up/drop-off.

Council's Traffic Engineer has advised that the entry points will reduce pressure on the Alma Street entry. However, there are safety concerns due to the curved geometry of this section of Glenmore Road, the T-intersection with Cambridge Street and the narrowness of the road.

These matters are required to be satisfied as part of any future development application(s) addressing the following traffic engineering issues (**Condition B14**):

- Modifications to concrete median along Glenmore Road, additional signposting, pavement markings to provide left-in-left-out access to the proposed childcare pick-up/drop-off zone (Figure 15).
- Installation of a roundabout or kerb extension at the T-intersection of Glenmore Road and Cambridge Street (Figure 16).

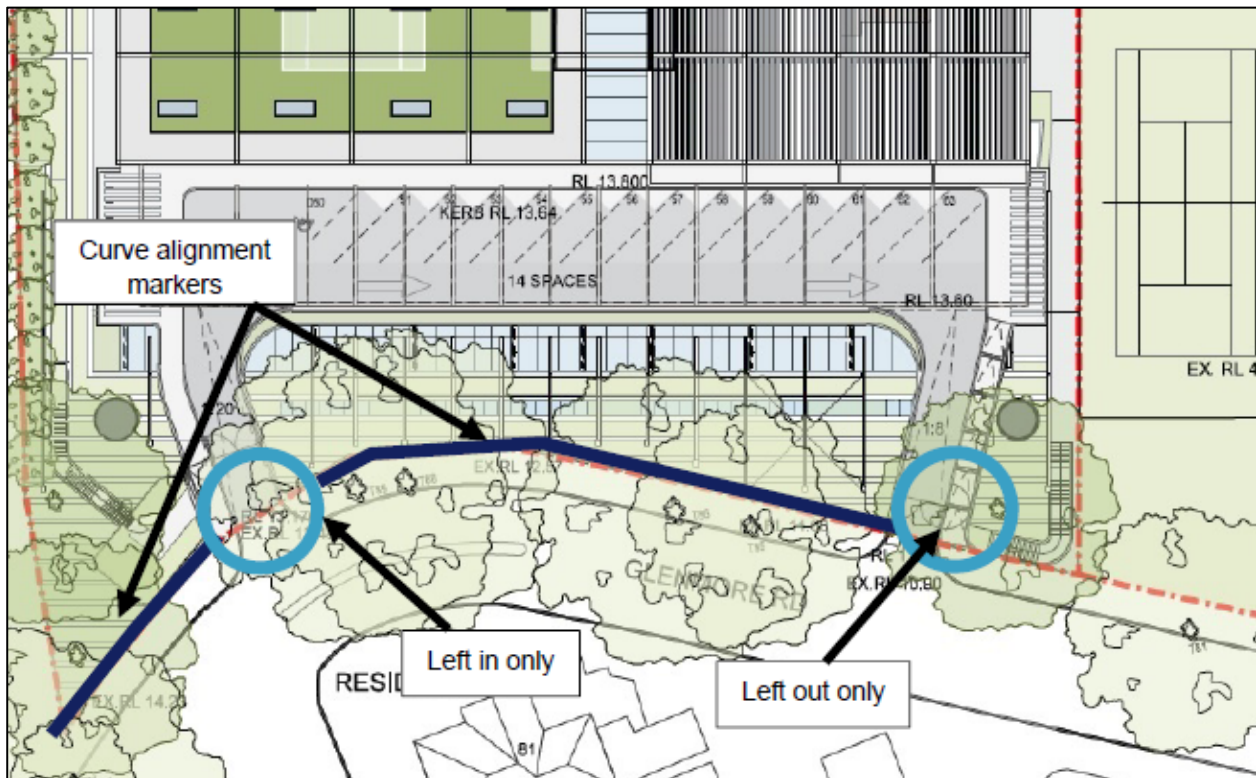


Figure 15: Left-in-left-out access arrangement from Glenmore Road to childcare centre (provided by Applicant)

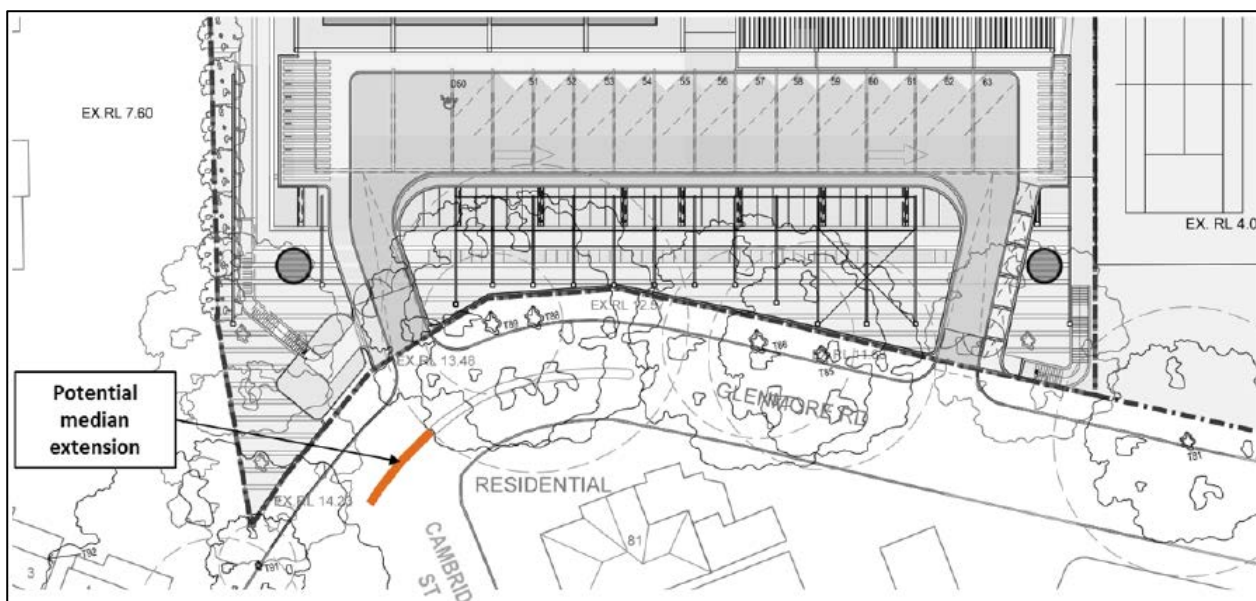


Figure 16: Potential median extension at Glenmore Road/ Cambridge Street intersection (provided by Applicant)

A number of submissions requested that access be provided from New South Head Road. However, the Applicant has advised that opportunities to provide access to the north is constrained by fragmented land ownership (including Sydney Grammar School, Sydney Water, State Rail and the owner of the service station and car wash). It is also noted that consideration of alternate access points would result in traffic implications that are outside the scope of this assessment.

Parking Provision

A number of the submissions raised concerns on the adequacy of the off-street parking for the proposed uses. Concerns were raised over the parking rates, the exclusion of parts of the GFA from the calculations and assumptions (e.g. car pooling).

Council's Traffic Engineer has undertaken car parking calculations with more conservative assumptions. The assessment takes into consideration the accumulative parking demand as well as peak parking demand. The assessment concludes the following:

- Weekdays – parking demand of 248 parking spaces when the 500-seat grandstand is used for training and other facilities are used concurrently; and
- Weekends – parking demand of 344 parking spaces when the 500-seat grandstand is used at 85% capacity for major events and other facilities are used concurrently.

The proposed 270 (indicative) on-site parking spaces is considered adequate for daily operations. Future development application(s) are required to address parking in peak events by managing the capacity of the grandstand and concurrent uses during these times or providing a detailed operational traffic management plan (e.g. shuttle bus) addressing the shortfall in parking spaces.

The proposed 11 child care centre pick up/drop off spaces and 3 staff parking spaces for the childcare centre is not adequate for the size of the proposed childcare centre (70 children). However, the capacity of the childcare centre is indicative only and may be resolved in the detailed design of subsequent development applications.

It is considered that these matters relating to parking provision, and the inclusion of bicycle parking, can be resolved as part of future development application(s) that include the gross floor areas of the uses, the hours of operation of the uses and the size of the grandstand (**Conditions B11 & B12**).

Loading/ unloading and service areas are considered adequate. However, Council's Traffic Engineer has recommended that consideration is required to be given to allowing one loading bay to accommodate Medium Rigid vehicles (MRVs). Consideration is also required to accommodate a standard bus/ coach/ shuttle bus service (**Condition B14**).

Other traffic matters

Other traffic matters identified by Council's Traffic Engineer to be addressed as part of future development application(s) include (**Condition B14**):

- New/ upgraded pedestrian facilities around the site including new pedestrian crossings.
- New/ upgraded cycling infrastructure around the site.
- Upgrade existing street lights along Alma Street and Glenmore Road frontages near key access points.
- Consideration of the introduction of a timed parking scheme allowing free parking.

This assessment is only considering the concept proposal. The indicative road network and parking configuration 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 vehicle access and parking.

The concept proposal is considered acceptable in terms of parking, traffic and access and Chapter E1: Parking and Access of Woollahra DCP 2015.

6.7 Heritage

34% of the objections raised concerns relating to heritage matters. Key concerns include:

- The heritage significance of White City and Centre Court.
- Impact on the special character of the White City site.
- Impact on the Paddington Heritage Conservation Area.
- Heritage interpretation strategies.

In particular, concerns were raised in relation to the clubhouse building envelope (location, height, bulk, scale) and its impact on the valley floor character. Concerns were raised regarding the relationship of the proposed childcare centre to Glenmore Road. Concerns were also raised regarding the heritage interpretation strategies with most concerns relating to the displacement and interpretation of the Centre Court.

The heritage and cultural significance of White City and its location within the Paddington Heritage Conservation Area is recognised and addressed in the Heritage Impact Statement and Conservation Management Plan (CMP) submitted with the development application. The CMP guides the conservation of the site by setting out conservation policies. The conservation policies relevant to new development on the site include the following:

- Provide a sense of arena through adaption.
- Interpret the Centre Courts as the former focus of the White City Tennis complex both in form and content.
- Preserve the playing of tennis on the site.
- Conserve the identified significant fabric in-situ or in an appropriate location.
- The open space as part of the unified character of the area should be conserved. Grass courts should be retained as part of that open space.
- Significant views within and to the site should be retained.

The CMP has informed a Heritage Interpretation Strategy which includes:

- The continuous use of the site as a sporting venue;
- The incorporation of interpretative features into the design;
- Integration of part of existing building structures into the new proposed buildings and landscapes (steel trusses and Northern Stand arches);
- Integration of artworks and historic photography interpreting the history and evolution of the White City;
- Integration of site features dating from the White City Amusement Park period into the playground area;
- The creation of a Museum Walk integrating movable heritage items and memorabilia;
- The installation and planning of interpretative markers to be located near the Museum Walk and at the Glenmore Road entrance.

- Integration of new landscape items such as an avenue of palm trees that references the adjacent heritage listed Canary island Date Palms planted along Alma Street;
- Transmission of a sense of arena through adaptation of existing structures; and
- Building positioning as to maintain significant views and distance from the Creek to retain the open valley floor character of the existing site

The Heritage Impact Statement, Conservation Management Plan and Heritage Interpretation Strategy have been reviewed and endorsed by CityPlan (an independent heritage consultant commissioned by Council).

The following requirements for future development application(s) have also been recommended by Council's independent heritage consultant:

- **Condition B1** - consideration should be given to incorporating transparency into the new curved clubhouse in order to allow for views across the valley floor from the Alma Street entry.
- **Condition B5** - the White City site shall be managed and operated as one sporting field and facility regardless of the proposed subdivision to ensure its intangible historical associations are maintained.
- **Condition B9** - a more detailed Heritage Interpretation Strategy incorporating the following:
 - 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.
- **Condition B10** - a detailed photographic archival recording of the whole White City site.

The future detailed design of the buildings will be the subject of further consultation processes with Council, including a more detailed Heritage Interpretation Strategy. On this basis, the proposal can be undertaken while responding to the heritage significance of the site and the heritage conservation area within the statutory framework that applies.

The proposal is considered acceptable in terms of heritage conservation.

6.8 Trees and Landscaping

59% of objections relate to environmental matters including landscaping and trees. Concerns were raised over the tree removal, lack of deep soil landscaping, lack of adequate replacement planting, impacts to the character of Glenmore Road, impacts to heritage listed trees on Alma Street and impacts on the valley floor landscape character.

The Arboricultural Impact Assessment, prepared by Tree IQ, dated 1 September 2015, submitted with the development application details the removal of 69 trees to accommodate the proposed development.

Council's Tree & Landscape Officer considers the proposal acceptable subject to the following matters:

- Retention of trees along stormwater channel.
- Retention and protection of Council street trees located along Glenmore Road.
- Replacement planting along the eastern boundary adjoining Sydney Grammar school.
- Retention of trees or replacement planting along the southern boundary of the existing carpark adjoining Sydney Grammar School.
- Replacement planting in the south-western corner of the site adjacent to Glenmore Road (in accordance with a previous TPA approval).

It is considered that these matters do not fundamentally impact the proposed building envelopes and can be addressed as part of any future development application(s) by way of a comprehensive Landscape Plan, exploratory root mapping and tree protection plan which are included as **Conditions B6 & B7**.

The proposed excavation for the basement carpark will need to be designed to address tree retention and replacement. This matter will be addressed as part of future development application(s).

Council's Tree & Landscape Officer has identified that a highly significant tree (Tree No.24) will impact upon the proposed building envelope of the sports building. Tree 24 (Figure 17) is located centrally on the site and would significantly impact the overall design of the proposal.

Council's Tree & Landscape Officer has recommended the following:

"Consideration should be given to amending the design to include the retention of tree 24, if possible. This is likely to require a significant reduction in the proposed building envelope in this area as the tree has been awarded a Tree protection zone setback of 10.2 metres. If deemed impractical the possibility of including adequate deep soil space for a large replacement tree within this area of the site should be considered and included in the Stage 2 Landscape Plan"

The retention of this tree will significantly impact the proposed building envelopes, it is considered that a suitable replacement tree could be provided to achieve a good landscape outcome on the site. Therefore **Condition B6** requires that a large mature replacement tree of an appropriate species be included in the Landscape Plan submitted with any future development application(s).

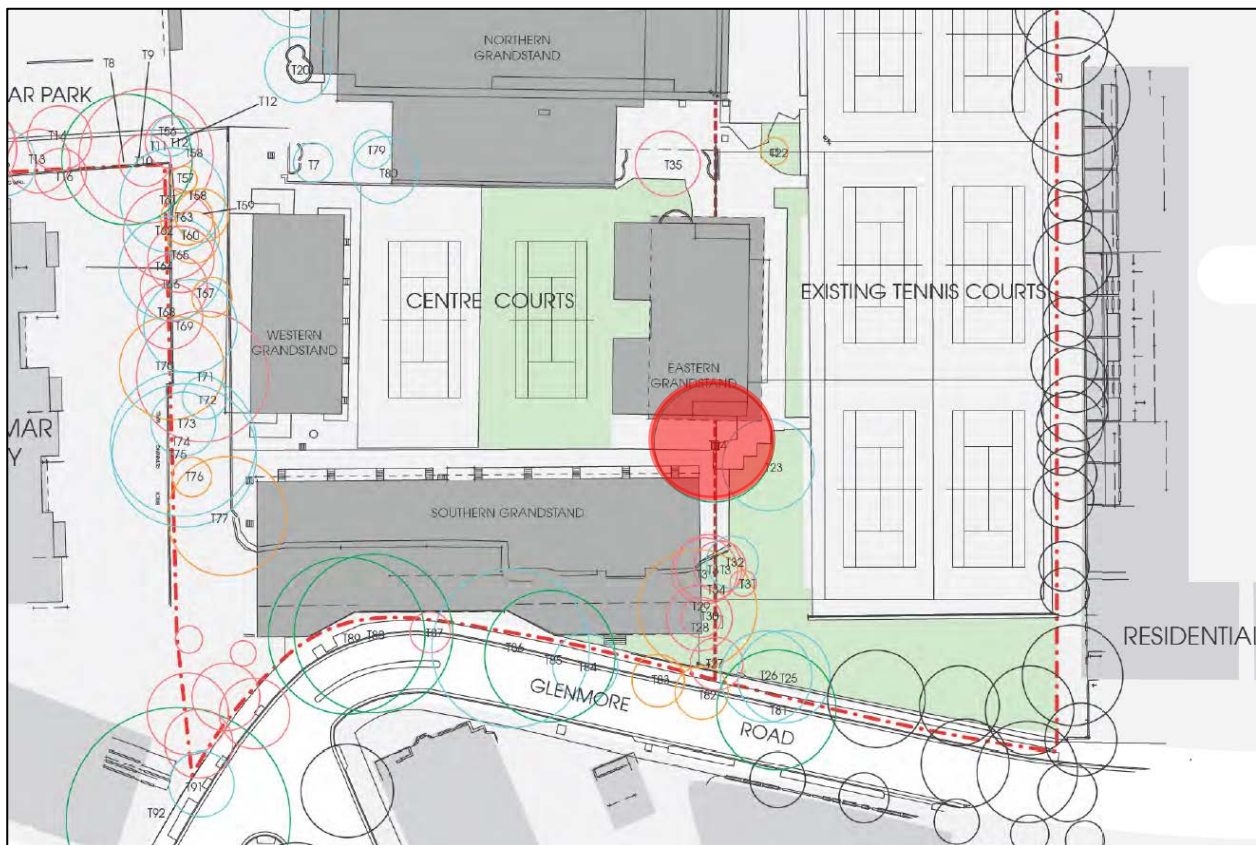


Figure 17: Location of Tree 24

The Conservation Management Plan (CMP) conservation policy No.24 states that new landscaping in the area should respect the significance of the open flatland nature of the area. **Condition B6** requires a Landscape Plan to be submitted as part of any future development application(s).

The proposal is considered acceptable in terms of tree and landscape impacts and Chapter E3: Tree Management of Woollahra DCP 2015.

6.9 Views and Vistas

56% of objections relate to planning matters including impacts on public views.

Views and vistas into the White City site are predominantly from the surrounding slopes that rise away from the valley floor.

Significant views and vistas identified in Chapter C1: Paddington Heritage Conservation Area of the Woollahra DCP 2015 are shown in Figure 18 (note: the diagram is not intended to represent all significance views and vistas).

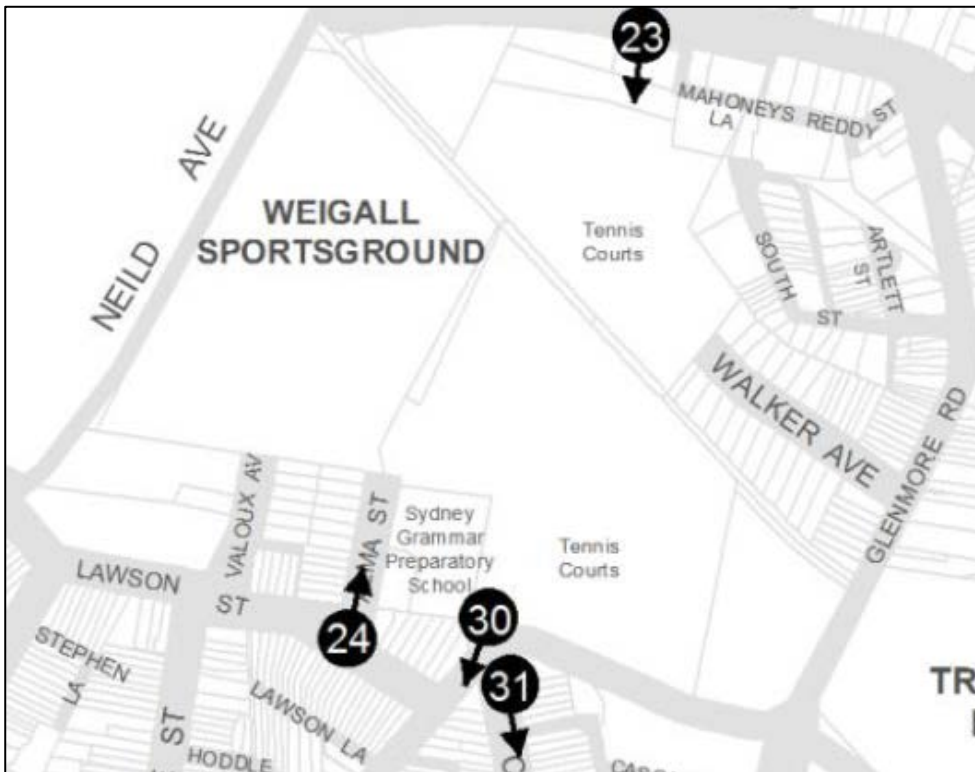


Figure 18: Significant views and vistas identified in the Woollahra DCP 2015

The Conservation Management Plan submitted with the development application also identifies the following important views and vistas that are relevant to the heritage significance of the site:

“The continuous green space and open recreational areas of White City and Lower Paddington are a landmark in the area. The site occupies part of the lowest ground within a broad shallow valley creating a sense of intimacy due to the enclosure by the surrounding hill-slopes. There are rare views and vistas from within and from outside the site that are unique in Paddington”

Conservation Policy No. 36 of the CMP states that views and vistas across the White City site and Lower Paddington should be retained and new views and vistas enhanced. The principal views identified in the CMP are shown in Figure 19 below.

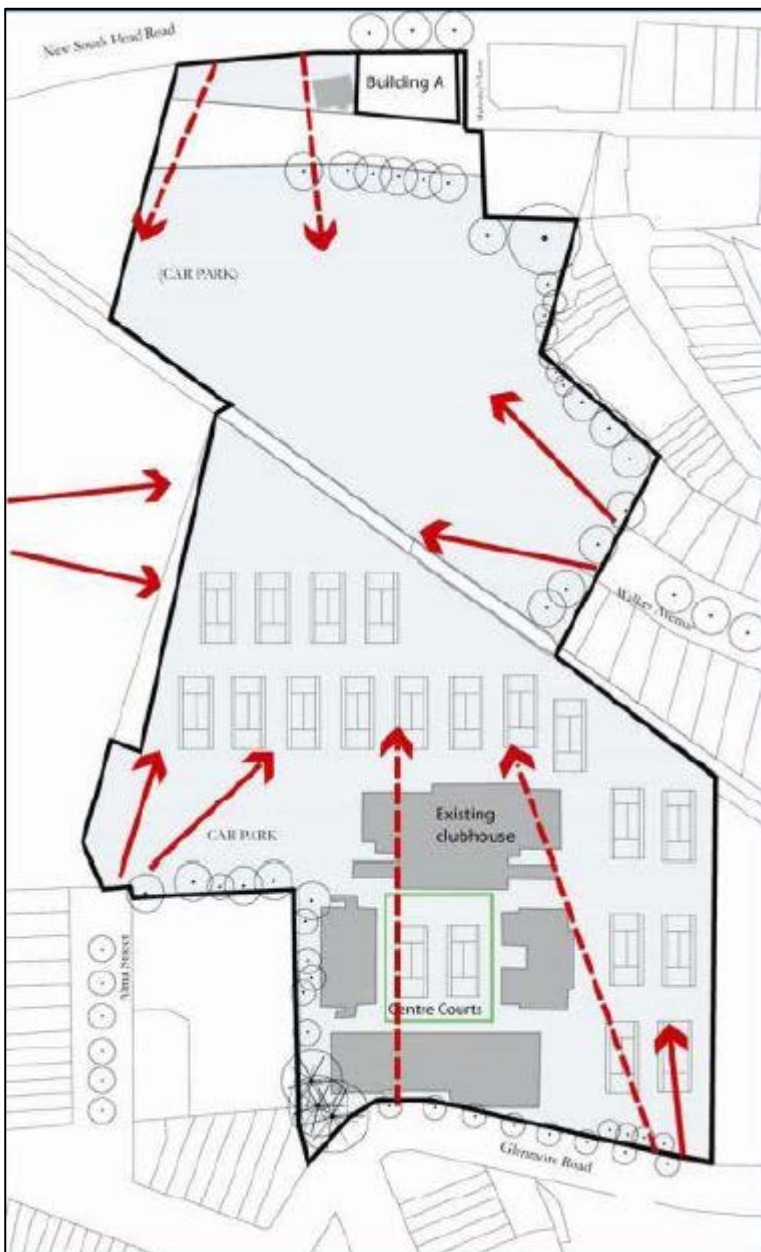


Figure 19: Principal view corridors (existing and potential) contained in the CMP submitted by the Applicant

The key views and vistas have been incorporated into the overall layout and design of the proposal. This is further reflected in the Heritage Interpretation Strategy which includes the following strategy:

“Heritage Interpretation - Green and Open Valley Floor

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 Stand building will be removed. The new clubhouse building is located to address the soccer field and defines an edge to the open valley floor”

The Addendum to Heritage Impact Statement: View Analysis prepared by Urbis, dated 4 November 2015, provides an analysis of the view impacts.

Significant views from key vantage points in and surrounding the perimeter of the White City site are shown in Figure 20 and include the following:

- 1 - Views from Neild Avenue to the east from Sydney Grammar sports grounds.
- 2 - Views to the north and north-east from the Alma Street entry.
- 3 - Views to the north from the Alma Street / Lawson Street intersection.
- 4 - Views to the north from Glenmore Road (near the corner at the Cambridge Street intersection).
- 5 - Views to the north from Glenmore Road (south-eastern corner of the site).
- 6 - Views to the south from New South Head Road across the Paddington amphitheater.

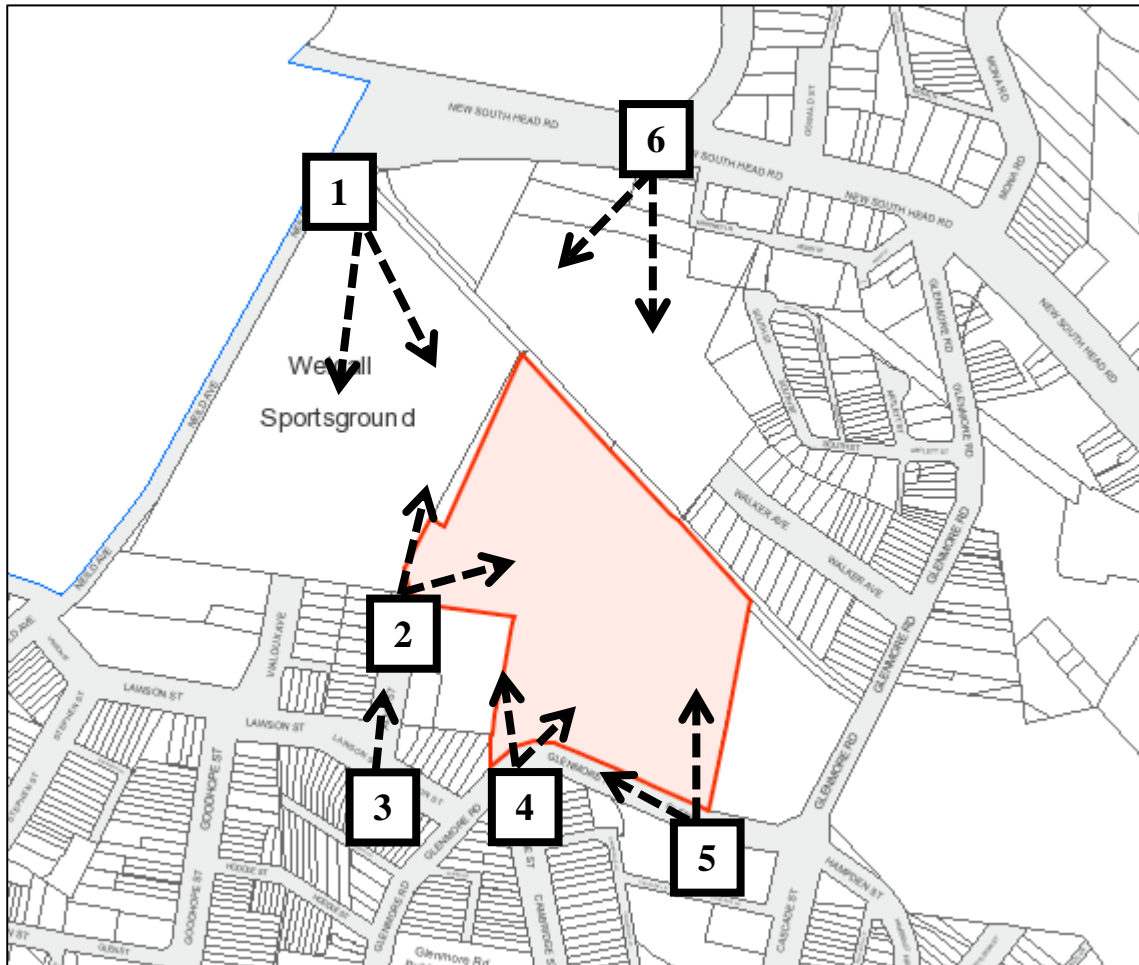


Figure 20: Key views and vistas

The View Study prepared by Group GSA, dated 19 November 2015, shows before and after photomontage views of the indicative development (Figure 21).



View 1: Neild Avenue - existing



Neild Avenue - proposal



View 1: Neild Avenue - existing



Neild Avenue - proposal



View 2: Alma Street gates - existing



Alma Street gates - proposed



View 3: Alma Street/ Lawson Street – existing



Alma Street/ Lawson Street - proposed



View 4: Glenmore Road – existing



Glenmore Road - proposed



View 5: Glenmore Road – existing



Glenmore Road - proposed



View 6: Railway viaduct – existing



Railway viaduct - proposed

Figure 21: Photomontage views (provided by the Applicant)

Table 14: Summary of the view impacts

<i>View</i>	<i>Significance</i>	<i>Comment/ Impact</i>	<i>Conclusion</i>
View 1 <i>Neild Ave</i>	Medium - High	<ul style="list-style-type: none"> The proposed buildings will be visible but will not dominate the existing view corridors. Views across the football field (wider valley floor area) will not be unreasonably impacted. 	Satisfactory
View 2 <i>Alma St entry</i>	Medium - High	<ul style="list-style-type: none"> Views of medium significance to the north-east will be impacted by the proposed clubhouse building. The impacted views are from the entry and carpark area. These are not considered to be significant public views. Views of high significance to the north will be preserved. 	Satisfactory (adverse impact) ¹

View	Significance	Comment/ Impact	Conclusion
View 3 <i>Alma St/ Lawson St</i>	High	<ul style="list-style-type: none"> Views to the north along Alma Street will not be impacted. 	No impact
View 4 <i>Glenmore Rd/ Cambridge St</i>	Nil - Low	<ul style="list-style-type: none"> There are no existing views due to the southern grandstand and metal sheeting. Views above the existing structures will be preserved. Views in this location will be enhanced by a building envelope with a lower height (RL 22.1 to RL 19.0 AHD). 	Satisfactory (improvement)
View 5 <i>Glenmore Rd</i>	High	<ul style="list-style-type: none"> Views over the uncovered tennis courts will be preserved and improved by increasing the number of uncovered tennis courts (from 6 to 9) and increasing the setback of the new building envelope further from the eastern boundary of the site. 	Satisfactory (improvement)
View 6 <i>NSHR</i>	Medium	<ul style="list-style-type: none"> The proposed buildings will be visible but will not dominate the existing view corridors. Views across the football field (wider valley floor area) will not be unreasonably impacted. 	Satisfactory

¹ The independent heritage report has recommended that the new curved clubhouse building incorporate transparency that lets the public views from Alma Street entrance to the urbanscape and field beyond in 'see-through' form (**Condition B1**).

The proposal is considered to protect and enhance significant views from streets and other public places that are an important feature of the site and contribute to the character of the area. The height, bulk and scale of the proposal will not adversely affect public views and accords with Objectives O3 and O4 of Section C1.4.9 of Chapter C1: Paddington Heritage Conservation Area of the Woollahra DCP 2015:

O3: To protect and enhance views from streets and other public places.

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

In terms of private views, the existing northern grandstand (RL 15.4 AHD) and eastern grandstand (RL 15.83 AHD) already impact views from 400 Glenmore Road to the north-west (city skyline). However, there will be some additional view impacts to 400 Glenmore Road resulting from the new clubhouse building (RL 22.0 AHD). These impacts are considered acceptable as the clubhouse building envelope has a narrow curved (north-west) alignment and is setback some 100 metres from 400 Glenmore Road. The clubhouse building would be visible from the north-west facing windows of these units but the building would not dominate or fully obstruct views of the city skyline from these units. Views to the Harbour (north) would not be impacted by the proposal. The overall view impacts to 400 Glenmore Road would be nil to minor and views over the open valley floor would not be unreasonably impacted.

It is also noted that the siting of the clubhouse building envelope has regard to enhancing public views to the north-east from Glenmore Road across the tennis courts and football field.

It is unlikely that the proposal would adversely impact views from 357 Glenmore Road, situated to the south of the subject site.

The proposal is considered to have an acceptable outcome in terms of view sharing and Chapter C1: Paddington Heritage Conservation Area (Section C1.4.9 Views) of the Woollahra DCP 2015.

6.10 Solar Access

Sydney Grammar School has raised concerns in relation to overshadowing impacts to north-eastern corner of the playground area on midwinter mornings due to proposed building heights. The playground is utilised from 7.30am and the shadow impact results from a non-compliant building height.

The shadow diagrams submitted with the development application consider the potential overshadowing impacts at 9am, 12 noon and 3pm on June 21 (winter solstice). The proposal will result in some overshadowing of the north-eastern corner of the playground of Sydney Grammar School (Figure 22). Minimum solar access requirements are not typically applied to special use zones as they are less sensitive to shadow impacts than residential properties. The playground areas of the school will remain largely unaffected by the proposal. In this regard the minor overshadowing is considered acceptable and the amenity of the school's playground areas will be reasonably retained.



9am / ALTITUDE ANGLE: 9°47' / AZIMUTH ANGLE: 53°05'

Figure 22: Shadow diagram showing overshadowing to Sydney Grammar School

Overshadowing to the public domain along Glenmore Road would be reduced by the proposal which has a greater setback to Glenmore Road and a lower height (RL 16.8 – RL 19.0 AHD) compared to the existing southern grandstand (RL 20.1 AHD).

There will be no overshadowing impacts to adjoining residential developments.

The proposal is considered acceptable in terms of solar access impacts.

6.11 Residential Amenity

48% of objections relate to operational matters and 58% of objections relate to amenity impacts including:

- Hours of operation.
- Noise impacts.
- Visual privacy impacts.
- Light spill impacts.
- Mechanical equipment location.

Acoustic impacts

The location of the site and its proximity to residential development and natural topography (White City lies at the base of the Paddington amphitheatre) have been considered.

An Acoustic Assessment, prepared by AECOM and dated 2 September 2015, was submitted with the development application. This has been reviewed by Council's Environmental Health Officer.

Noise impacts to nearby residences from the football field, playground, childcare (roof terrace) playground, and new tennis courts could be appropriately managed (e.g. limit hours of operation and/ or frequency of use) and include appropriate noise attenuation measures. These operational details will be subject to assessment under any future development application(s) (**Condition B22**).

The building envelope for the clubhouse is sited 100m from residential development to the east and 78m to residential development to the north (Figure 23).

Whilst it is likely that there will be increased noise impacts from the proposed uses, these impacts are considered to be within the limits of what is considered acceptable based on the existing uses on the site, the land use zoning and impacts that result from development at the zone interface. Noise mitigation measures and/ or noise limits may be imposed on future development application(s).



Figure 23: Distance of clubhouse to residences at Walker Avenue (provided by Applicant)

Visual privacy impacts

The proposed building envelopes are separated from adjoining residential developments to the north (Walker Avenue), east and south (Glenmore Road). Within the site, the building envelopes are orientated towards the football field, tennis courts and landscaped terraces. The proposal will not result in any adverse visual privacy impacts to adjoining residential properties.

Lighting impacts

A Lighting Design Intent letter, prepared by AECOM dated 25 August 2015, was submitted with the development application. Any new lighting required for the operation of the proposed uses will be subject to assessment under any future development application(s) (**Condition B21**). It is anticipated that light spill impacts could be suitably managed (e.g. light pole locations, light fixture design and hours of operation).

6.12 Stormwater and Flooding

59% of objections relate to environmental impacts including stormwater and flooding impacts.

The site is located within the flood planning area. A Flood Assessment was submitted with the development application.

The proposal has been designed to address potential flooding as follows:

- The proposed site layout incorporates approximately 45% impervious surfaces.

- Minimum flood levels have been considered in the design.
- Earthworks have been minimised to reduce flood storage.
- The proposal maintains existing overland flows (via right-of-way, parking areas and shared zone). The football field will provide unobstructed overland flowpaths for floodwaters entering the site.

No concept stormwater management plan was submitted with the development application. Stormwater management (including any OSD) will be addressed in subsequent development applications for the detailed design of the development.

Council's Development Engineer considers the proposal acceptable in terms of stormwater and flooding. The building envelope locations have regard to likely flood and stormwater impacts. The more detailed elements of the stormwater design and flood mitigation can be addressed as part of any future development application(s) (**Conditions B15 and B16**).

The proposal is considered acceptable in terms of stormwater and flooding and Chapter E2: Stormwater and Flood Risk Management of the Woollahra DCP 2015.

6.13 Social and Economic

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.

6.14 Other Matters

Mechanical equipment

Concerns relating to the installation of mechanical equipment (basement car park exhausts and air conditioning units) can be addressed as part of future development application(s)

Construction impacts

Concerns relating to construction impacts can be addressed as part of future development application(s) (**Condition B22**).

Utilities

The provision and upgrade of services and utilities can be addressed as part of future development application(s) (**Condition B23**).

6.15 Site Suitability

Having regard to the characteristics of the site and its location, the proposed development is considered appropriate in that:

- The indicative uses are permissible and consistent with the objectives of the RE2 Private Recreation zone.
- The size and dimensions of the site are appropriate for accommodating the proposed building envelopes which are offset to large open outdoor areas.
- The proposed site layout and building envelopes are compatible with surrounding development, do not result in any unreasonable adverse impacts to adjacent properties and maintain a suitable relationship to adjoining properties.
- The interface between the site and Glenmore Road will be improved.
- Views from Alma Street will mostly remain unaffected and new views across the site from Glenmore Road will be provided.
- The vehicle and pedestrian network within the site will be improved and better connected to the surrounding network.
- The Heritage Interpretation Strategy involves retention, reuse and interpretation of key elements of the site.
- The proposal will provide wider social and economic benefits to the Woollahra community.

6.16 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.

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 sports 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.

7. CONCLUSION

The staged development proposal for building envelopes and indicative use of White City for a multi-purpose sports centre and registered club facilities is considered acceptable against the relevant considerations under Section 79C for the following reasons:

- The location and size of the building envelopes fit within the context of the site and surrounding buildings without unreasonable adverse impacts to adjoining properties. Whilst the proposed clubhouse building does extend into the open valley floor, additional open areas are provided on the site where they achieve more public benefit (e.g. additional tennis courts on the eastern side which achieve better public views). On balance, the proposal will maintain the important character of the open valley floor.
- The building heights are commensurate to the height of adjacent buildings, respond to the site topography and are compatible with the context of the site. The Clause 4.6 variation requests to the building height development standards under Clause 4.3 and Clause 4.3B of the Woollahra LEP 2014 are considered to be well founded. Strict compliance with the height of building development standards would be unreasonable and unnecessary in the circumstances of this development. There are sufficient environmental planning grounds to justify the proposed variation. The proposal is in the public interest and consistent with the objectives of the building height development standard (Clause 4.3) and the site specific building height objectives (Clause 4.3B) of Woollahra LEP 2014.
- The proposed envelopes are guided by the CMP which provides a criteria in relation to design, scale and location of the buildings. The heritage significance of the site is addressed by retention and adaptive re-use of original elements of the site and interpretation strategies and display of memorabilia. The impact of the proposal on the currently recognised contributory values within the conservation area is negligible.
- The proposal will provide social benefits to the Woollahra community through new and improved recreation, community and childcare facilities.

The intensification of uses and operational matters would be assessed under future development application(s).

8. DISCLOSURE STATEMENTS

There have been no disclosure statements regarding political donations or gifts made to any Councillor or to any council employee associated with this development application by the applicant or any person who made a submission.

9. RECOMMENDATION: PURSUANT TO SECTION 83B OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

THAT the Joint Regional Planning Panel, as the consent authority, grant development consent to DA438/2015/1 for Stage 1 concept proposal Development Application pursuant to Section 83B of the EP&A Act for building envelopes and indicative use of White City for a multi-purpose sports centre and registered club facilities including Heritage Interpretation Strategy on land at 30 Alma Street PADDINGTON, subject to the following conditions:

PART A – TERMS OF APPROVAL

Development Description

- A.1 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).

Determination of Future Stage 2 Applications

- A.2 In accordance with Section 83B(3)(a) 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.

Approved Plans and Supporting Documents

- A.3 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

Lapsing of Approval

- A.4 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.

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.

- 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 major encroachments to Council street trees 85, 86, 88 and 89 located on Glenmore Road.
- Tree protection plan for Council street trees 85, 86 and 89 located on Glenmore Road and the trees adjacent to the sports field.

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 19 November 2015.

- 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.

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 accordance with the car parking rates set out in Woollahra DCP 2015 and the RTA (RMS) Guide to Traffic Generating Development.

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

- B.12 Future development application(s) shall include an appropriate amount of bicycle parking spaces.

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.

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 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:

- a) Driveway crest not less than 150mm above flood level before descending into the site (as applicable).

- b) A detailed flood emergency plan is to be prepared and is to consider the Probable Maximum Flood (PMF).
- c) Flood advisory signs indicating the 1% Annual Exceedence Probability Flood (AEP) are to be installed on the boundary fence, around the overflow carparks and in all buildings with floor levels below 4.00m AHD.
- d) The underground car park is to be protected from inundation by flood waters to a flood planning level of 4.3m AHD.
- e) A pump well is to be installed in the underground carparks, the pump well is to be sized to fully contain the local 100 year local runoff, the tank is to be a minimum of 5cum in volume.
- f) The pump well is to contain dual alternating pumps capable of pumping a flow rate equal to a 50mm high weir flow over the driveway crest.
- g) A warning flood system is to be installed in the pump well that triggers when the pump well reaches 90% capacity.
- h) The pumps and the warning system are to be connected to an uninterruptable power supply.
- i) Clearly marked exits to flood free refuge areas are to be marked in the underground carparks.
- j) Flood compatible materials are to be used for all new construction bellow 4.5m 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.

ANNEXURES

- Annexure 1 – Plans and Elevations**
- Annexure 2 – Heritage Referral Report, prepared by City Plan Services**
- Annexure 3 – Technical Services Referral Response**
- Annexure 4 – Trees & Landscaping Referral Response**
- Annexure 5 – Environmental Health Referral Response**
- Annexure 6 – Open Space & Recreation Referral Response**
- Annexure 7 – Community Services Referral Response**
- Annexure 8 – Fire Safety Referral Response**
- Annexure 9 – RMS Submission**
- Annexure 10 – NSW Department of Primary Industries (Water) Submission**
- Annexure 11 – Sydney Trains Submission**
- Annexure 12 – Sydney Water Submission**
- Annexure 13 - Clause 4.6 Request to Vary Height of Buildings Development Standard**