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24 April 2018

The General Manager  
Penrith City Council  
PO Box 60  
Penrith NSW 2751

Dear Sir,

## **SECTION 4.55(1A) MODIFICATION APPLICATION DA14/0932- ST MARY'S RUGBY LEAGUE CLUB - WESTERN FOYER.**

### **1. INTRODUCTION**

This Statement of Environmental Effects (SEE) has been prepared to accompany an application under section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) to make minor modifications to the approved Western Foyer at St Mary's Rugby Leagues Club, Forrester Road St Mary's.

The application has been prepared on behalf of St Mary's Rugby Leagues Club (the applicant).

Specifically, the application seeks to modify development consent number DA14/0932. The consent proposed to be modified relates to Alterations and Additions to St Mary's Rugby League Club to Expand the Club with Associated Car Parking and Landscaping Works.

The proposed modifications include:

- External changes to the design of the approved Western Foyer Façade;
- Minor internal adjustments to the approved configuration;
- Landscaping; and
- Adjustments to the approved parking layout and removal of spaces.

The modifications are considered to have minimal environmental impacts and will result in substantially the same development.

SA7224\_SMRLC\_Western Foyer s4.55(1A)



In support of this application please find attached:

- A completed s. 4.55 Application form.
- Architectural plans prepared by Bergstrom Architects (**Attachment 1**).
- Design Statement and Justification prepared by Bergstrom Architects (**Attachment 2**).
- Traffic and Parking Report prepared by Parking and Traffic Consultants (**Attachment 3**).
- BCA Report prepared by Blackett McGuire and Goldsmith (**Attachment 4**).
- Access Capability Statement prepared by Design Confidence (**Attachment 5**).
- Noise Impact Assessment prepared by Acoustic Logic (**Attachment 6**).
- Security Plan of Management prepared by St Mary's Rugby League Club (**Attachment 7**).
- Lighting Design Statement prepared by Northrop (**Attachment 8**).

## **2. BACKGROUND**

Consent was granted by the Sydney West Joint Regional Planning Panel on 29 July 2017 for alterations and additions to St Mary's Rugby League Club to expand the club with associated car parking and landscaping works at Nos. 183-197 Boronia Road, North St Marys.

The original proposal provided additional entertainment areas in the club. The proposal revised the clubs orientation towards Forrester Road to consolidate the overall character of the club. The proposal improved the Club's overall presentation to the public domain through the façade design, new entry and landscaping.

The original DA was determined by the Joint Regional Planning Panel (JRPP) – Sydney West Region.

The key issues addressed in the development applications as approved by the JRPP included:

- External design;
- Landscaping;
- Accessibility;
- Access, Parking and Traffic;
- Noise Generation;
- Safety, security and crime prevention;
- Social and economic impacts, and
- Stormwater management.

The original proposal was referred to Council's Urban Design Review Panel and Access Committee.



An extension to the Consent was received from Penrith City Council. This extended the expiration date for the consent to 10 December 2017. This consent has been activated via the commencement of site works on the North East Car Park.

It is understood that it is the Club now intends to revise the design of the western foyer. This will require modification to the original development consent (DA14/0932).

### Pre-Lodgement Meeting

A pre-lodgement meeting was held with Council on 16 January 2017. The meeting was between Kate Smith and Gavin Cherry of Penrith City Council and Rod Desborough (SMRLC CEO) and Peter Strait of FDC Building. The key matters raised in the meeting related to future modifications of the consent are listed below:

Table 1 – Correspondence with Council

Council Comment	Response
<b>Meeting</b>	
The proposal can be appropriately assessed as a section 4.55(1A) modification application and as such will not be required to be referred back to the Western City Planning Panel (former Sydney West Planning Panel) for determination.	As discussed within this SEE. The proposed modifications satisfy the requirements of section 4.55(1A) being substantially the same development and of minimal environmental impact.
Ensure any proposed lighting is accompanied by a statement from a lighting designer to ensure that proposed lighting does not affect road users.	A lighting statement has been prepared by Northrup and is included at <b>Attachment 8</b> .
Provide an updated parking statement to reflect that council considers there to be sufficient existing provision for patron parking, regardless of removal of some parks by the development.	An updated parking statement has been prepared by Parking and Traffic Consultants and is included at <b>Attachment 3</b>
Proposal may be required to be referred to Council's Urban Design Panel and Access committee.	Noted
<b>Subsequent Email Feedback (3 April 2018)</b>	
Proposal will be reviewed by Council's UDRP as part of the s4.55 assessment	Noted – An Architectural Design Statement has been prepared by Bergstrom Architects and is included at <b>Attachment 2</b> .



Council Comment	Response
<b>Meeting</b>	
Proposed Roof Signage	All signage will be subject to separate approval.
Activation at ground floor level and whether the glazing which has been removed along either side of entry can be re-incorporated into the design as it is a key element of passive surveillance for this type of facility)	<p>Whilst this was considered, the addition of windows will break up the façade and add another element to the overall building fabric. In addition, the revised internal layout does not provide for significant active areas suited to passive surveillance.</p> <p>Any windows would be west facing and would compromise the intent of the sports bar due to strong glare from the afternoon sun.</p> <p>Security has been addressed at Section 7.8 of the SEE and within a revised Security Management Plan at Attachment 7</p>

### 3. THE SITE

The subject site (the site) is located on the corner of Forrester Road and Boronia Road. The site has a total land area of approximately 23 hectares. The site is described as Lot 23 of DP 1142130.

The existing facilities at the Club include:

- Club premises with dining, gaming, administration offices and car parking;
- Rugby League Stadium and separate training field;
- Saints Sports Lounge;
- Go Bananas children’s entertainment centre;
- Bottle-O store;
- Sports training fields; and
- Holiday Inn Hotel .

The western portion of the site is currently cleared and developed for the existing Club building and associated parking. The eastern portion of the site is largely undeveloped and includes a conservation area (Cumberland Plains Woodlands). The topography of the site has a slight slope to the east towards Ropes Creek which runs from south to north-west generally parallel to the site boundary.

### **3.1. SURROUNDING CONTEXT**

The key characteristics of the surrounding context of the site are:

- The suburb of St Marys is located at the eastern boundary of Penrith LGA and is bisected by Forrester Road. The Club is located approximately 1.5 kilometres north of St Marys town centre;
- West of the subject site across Forrester Road is an existing industrial area;
- South of the site across Boronia Road is an established residential area, including a recently completed seniors living development;
- The northern adjacent was developed as a Masters Home Improvement centre and has recently received consent for a change of use for a Bulky Goods retail centre.
- East of the site is a natural open space corridor running along Ropes Creek and contains Cumberland Plains Woodlands;
- A McDonald's restaurant to the south west of the site (on the south eastern side of the intersection between Forrester Road and Boronia Road);
- The site is located north east of a major roundabout. Fronting this roundabout is a Macdonald's restaurant and Drive-Thru (south east), a Seven-11 (south west), and undeveloped land (north west); and
- The interface between these surrounding land uses and the site is diluted by the width of Boronia and Forrester Roads and associated generous verges.

Figure 1 – Aerial Photograph



## 4. PROPOSED MODIFICATION TO APPROVED DEVELOPMENT

### 4.1. PROPOSED MODIFICATION

The proposed modifications are illustrated in the Architectural Plans prepared by Bergstrom Architects at **Attachment 1**.

It is proposed to modify the approved development in the following manner:

#### Ground Floor Internal

- Reduction of overall building footprint to the east with minor extension to the north to accommodate TAB and service areas.
- Deletion of approved egress stair to the north west of the building.
- Removal of approved meeting rooms to be replaced by a relocated 'sports bar' and seating areas.
- Relocate meeting and function areas to Level 1.
- Revise location of main club 'air lock' entry to the south of approved entrance and rationalise circulation areas.
- Revised back of house areas including:



- Expansion of kitchen area;
- New keg room; and
- New cool room and freezer room.
- Relocation of sports bar and seating areas.

**Level 1 Internal**

- Relocate function kitchen and reduce overall size.
- Reconfiguration of meeting/function rooms and associated bar areas.
- Deletion of escalators and revise location of lift and stairs from the ground floor.
- New club 'business centre'.
- Relocation of toilet areas.
- Relocation of approved rooftop plant areas.

**External**

- Straighten the approved curved façade and roof design including:
  - Reduction in overall roof form to match the previously approved roofline.
  - Revise façade design and materiality to create more uniform façade including perforated aluminium screens to create depth with multi-faceted forms.
  - New LED theme lighting.
  - Relocation of the approved porte cochere to the south adjacent to main entry ‘air lock’. The relocation will result in the loss of 10 car spaces.
- Provide new landscaping and rock feature adjacent to revised porte cochere area.
- Reconfigure/straighten the approved loading dock on the northern façade.
- New substation on the Boronia road frontage and main switch room on the southern façade.

The proposed amendments are outlined in **Figure 1** below:

Figure 2 – Ground Floor Plan

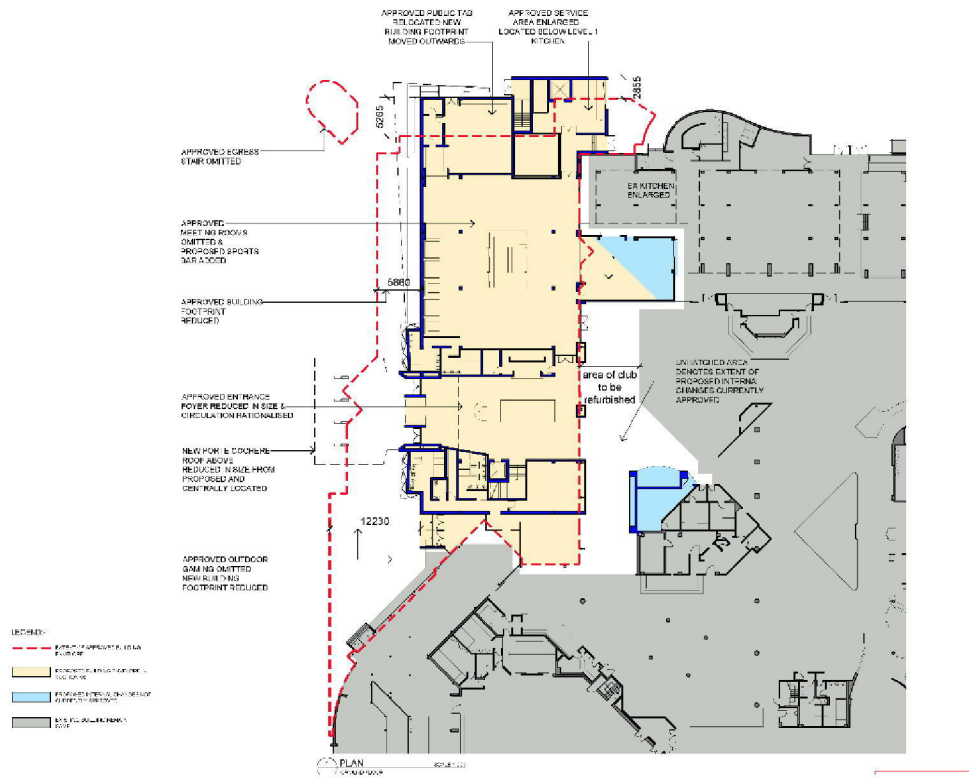




Figure 3 – First Floor Plan

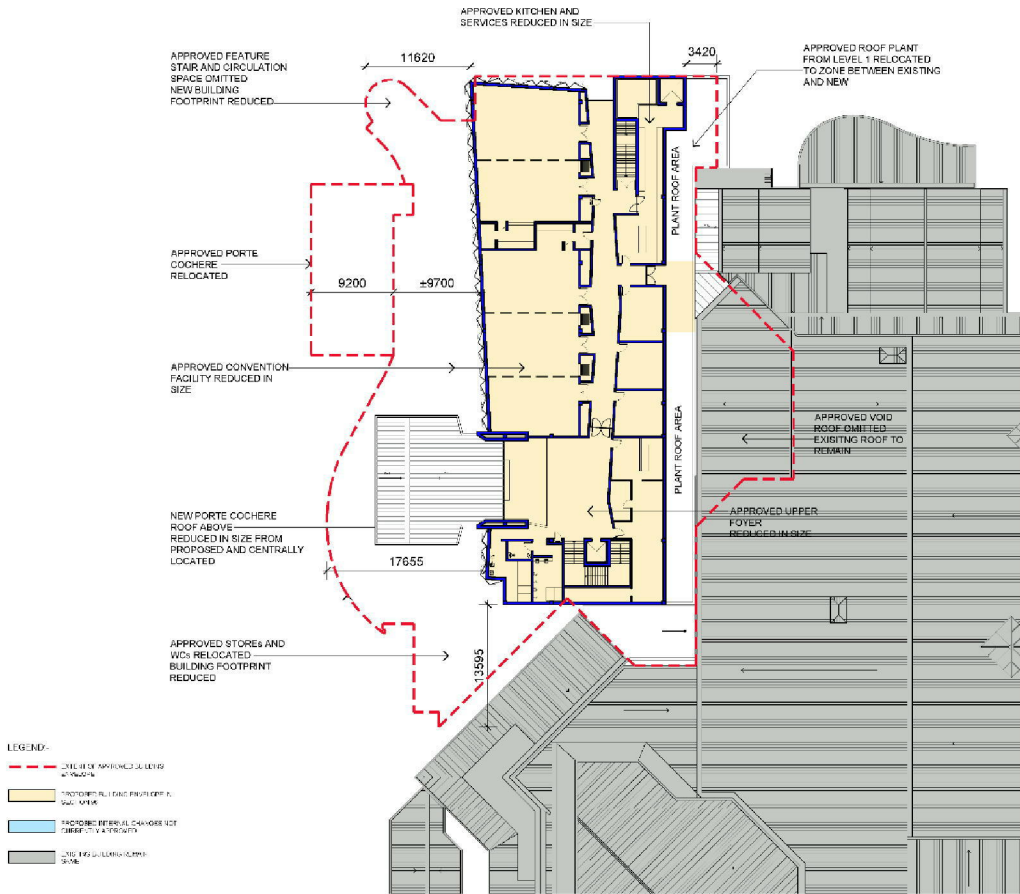


Figure 4 – Approved and Modified Façade



Picture 1 – Façade as approved in DA14/0932

Source: Curtin Bathgate & Somers Pty. Limited Architects



Picture 2 – Façade as proposed to be modified.

Source: Bergstrom Architects

## 4.2. REASONS FOR MODIFICATION:

The proposed modifications seek to revise the design of the approved Western Foyer to better suit the needs and operation of the St Mary's Rugby Leagues Club. The use and function of this area will remain generally consistent with the previously approved development application and overall use as a registered club.

The main objective of the proposal is for a clear and rationalised entrance facing Forrester Road with main vehicular access from the newly built roundabout off Forrester Road.

The revised design includes:

- New club provisions;
- Flexible conference and meeting rooms with ancillary facilities; and
- Other essential administrative and service amenities.

The design integrates all these required functions into more efficient layout whilst ensuring the new western edge interface is both bold and sophisticated.

## 4.3. MODIFICATION TO CONSENT DA16/0519

It is proposed to modify Condition 1 of consent DA 16/0519 to reflect the titles of the modified plans.

Drawing Title	Drawing No.	Issue	Prepared by	Dated
Site Precinct Plan	DA-100	B	Curtin Bathgate & Somers Pty. Limited Architects	11.11.14
Site Plan	DA-101	B	Curtin Bathgate & Somers Pty Ltd Architects	11.11.14
Site Plan and Car Parking	DA-000	A	Bergstrom Architects	10.04.18
Site Analysis Plan	DA-102	B	Curtin Bathgate & Somers Pty Ltd Architects	17.11.14
Ground Floor Plan	DA-103	A	Curtin Bathgate & Somers Pty Ltd Architects	22.07.14
Substation and main switchroom proposal	DA-005	A	Bergstrom Architects	10.04.18
Demo Plan and Ground Floor	DA-020	A	Bergstrom Architects	10.04.18
Proposed Ground Floor Plan	DA-020	A	Bergstrom Architects	10.04.18
First Floor Plan	DA-104	B	Curtin Bathgate & Somers Pty Ltd Architects	11.11.14



Proposed First Floor Plan	DA-101	A	Bergstrom Architects	10.04.18
Roof Plan	DA-105	A	Curtin Bathgate & Somers Pty Ltd Architects	22.07.14
Proposed Roof Plan	DA-200	A	Bergstrom Architects	10.04.18
Proposed Cochere Canopy Roof	DA-210	A	Bergstrom Architects	10.04.18
Elevations & Sections	DA-106	A	Curtin Bathgate & Somers Pty Ltd Architects	22.07.14
Elevations	DA-500	A	Bergstrom Architects	10.04.18
Elevations	DA-501	A	Bergstrom Architects	10.04.18
Sections	DA-520	A	Bergstrom Architects	10.04.18
Section	DA-521	A	Bergstrom Architects	10.04.18
Access Design Assessment Report	P213_140-4 (Access)-PB	-	Design Confidence	24.07.2014
Access Capability Statement	P218_055	-	Design Confidence	28.03.18
Acoustic Report	20140516.1/1106 A/R2/TA	2	Acoustic Logic	11.06.2014
Noise Impact Assessment	20180451.1/1704 A/R1/TA	1	Acoustic Logic	17.04.2018
Traffic and Parking Report	9373/2	-	Colston Budd Hunt & Kafes Pty Ltd	November 2014
Traffic and Parking Report		3	PTC	23.04.2018
Security Management Plan			St Marys Rugby Club Ltd	February 2018

## 5. ASSESSMENT UNDER S4.55(1A) OF THE ACT

The relevant part of the Environmental Planning and Assessment Act 1979, states:

(1A) *Modifications involving minimal environmental impact*

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

- a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- c) it has notified the application in accordance with:*
- d) the regulations, if the regulations so require, or*
- e) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- f) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan.*

### 5.1. MINIMAL ENVIRONMENTAL IMPACT

The proposed amendments relate to an increase in parapet height and parking provision on site and will not result in additional environmental impacts for the following reasons.

- The adjustments façade and roof will not increase the height of the proposal above RL37.8 which was approved in DA14/0932.
- As the site is not subject to a maximum height control, the changes to the roof design will not impact on any conditions of approval.
- The proposed changes will improve the visual presentation of the club to Forrester Road.
- The portion of the building subject to the proposed modifications is setback approximately 80m from the Forrester Road frontage. There will be no adverse impacts to vehicles travelling along Forrester Road from the proposed lighting.
- The proposed internal changes reflect the updated needs and operation of the club and are unlikely to have any adverse impact on surrounding land uses.
- The modifications will not significantly alter the context, scale, built form or amenity of the approved development.

## 5.2. SUBSTANTIALLY THE SAME DEVELOPMENT

The NSW Land and Environment Court has established several precedents as to what may be considered as being “substantially the same development”, and what should be factored into the consideration of this threshold test. The proposal remains the same as approved for the following reasons:

- The proposed development remains “essentially or materially” the same i.e. having the same essence. The facts presented in this SEE which relate to the proposed modification categorically demonstrate that the development as proposed to be modified remains substantially the same.

The proposed modifications relate directly to the approved western foyer design of the SMRLC. The proposed modifications provide a revised and modernised façade design within a similar height, albeit with a reduced footprint.

- The proposed modifications have been assessed as minor and as such do not result in a ‘radical transformation’ of the approved western foyer.
- Whilst there is some reduction to the overall footprint and as such GFA A quantitative and qualitative assessment of the development in their proper context has been demonstrates that the development as proposed to be modified is substantially the same.

The proposed modifications will not change the land use or substantially alter the nature of the development and as such it is considered substantially the same development.

## **6. SECTION 4.15 CONSIDERATIONS**

### **6.1. RURAL FIRES ACT 1997**

Under Section 4.55 (1A) the proposal is not required to be referred to the NSW RFS for consultation. This is because the proposed modification has been determined to have 'minimal environmental impact.'

### **6.2. SYDNEY REGIONAL ENVIRONMENTAL PLAN NO. 20 – HAWKESBURY NEPEAN**

The proposed amendments will have no impact on the requirements of SREPP 20.

### **6.3. ANY ENVIRONMENTAL PLANNING INSTRUMENT (EPI)**

The application has been submitted in accordance with the requirements of Section 4.55(1A) of the Environmental Planning and Assessment Act 1979. The proposed modifications have considered the requirements of the Penrith Local Environmental Plan 2010 and are consistent with the relevant provisions of this plan.

#### **Any development control plan**

The proposed modifications remain consistent with the relevant provisions of the Penrith Development Control Plan (DCP) 2014.

## **7. IMPACTS OF THE PROPOSAL**

### **7.1. BULK AND SCALE & VISUAL IMPACT**

The site is not subject to a maximum height control, the proposal considered the approved developments impacts on the portion of the site which is identified as 'Land with Scenic and Landscape Values' under clause 7.5 of the PLEP 2010.

The development as proposed to be modified will maintain a similar setback and building height to that approved in DA DA14/0932.

Appropriate selection of colours and materials and lighting to ensure a high-quality development that is compatible with its surroundings.

Photomontages and a Design Statement have been prepared by Bergstrom Architects to demonstrate that the development as proposed to be modified will have minimal visual impact from major roads and other public spaces. The Design Statement provides the following justification of the built form:

*The redesign provides the unique opportunity to improve and modernise the visual appearance of the Club when viewed from the surrounding public domain.*

*Careful consideration has been given to the design of the façade forms and treatments: the result is a dramatic, innovative frontage that maintains the councils requirement for a more simplified and coherent language.*

*The materials chosen are used in a harmonious and uncomplicated manner yet also generate the progressive contrast and texture required of this new landmark form.*

*The proposed modifications include a compact and structurally efficient floor plan. The proposal removes excess circulation space and as such reduces the amount of external walls required to enclose these spaces.*

*The revised facade utilises features such as the aluminium perforated screening to generate a highly unique built form. This is supplemented by the drama of the very visible Porte Cochere structure which clearly signifies the position of the new entrance to make for a ‘safe and visually appealing point of arrival for visitors.’ (UDRPA)*

The revised design provides for an attractive street frontage within a simpler and more compact overall form. The proposed modifications have been designed to seamlessly integrate into the use and function of the existing club and will have minimal additional impacts.

Figure 5 – Photomontage



Source: Bergstrom Architects

## 7.2. URBAN DESIGN

The design statement (**Attachment 2**) has undertaken an assessment of the overall Urban Design Values to demonstrate how the current design addresses the previous concerns of the Penrith Urban Design Review Panel. This assessment is included below:



**“Urban Structure:** *The revised design is both compact and visually appealing and therefore contributes to the overall framework.*

**Urban Grain:** *As the proposed development will provide the existing Club with a stronger link to the street frontage – the existing urban grain is improved.*

**Density and Mix:** *The proposed development will provide flexible function facilities and other uses to support the overall function of the St Mary's RLC.*

**Height and Massing:** *There will be no change to the height of the proposal. The overall massing has been scaled back through the reduction in overall building footprint.*

**Street and Landscape:** *The proposed development improves the link between the existing Club and Forrester Road – which is accentuated by the strong form of the porte-cochere.*

**Façade and Interface:** *The proposed development provides the Club with a unique opportunity to substantially modernise the current built context, not only on the site – but also the immediate surroundings.*

**Details and Materials:** *Materials have been chosen to create a novel and visually appealing environment where Visitors will feel safe and comfortable. Durability, colour and texture of selected materials have been well-considered to ensure a homogenous exterior that is both inviting and enlivening.*

**Public Realm:** *The BA proposal will better engage the existing Club with the public street and footpath. The scale of the development ensures better visibility for the Club from Forrester Road, and will create a good gateway between the public realm and the more private one of the Club.*

**Social and Economic Fabric:** *As a club which offers such varied leisure and sporting facilities to both the public and private members, St Marys will provide enhanced amenities that shall improve culture, social participation, well-being and social interaction within the greater economic realm of the City of Penrith.”*

### 7.3. LIGHTING

Council have requested that a lighting statement accompany the proposed modifications to ensure that the proposed lighting will not have an adverse impact on the surrounding area and road users. This lighting statement has been prepared by Northrop and is included at **Attachment 8**.

The proposed lighting will be in accordance with normal engineering practice and will meet the requirements of the Building Code of Australia, relevant Australian Standards and relevant conditions of Developments Consent.

## 7.4. TRAFFIC AND ACCESS

A Traffic Impact Assessment (TIA) has been prepared by Parking and Traffic Consultants (PTC) to assess the traffic and parking implications of the proposal (**refer Attachment 3**). Reference should be made to this report for a more detailed assessment of the traffic and parking impacts associated with the proposed modifications.

The Traffic Impact Assessment addresses that the proposed reduction in the number of car parking spaces, internal circulation, vehicular access arrangements and visibility have been designed in accordance with the relevant standards, being AS2890 Part 1, Part 2 and Part 6 having regard for geometry and safety.

## 7.5. BUILDING CODE OF AUSTRALIA

A revised BCA compliance statement has been prepared by Blakett McGuire Goldsmith. The statement reviews the proposed modification application against the deemed-to-satisfy provisions of the BCA. And the Disability (Access to Premises-Buildings) Standards 2010. The report confirms that any amendments required to the design documentation in order to comply with the BCA can be addressed in the detailed Construction Certificate documentation. The statement confirms that the proposed development can achieve compliance with the relevant provisions of the BCA.

## 7.6. ACCESS

A revised Accessibility Statement has been provided by Design Confidence which has assessed the proposed modifications in accordance with the BCA Access Requirements (**Refer Attachment 5**). The statement concludes that the proposed design can achieve compliance via either complying with the Deemed to Satisfy provisions or performance requirements of the BCA.

## 7.7. NOISE

A revised Noise Impact Assessment (NIA) has been provided by Acoustic Logic to assess the potential environmental noise impacts resulting from the use of the areas subject to the proposed modifications. The NIA has also addressed potential noise impacts from plant areas.

The NIA notes that the proposed operational hours for the upstairs function areas will be 7am to midnight. The remainder of the proposed western foyer areas including the lounge and sports bar will be consistent with the current hours of operation for the SMRLC which are:

- Monday through to Thursday, 10am – 4am;
- Friday from 10am to 6am; Saturday 9am to 6am; and
- Sunday 9am to 4am.

The NIA assessed the potential noise generation according to the relevant criteria to the nearest affected residential properties which are located in Boronia Road to the south of the site. The NIA notes that noise emission compliance at these receivers will result in compliance at all receiver locations.

The assessment notes that based on the recommendations of the report being implemented the predicted noise levels from the indoor areas comply with the relevant criteria. These recommendations are detailed below:

- 1. No live music is to be played within the function rooms.*
- 2. Amplified background music within the function rooms is to be limited to a sound pressure level of 85dB(A) within the space.*
- 3. A detailed review of all external mechanical plant should be undertaken at construction certificate stage (once plant selections and locations are finalised). Acoustic treatments should be determined in order to control plant noise emissions to the levels set out in section 4 of this report. Compliance with these noise emission requirements will be achievable with standard acoustic treatments (plant enclosures, in-duct acoustic treatments and similar).*

Based on the adoption of the above recommendations, the noise levels will be acceptable and will comply with the relevant assessment criteria.

## **7.8. SAFETY AND SECURITY**

Council raised concerns that the removal of windows on the western elevation would reduce passive surveillance from internal areas to the outdoor areas. In response to these concerns, safety and security has been addressed through both the design and a revised security management plan (**Attachment 7**).

### **7.8.1. Design**

The proposal has been designed to ensure maximum safety and security of patrons within the club and in the external areas. The design statement (**refer Attachment 2**) notes the following features that will contribute to passive surveillance:

- a building footprint in which the perimeter walls are straight eliminating blind spots behind building elements.
- Sufficient lighting around the perimeter and in the carpark will minimise anti-social behaviour.
- A porte cochere which allows for full 180 degrees surveillance across the building footprint out towards the carpark. The port cohere will be a high activity area with people entering/exiting the club along with transport drop off /pick up.
- Double height entry glazing and port cohere will give the club a defining entry point. It will be highly visible across the carpark and Forrester Road and offer itself as a place of refuge.
- The landscaping to the port cohere island will be minimal and low height to maximise passive surveillance from port cohere and club entry and reduce opportunities for concealment.



### 7.8.2. Security Management Plan

The club operates according to a detailed Security Plan of Management. This plan has been reviewed as part of this modification application and is included at **Attachment 7**. The following additional management measures are proposed to be included within the revised Security Management Plan:

- Regular patrols by security staff of outdoor areas will be undertaken.
- Adequate lighting provided within the car park and areas surrounding the club to ensure that there are reduced opportunities for concealment.
- CCTV will be installed to external areas surrounding the new western foyer to discourage anti social activity. This is in addition to the 175 cameras already installed around the club.
- Regular shuttle bus services at busy periods so that easy accessibility to transport options reduce loitering.
- A fully staffed security management system and plan based on the Club's very skilled experience at handling their business and facility.

Implementation of the above measures in addition to the existing measures within the Security Management Plan will ensure a high level of security is maintained to the site.

### 7.8.3. CPTED Principles

An assessment of the proposal has been undertaken against the CPTED Principals

Surveillance	Places that are well supervised through natural, mechanical (e.g. CCTV) or organised (security guards) surveillance are less likely to attract crime behaviour.	<p>As per the security management plan the club will maintain both a CCTV and Security. This will include regular roving patrols of the car park area.</p> <p>The modifications have been designed to minimise blind spots and maximise passive surveillance through the high activity porte cochere area being a focal point for entry and exit to the club.</p>
Access control	Designing spaces to control of who enters and prevented unauthorised access. This can be achieved through natural barriers, mechanical controls or formal controls.	Access to the premises will be controlled though the western foyer entrance as per the protocols outlined in the revised Security Management Plan.
Territorial reinforcement	The way in which a community demonstrates ownership over a space. Places that feel owned and cared for are likely to be used, revisited and protected.	<p>The revised western foyer will become the main entrance to the club and as such will clearly reflect territorial reinforcement of the club and its surrounds.</p> <p>The porte cochere will provide a place of refuge and defining entry point to the building.</p>
Space and activity management	Space and activity management involves the range of uses in a space as well as managing site cleanliness, repair of vandalism and refurbishment of decayed physical elements to decrease fear of crime and maximise community safety.	The club will ensure that the premises and its surrounds will be well maintained and reflect the clubs status as a safe place to gather for social interaction for the local community.



The assessment confirms that the proposed modifications will have minimal impact and that safety and security can be appropriately managed.

## **7.9. SUITABILITY OF THE SITE**

- The subject site is deemed suitable for the proposed development by virtue of the original consent to which the proposed s.4.55(1A) modification relates.
- There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development that have not been assessed in the original application, and there are no further matters raised in this application that would alter the conclusions reached in the original assessment.

## **7.10. ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS**

There are none relevant to the proposed modification.

## **7.11. THE PUBLIC INTEREST**

The proposed modification application has been assessed against the relevant planning policies applying to the site having regard to the objectives of the controls. As demonstrated in the assessment of the application, the proposal will improve the operations, function, efficiency and user experience of the development and has been assessed to have minimal environmental impacts. As such it is considered that the development application is in the public interest.



## 8. CONCLUSION

The proposed modifications have been considered against the relevant provisions of section 4.15 and 4.55(1A) of the EP&A Act 1979. The assessment concludes that the development as proposed to be modified is substantially the same as the approved development and will result in minimal environmental impacts:

The proposed modifications to DA14/0932 are considered to have merit and should be supported by Council.

We trust that the above and the enclosed information is sufficient to enable a prompt consideration of the proposed modification. In the meantime, however, should you have any queries in relation to the above, please do not hesitate to contact the undersigned on 028233 7660.

Yours sincerely,

A handwritten signature in black ink, appearing to read "C. Charkos".

Christophe Charkos  
Senior Planner – Planning

- Enc
- Attachment 1-Architectural Plans
  - Attachment 2 - Architectural Design Statement
  - Attachment 3-Traffic and Parking Report
  - Attachment 4-BCA Report
  - Attachment 5-Access Capability Statement
  - Attachment 6 - Noise Impact Assessment
  - Attachment 7-Security Plan of Management
  - Attachment 8 - Lighting Design Statement