

# Urban Planning Committee Agenda



**Agenda:** *Urban Planning Committee*

**Date:** *Monday 14 August 2017*

**Time:** *6.00pm*

**Outline of Meeting Protocol & Procedure:**

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

**Recommendation only to the Full Council:**

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
  - Town Planning Objectives; and
  - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Planning Proposals and Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

**Delegated Authority:**

- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of the Minutes of its Meetings.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.
- Statutory reviews of Council's Delivery Program and Operational Plan.

**Committee Membership:** 4 Councillors

**Quorum:** The quorum for a Committee meeting is 3 Councillors.

# Woollahra Municipal Council

## Notice of Meeting

9 August 2017

To: Her Worship the Mayor, Councillor Toni Zeltzer ex-officio  
Councillors Katherine O'Regan (Chair)  
Ted Bennett (Deputy Chair)  
Luise Elsing  
Matthew Robertson

Dear Councillors

### **Urban Planning Committee – 14 August 2017**

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Urban Planning Committee** meeting to be held in the **Thornton Room (Committee Room)**, 536 New South Head Road, Double Bay, on **Monday 14 August 2017 at 6.00pm.**

Gary James  
General Manager

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## Meeting Agenda

<b>Item</b>	<b>Subject</b>	<b>Page</b>
1.	Leave of Absence and Apologies	
2.	Late Correspondence	
3.	Declarations of Interest	

### **Items to be Decided by this Committee using its Delegated Authority**

D1	Confirmation of Minutes of Meeting held on 24 July 2017 - 17/140099 .....	7
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### **Items to be Submitted to the Council for Decision with Recommendations from this Committee**

R1	Public Exhibition of the Planning Proposal for 190-200 Boundary Street, Paddington - 17/139765 .....	9
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**Item No:** D1 Delegated to Committee  
**Subject:** **CONFIRMATION OF MINUTES OF MEETING HELD ON 24 JULY 2017**  
**Author:** Sue O'Connor, Secretarial Support - Governance  
**File No:** 17/140099  
**Reason for Report:** The Minutes of the Urban Planning Committee of 24 July 2017 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

**Recommendation:**

That the Minutes of the Urban Planning Committee Meeting of 24 July 2017 be taken as read and confirmed.

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**Item No:** R1 Recommendation to Council  
**Subject:** **PUBLIC EXHIBITION OF THE PLANNING PROPOSAL FOR 190-200 BOUNDARY STREET, PADDINGTON**  
**Author:** Jacquelyne Della Bosca, Executive Planner  
**Approvers:** Chris Bluett, Manager - Strategic Planning  
Allan Coker, Director - Planning & Development  
**File No:** 17/139765  
**Reason for Report:** To report on the public exhibition of the planning proposal for 190-200 Boundary Street, Paddington.  
To obtain Council's approval to proceed with the finalisation of the planning proposal.

**Recommendation:**

- A. That Council proceed with the planning proposal for 190-200 Boundary Street, Paddington, as exhibited and provided at annexure 1 of the report to the Urban Planning Committee meeting on 14 August 2017.
- B. That Council exercise its delegation authorised by the Director, Sydney Region East, Planning Services, Department of Planning and Environment, (as delegate of the Greater Sydney Commission) on 5 June 2017, to carry out the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979*.

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**1. Summary**

In December 2016 a request for a planning proposal was submitted to Council by St Vincent's Private Hospital (the applicant) for land at 190-200 Boundary Street, Paddington (the site). The request sought to facilitate use of the site for office premises associated with St Vincent's Private Hospital.

The request was reported to the Urban Planning Committee on 27 February 2017, and on 13 March 2017 Council resolved to prepare and exhibit a planning proposal (**Annexure 2**).

Under the planning proposal the site will remain zoned R2 Low Density Residential but an amendment will be made to the Woollahra Local Environmental Plan 2014 (Woollahra LEP) Schedule 1 "Additional permitted uses" to identify that the land can be used for office premises despite the R2 zone. Schedule 1 will specifically state that the office premises must be ancillary to and associated with St Vincent's Private Hospital.

"Office premises" is defined in the Woollahra LEP as:

*a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.*

No other changes are proposed to the Woollahra LEP; in particular, the current maximum height limit of 9.5 metres continues to apply.

The planning proposal was prepared and submitted to the Greater Sydney Commission (GSC) under section 58(2) of the *Environmental Planning and Assessment Act 1979* (the Act). On 5 June 2017 the GSC issued a Gateway Determination stating that Council could proceed to public exhibition (Annexure 3).

The planning proposal and supporting material were placed on public exhibition for 31 days, from Wednesday 14 June to Friday 14 July 2017 inclusive. Fifteen submissions were received during the exhibition period; these submissions raised concerns and objected to the planning proposal.

An assessment of the submissions is provided in Part 4 below. The submissions do not raise any planning matters that warrant amendment to the planning proposal as exhibited. We recommend that Council proceed with the planning proposal and exercise its delegated authority under section 59 of the Act to arrange for the drafting and making of the amending LEP which will give effect to the planning proposal.

## 2. The site

The site is located on the southern side of Barcom Avenue and Boundary Street, Paddington, as shown below in Figure 1. Barcom Avenue and Boundary Street form part of the boundary between the Woollahra and City of Sydney local government areas (LGAs).

The site has a total area of approximately 889m<sup>2</sup> and consists of four adjoining lots:

- 190 Boundary Street (Lot 3 DP 223679)
- 192 Boundary Street (Lot 2 DP 223679)
- 194 Boundary Street (Lot 1 DP 223679)
- 196 - 200 Boundary Street (Lot 3 DP 84504).



Figure 1: Cadastral map

The site is currently developed with five terrace houses dating from the late Victorian/ early Federation period (refer to *Figures 2-4*). The terraces vary in size and height:

- 190-194 contains three single storey terraces. These terraces are currently used and inhabited for residential purposes.
- 196-200 contains two double storey terraces. These terraces are substantially dilapidated and currently uninhabitable. A significant portion of these properties is unbuilt on. This unbuilt portion adjoins the western and southern boundary.



Figure 2: 190-194 Boundary St and 196-200 Boundary St (source SJB)



Figure 3: Existing single storey terraces at 190-194 Boundary St (source SJB)



Figure 4: Existing double storey terraces at 196-200 Boundary St (source SJB)

### 3. Public exhibition

The planning proposal and supporting material were placed on public exhibition for 31 days, from Wednesday 14 June to Friday 14 July 2017 (inclusive), consistent with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* (the Regulation) and conditions set out in the Gateway Determination.

The exhibition involved the following:

1. Advertisements in the Wentworth Courier on the following dates, providing details of the exhibition:
  - 14 June 2017
  - 21 June 2017
  - 28 June 2017
  - 5 July 2017
  - 12 July 2017
2. An exhibition page on Council's website<sup>1</sup>. The exhibition page was visited by 108 external customers during the exhibition period.
3. Display of exhibition material at the Customer Service counter of the Woollahra Council Chambers, available during normal business hours.
4. Notification letter / email to stakeholders including:
  - The applicant: St Vincent's Private Hospital and planning consultants SJB
  - Adjoining and nearby property owners (refer to notification map at Figure 5)
  - Local interest groups: The Paddington Society and Paddington Business Partnership
  - Public or government agencies: AGL, Ausgrid, City of Sydney Council, The NSW Environment Protection Authority (EPA), NBN Co., Roads and Maritime Services (RMS), Department of Health and Sydney Water.

#### 4. Submissions

Fifteen submissions were received; seven of these contained duplicate/pro-forma responses.

The submissions were from adjoining and nearby property owners who all objected to the proposal. No submissions were received from the public or government agencies.



Figure 5: Notification map, including the locations of those that made submissions

<sup>1</sup> [http://www.woollahra.nsw.gov.au/council/public\\_notices/list/planning\\_proposal\\_for\\_190-200\\_boundary\\_street,\\_paddington](http://www.woollahra.nsw.gov.au/council/public_notices/list/planning_proposal_for_190-200_boundary_street,_paddington)

The location of those people who made a submission is shown in Figure 5 above. A redacted copy of all submissions is attached as Annexure 4.

The issues raised in submissions have been grouped into the following categories:

- Compatibility of the proposed land use with the area
- Consider alternate commercial land
- Heritage and streetscape impacts
- Amenity impacts to adjoining properties
- Traffic and parking
- Safety
- Strategic merit
- Notification process
- Operational issues with St Vincent's Private Hospital
- Other matters

Extracts from the submissions, along with the Strategic Planning staff responses, are provided below.

## 1. Compatibility of the proposed land use with the area

### *Issues raised in submissions (extracts)*

- "Inconsistent with land use objectives of the R2 zone, varying the permissible uses on this lot is inconsistent with the objectives of the R2 zone, "To enable other land uses that provide facilities or services to meet the day to day needs of residents". A hospital, and associated office uses is best classified as an item of state or regional infrastructure (as is classified under the Sydney LEP) is not able to be classified as a facility to meet the 'day to day needs of residents'."
- "We lose more residential with conversion to commercial use... and this is not a good outcome to our social amenity."
- "The loss of Residential Family homes in the area is a disappointment."
- "We need to retain residential use wherever possible."
- "The need to retain the residential zone and the heritage value of the terrace houses is greater than the need for commercial space in the precinct."
- "If the Planning Proposal is approved and office premises subsequently developed, it would result in substantial intensification of the site....This is a significant increase in the potential population of the site from 14 to 107 (93 additional people) - over seven times the present potential population density.... It would clearly alter the character of the precinct."

### *Staff response*

There are three single storey terraces at 190-194 Boundary Street currently used and occupied for residential purposes, and two double storey terraces at 196-200 Boundary Street that are dilapidated and currently uninhabitable. The planning proposal seeks to retain the R2 Low Density Residential Zone on this land but also allow the additional land use "office premises", but only if the offices are ancillary to and associated with St Vincent's Private Hospital.

The proposed additional office use is consistent with the land use pattern in the Paddington HCA which is residential but has a strong history of an evolving mix of uses. This mix of uses is recognised in the Woollahra Development Control Plan (DCP) 2015, Chapter C1 Paddington HCA which:

- states that “Paddington’s sense of place and its significance results from a multi-layered interrelation of various built forms and spaces and historical and social values” and
- seeks to achieve a desired future character that “continues to cater for varied uses and building types within the residential area”.

The subject site is surrounded by land that contains a range of uses. This includes a four storey Interwar residential flat building at 186 Boundary Street, the St Vincent’s Hospital precinct containing multi-storey buildings, Barcom Avenue Park on the opposite side of Barcom Avenue and Boundary Street, and retail shops situated along Oxford Street. The four residential terrace houses at 278-284 Barcom Avenue are the only low scale residential uses in the immediate vicinity of the site.

There is also evidence to suggest that there has been a history of non-residential uses on the subject site according to the Statement of Heritage Impact by Cracknell and Lonergan Architects Pty Ltd submitted with the applicant’s planning proposal. The statement identifies that “A historical archive obtained from the City of Sydney shows that the terraces at 190-200 Boundary Street have in fact undergone changes from single dwellings to subdivided flats to offices, warehouses and proposals for construction of a small manufactory and warehouse”. (p.10)

Importantly the planning proposal does not seek to change the maximum building height or to make any other changes to Council’s planning controls; this will ensure that redevelopment on the site retains the low scale built form characteristic of the area.

Having regard to the location of the site, its context and the scale of development that could be achieved, we find that the objective of the planning proposal (i.e. to retain the R2 Residential Zone but allow an additional use for office premises associated with St Vincent’s Private Hospital) is:

- consistent with the R2 Low Density Residential Zone objective “To provide for development that is compatible with the character and amenity of the surrounding neighbourhood”, and
- consistent with the land use pattern in the Paddington HCA which is predominantly residential but contains a mix of uses.

Redevelopment of the site for office premises associated with St Vincent’s Private Hospital will require a DA and detailed assessment of any potential impacts arising from a specific development on the site will also be considered at that stage. Any development proposal will need to have regard to the heritage provisions in Woollahra LEP, clause 5.10 “Heritage conservation”, and the Woollahra DCP controls including those for the Paddington HCA.

## 2. Consider alternate commercial land

### *Issues raised in submissions (extracts)*

- “There is enough commercial real estate turning over in the precinct for the needs to be taken up by existing commercial property for rent or for sale in the area.”
- “An alternative for the hospital would be to sell these five buildings and rent or purchase existing commercial property in the zone.”

### *Staff response*

St Vincent’s Private Hospital has owned these sites since the late 1980s; at that time the land was zoned 2(a) Residential under the Woollahra LEP 1995 and “hospitals” were a permitted use in the 2(a) zone.

From a commercial and operational perspective it is reasonable for St Vincent's to seek to develop existing assets that it owns rather than lease properties that are not co-located and do not belong to the hospital. The proposed amendments to the Woollahra LEP will only allow the site to be developed for the purpose of an office if the activities proposed are ancillary to and associated with St Vincent's Private Hospital. The use of the site for any other purpose (other than those already permitted with consent in the R2 Zone) will continue to be prohibited.

### 3. Heritage and streetscape impacts

#### *Issues raised in submissions (extracts)*

- “The Planning Proposal, if approved, will have significant implications on the heritage values of these buildings and streetscape character of the HCA. The Heritage Impact Statement (HIS) supplementing the Planning Proposal confirms that the desired development outcome sought would require the demolition of two terrace houses (196-198 Boundary Street) while retaining only the façade of 190-194 Boundary Street. It is considered that the proposed demolition of historic terraces and façade retention is unacceptable on heritage grounds, and is contrary to the heritage conservation objectives and provisions in the DCP.”
- “The proposed demolition of three terrace houses is unacceptable as it would remove key character elements of the HCA, disrupting the fine grain pattern of historical development along the streetscape. Furthermore, façade retention of the remaining terraces is not supported.”

#### *Staff response*

The planning proposal seeks to include an additional permissible use for the site. The Council's Heritage Planner commented that the proposed additional use of the site is sympathetic to the existing mix of development within the vicinity of St Vincent's Hospital. No objection was raised to the additional use of the site.

The planning proposal does not involve an application to obtain consent for the demolition of buildings and the redevelopment of the site. Whilst a concept scheme has accompanied the planning proposal, no assessment has been carried out on the scheme.

Detailed assessment of the heritage and streetscape impacts arising from a specific proposal on the site will be considered at the DA stage. Any development proposal including the demolition of buildings in whole or in part will need to have regard to the Woollahra LEP, including clause 5.10 “Heritage conservation”, and the Woollahra DCP controls for the Paddington HCA.

#### *Issues raised in submissions (extracts)*

- “St Vincent's Hospital has left these buildings at 196-200 Boundary Street fall into disrepair over many many years. Approval of this planning proposal would reward the property owner for allowing property to become uninhabitable. Demolition inevitably change the historic nature of the streetscape by taking away these character terraces for a commercial development.”
- “Maintain the character terraces and insist on their refurbishment for offices within the existing low rise design.”

#### *Staff response*

The demolition of existing buildings on the subject site is not a matter that can be assessed and approved under the planning proposal. It is a matter that will be subject to a separate DA. It should be noted, however, that the demolition of buildings is a matter that may possibly arise irrespective of whether the planning proposal proceeds.

In regard to the structural condition of the two double storey terraces at 196-200 Boundary Street, the applicant's heritage consultant Cracknell and Lonergan Architects Pty Ltd identify in their Statement of Heritage Impact that the buildings were structurally compromised by 1990 and were purchased in the late 1980s by St Vincent's Private Hospital:

- "A historical archive obtained from the City of Sydney shows that the terraces at 190-200 Boundary Street have in fact undergone changes from single dwellings to subdivided flats to offices, warehouses and proposals for construction of a small manufactory and warehouse. Coupled with different alterations for fire egress, roofing and changes to the balcony, some of these have unfortunately led to detrimental changes, particularly to the pair of terraces which forms 196-200 Boundary Street. The scope of these alterations were such that by the 1990s, additional structural props had to be added as a temporary stabilisation measure to ensure the imminent collapse of these terraces did not occur." (p.10)
- "In as early as August 1992, over two decades ago, significant longitudinal and lateral stability issues were identified, indicating that the building has been in a poor level of structural stability for an extended period of time. A series of reports commissioned by St. Vincent's Hospital between the years 1992-1996 (see appendix for copies of engineer's reports and statements) and a heritage study undertaken by this office, Cracknell and Lonergan Architects in 1997 all suggested that the integrity of the terraces had been affected beyond repair." (p.15)

Detailed assessment of any proposed demolition and potential heritage and streetscape impacts arising from a specific proposal on the site will be considered at the DA stage. Any development proposal will need to have regard to the Woollahra LEP, including clause 5.10 "Heritage conservation", and the Woollahra DCP controls for the Paddington HCA. The DA will be referred to Council's heritage officer and will also be publicly exhibited for comment.

***Issues raised in submissions (extract)***

- "The proposal also states that "there is capacity to accommodate car parking onsite with any future development if it is deemed necessary". This indicates that this proposal is just the tip of an iceberg, and its approval would be the just the start of a larger plan."

***Staff response***

This planning proposal is not an application for development. It only seeks to change the Woollahra LEP to allow the additional use of office premises ancillary to and associated with St Vincent's Private Hospital on the site. Nevertheless, the appropriateness of the site for office accommodation associated with the Hospital has been considered. Part of this consideration has involved looking at the potential for the site to provide off-street parking and servicing facilities.

It has been concluded, because of the site's characteristics, including a large amount of underdeveloped land, that on-site parking can be provided. However, the intensity of a future redevelopment scheme is not a matter that can be assessed or approved through the subject planning proposal. This will require a DA which will be assessed against Council's planning controls including the Woollahra LEP and Woollahra DCP. The scale of future development will be restricted by statutory height limit controls in the LEP and planning controls in the DCP including requirements for on-site parking.

***Issues raised in submissions (extract)***

- "There are no concept drawings within the application to give confidence to the residents that this will not seriously impact access to light, parking and the heritage value of the streetscape."



***Staff response***

The scale, form and design details of any proposed buildings on the site are not relevant matters for the planning proposal. The planning proposal seeks to allow an additional land use on the site; it does not seek to change the maximum building height or to make any other change to the built form controls that currently apply to the site.

Notwithstanding, the planning proposal included built form options in the form of block concept modelling to provide an indication of the form of development likely to be proposed for the site. This documentation was provided at Attachment 1 of the exhibition material<sup>2</sup>.

Redevelopment of the site for office premises associated with St Vincent's Private Hospital will require a DA and will include detailed drawings of the proposed built form. Any development proposal will need to have regard to the heritage provisions in Woollahra LEP, clause 5.10 "Heritage conservation", and the Woollahra DCP controls, including those for the Paddington HCA in Chapter C1, including:

- Clause 1.3.4 Multi-storey terrace style housing
- Clause 1.3.13 Infill development (new development) which includes the following objectives:
  - To ensure infill development respects the scale and setting of adjacent contributory buildings.
  - To protect the amenity of adjoining or adjacent residential uses.
- Clause 1.4 General controls for all development which addresses principal building forms, building interiors, and the street front zone of contributory buildings.

Detailed assessment of impacts (including heritage streetscape, parking and sun light) arising from a specific proposal on the site will be considered at the DA stage, and the DA will be publicly exhibited for comment.

#### **4. Amenity impacts to adjoining properties**

***Issues raised in submissions (extract)***

- "The houses in 278-282 Barcom Avenue will effectively become a small island of residential housing in a sea of private hospital administration, with accompanying noise and inconvenience. The four houses will literally surrounded on all four sides by hospital administration, as the hospital has already secured sites on Oxford Street. We will effectively be alienated from our residential property, which we assume is the private hospital's intention."

***Staff response***

The properties at 278-282 Barcom Avenue are to a certain extent already physically dislocated from the residential properties in Boundary Street.

As illustrated in Figures 6 and 7 below, the land at 278-282 Barcom Avenue contains the only residential properties along Barcom Avenue. These properties have a street frontage that is predominantly oriented north-west directly facing the rear of the hospital. A bend in the road where Barcom Avenue becomes Boundary Street then creates a separate street frontage at Boundary Street which is oriented to the north-east and north from 162 to 200 Boundary Street.

<sup>2</sup>[http://www.woollahra.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0010/177985/1.Attachment\\_1\\_Planning\\_proposal\\_-\\_190-200\\_Boundary\\_St,\\_Paddington.PDF](http://www.woollahra.nsw.gov.au/__data/assets/pdf_file/0010/177985/1.Attachment_1_Planning_proposal_-_190-200_Boundary_St,_Paddington.PDF)

The Paddington HCA though predominantly residential, is characterised by a mix of uses. Having regard to the location of the site, its context and the scale of development that could be achieved, we find that the objective of the planning proposal (i.e. to retain the R2 Residential Zone but allow an additional use for office premises associated with St Vincent’s Private Hospital) is consistent with the character and amenity of the surrounding neighbourhood.



Figure 6: Context and street frontage for 278-282 Barcom Ave (Source: Google Street View)



Figure 7: Relationship between 196-200 Boundary St and 278-282 Barcom Ave looking from Boundary St up to Barcom Ave (Source: Google Street View)

**Issues raised in submissions (extracts)**

- “The development will undermine the foundations of our house and all houses in the row. A large, old avocado tree in our yard will have to be removed to facilitate the development...The light to our house will be dramatically and permanently minimised ... There will be no air flow and light to our children’s bedrooms.”
- “Concern being that we have a lot invested in our current DA and seeing the proposed extra-large ‘services core’ is located right near our fence which is our approved outdoor entertaining area... Visual privacy is a major concern, being that it is ‘so close’ in direct vision to our main living area in our residential home.” ) Emissions, fumes and noise that may arise from service core and basement parking or Office/lab testing. Structural concerns as currently large structural steel beams are supporting lot DP437650 (B) and Property DP82766.”

- “Plans to excavate to accommodate a basement level will have major repercussion to these properties.”
- “278 Barcom Avenue is built to the common boundary with the subject site and has an upper level window built directly to the boundary. Any new structure (as suggested in the accompanying built form diagrams of the Planning Proposal) would either reduce the sunlight access to this window or completely obliterate it if built to the boundary, and completely eliminate natural light and ventilation to the interior space.”

***Staff response***

The planning proposal seeks to allow an additional land use on the site, it does not seek to change the maximum building height or to make any other change to the built form controls that currently apply to the land.

Detailed assessment of any potential impacts on adjoining properties arising from a specific development proposal will be undertaken at the DA stage when design details including precise building heights, side boundary setbacks and the amount of excavation are known.

Any development proposal will need to have regard to the height controls in Woollahra LEP, including clause 4.3 “Height of buildings”, and the Woollahra DCP controls for the Paddington HCA, including:

- Clause 1.4.7 Excavation. These DCP controls seek to ensure the structural integrity and stability of individual buildings and the terrace of buildings of which they are a part, and neighbouring properties
- Clause 1.3.13 Infill development (new development) which seeks to ensure infill development respects the scale and setting of adjacent contributory buildings and protects the amenity of adjoining or adjacent residential uses.
- Clause 1.4 General controls for all development which addresses building height, bulk, form and scale to protect the amenity of adjoining or adjacent residential uses.

The adjoining property owners (as well as others) will have an opportunity to comment on the potential impacts of development at the DA stage in response to a specific proposal for the site.

***Issues raised in submissions (extracts)***

- “The value of our house will be substantially diminished.”
- “The private hospital could make a fair offer to the owners of the four houses to acquire the houses and leave us free to move elsewhere, rather than leaving us literally stranded in the middle of the hospital administrative offices.”

***Staff response***

Potential impacts on property values, or potential sale of land to St Vincent’s Private Hospital, are not relevant matters for the planning proposal.

***Issues raised in submissions (extract)***

- “We have noted that you have stated that the proposed plan is to build offices under R2 Low Density and will abide by the FSR but we have noticed that in the attached image of floor levels that a basement is proposed. We cannot comprehend that this vision will abide to the FSR.”

**Staff response**

The concept plan accompanying the planning proposal contains two options with varying built forms. Both options show a basement level. The options are indicative. The planning proposal seeks to allow an additional land use on the site, it does not seek to change the maximum building height or to make any other change to the built form controls that currently apply to the site.

A maximum building height of 9.5 metres currently applies to the site under the Woollahra LEP. As with all land zoned R2 Low Density Residential in the Paddington HCA, the LEP does not establish a maximum FSR<sup>3</sup>.

Detailed assessment of the building bulk and scale arising from a specific proposal on the site will be undertaken at the DA stage.

Any development proposal will need to have regard to the Woollahra LEP, including clause 4.3 “Height of buildings”, and the Woollahra DCP controls for the Paddington HCA, including:

- Clause 1.4.5 Building height, bulk, form and scale
- Clause 1.4.6 Site coverage, setbacks and levels

The community will have an opportunity to comment on the potential impacts of development at the DA stage in response to a specific proposal for the site.

**Issues raised in submissions (extract)**

- “We are predicting that future plans of the Hospital will be to change the zoning of this site and this concerns us as in future the development will swamp the area. We are already facing a mass in scale regarding the current status of the hospital and its current extensions/development.”

**Staff response**

This is not a relevant matter for the planning proposal. Any future planning proposals or DAs will be assessed on their merits having regard to the relevant policies in place at the time, and will be publicly exhibited for comment.

**5. Traffic and parking**

**Issues raised in submissions (extracts)**

- “The impact on vehicular traffic and parking will also be commensurate with increased commercial use of the area. An influx of doctors to the Street will invariably result in increased pressure on parking to accommodate patients. The private hospital carpark is already at capacity. The junction of Barcom Avenue and Boundary Street is already traffic heavy. The influx of more traffic to the area will cause chaos at this intersection.”
- “If, for example, a driveway was put across the footpath to service this future “car parking onsite” then residents (who in this area are dependent on street parking) would be significantly impacted through loss of parking.”
- “If the Planning Proposal is approved and office premises subsequently developed, it would result in substantial intensification of the site... These increased numbers of people would be associated with additional vehicular and foot traffic, car parking requirements and noise on the street. It would clearly alter the character of the precinct.”

<sup>3</sup> Note: Under the Woollahra LEP the area within a basement is not included in the gross floor area (and subsequent FSR calculations) if the basement is predominantly below existing ground level and the floor level of the storey immediately above is less than 1 metre above the existing ground level.

- “An office development resulting from the proposed amendment to the WLEP 2014 would create significant traffic, parking and safety issues in the immediate locality. Should an office building be constructed on the site, the most likely location for an entrance to its basement car park would be at or near this junction (as suggested by the Planning Proposal)... thereby creating a traffic hazard.”
- “Under the Woollahra Development Control Plan 2015 (WDCP 2015), office premises require 2.5 car parking spaces for every 100m<sup>2</sup> of floor space. The Planning Proposal anticipates a development with a floor area of 1,073m<sup>2</sup> which would generate a requirement for 27 car parking spaces... the actual parking impact of low density residential uses would be much lower than for an office premises.”

***Staff response***

The planning proposal facilitates use of the site for the purpose of office premises associated with St Vincent’s Private Hospital. The planning proposal does not allow the properties at 190-200 Boundary Street to be used for consulting rooms or similar functions involving doctors and patients. These uses are included in the definition of “hospital”, “health consulting rooms” or “medical centre” in the Woollahra LEP and are prohibited in the R2 Low Density Residential Zone which applies to the site.

Barcom Avenue and Boundary Street are State roads and any DA involving redevelopment of the site for office premises will be referred to the RMS. The DA will also need to have regard to the Woollahra DCP, including Chapter E1 Parking and Access which establishes the on-site car parking and vehicle access requirements for development.

Detailed assessment of any proposed traffic and parking impacts arising from a specific proposal on the site will be undertaken at the DA stage; it will be referred to the RMS, Council’s Engineering Services Team, and will also be publicly exhibited for comment.

***Issues raised in submissions (extracts)***

- “The movement of staff to the proposed facilities will potentially allow the hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the hospital. If that were the case the impact on residents from increased traffic and parking for people attending appointments would occur.”
- “There is a requirement, at this strategic planning stage, to assess intensification of uses across both sites and condition mitigation measures to manage this intensification. These include existing impacts of the existing hospital uses and operation that will be intensified by enabling functions to be expanded onto the proposed site.”

***Staff response***

The applicant advises that the relocation of administrative functions to 190-200 Boundary Street will free up space to enlarge the hospital pharmacy which no longer meets space requirements, provide change rooms for staff who are not adequately catered for, and create a small café to cater to patients, their visitors and staff. These uses cater to the existing users of the site.

**6. Safety**

***Issues raised in submissions (extracts)***

- “Office uses tend to be utilised during the day but not at night time. This would result in a vacant building at night time with no associated passive surveillance of the street to contribute to neighbourhood safety which is critical in this location behind the night time entertainment area of Oxford Street.”

- “The area is already faced with a lot of theft and drug addicted people that leave local injection clinic’s, my concerns lie that being that the area will be changed from residential to commercial means that less people will be around at night and this will encourage more dark areas for these groups to reside in. We speak first hand having had four issues rise within 6 months.”

**Staff response**

There is no evidence to confirm that crime rates or unsocial activities will increase due the use the site for office purposes. The design of a future redevelopment can address safety concerns. This matter can be taken up at the DA stage.

**7. Strategic merit**

**Issues raised in submissions (extracts)**

- “The proposal is inconsistent with the draft Central District Plan’s liveability priorities in relation to heritage conservation. The intended development outcome would be the demolition of existing contributory buildings and the undertaking of ‘facadism’ in other parts of the site.”
- “The proposal is inconsistent with the draft Central District Plan’s liveability priorities for the creation of healthy places. Office development on the site would exacerbate local traffic generation, create additional pressure for on-street parking and worsen existing vehicle conflict issues.”
- “The Planning Proposal is inconsistent with the draft Central District Plan’s liveability priorities on improving housing choice, diversity and affordability. The Planning Proposal would make it more desirable to demolish the existing terrace house buildings to make way for office development. This in turn would reduce the supply of housing stock in an area that is strategically located in proximity to employment and public transport services.”
- “The Planning Proposal is inconsistent with Ministerial Direction 117 (2) (2.3 Heritage Conservation). The Planning Proposal does not include measures to conserve the heritage significance of the contributory buildings on the site or the wider Heritage Conservation Area.”
- “The Planning Proposal is inconsistent with Ministerial Direction 117 (2) (3.1 Residential Zones). The Planning Proposal would reduce the choice of building types available to the housing market in the locality by making it easier to demolish the existing terraces to facilitate office premises.”
- “The Planning Proposal is inconsistent with the Woollahra Council Strategic Plan 2025 strategies on housing and heritage conservation (Strategies 4.3 and 4.4). The redevelopment of terrace housing to facilitate office development would reduce the supply and diversity of housing stock in the immediate locality as well as important character elements contributing to the significance of the HCA.”

**Staff response**

The planning proposal is consistent with the Draft District Plan liveability priorities for heritage conservation<sup>4</sup>, Ministerial Direction section 117(2) (2.3 Heritage Conservation) and the Woollahra 2025 Strategic Plan<sup>5</sup>. The planning proposal seeks to allow an additional land use on the site; it does not seek to change the heritage or built form controls that currently apply to the site.

<sup>4</sup> Draft District Plan Liveability Action L13: Conserve and enhance environmental heritage, including Aboriginal, European and natural identifies, amongst other thing, that planning authorities need to “identify, assess, manage and protect the heritage which underpins the community’s pride of place”, and “require the adaptive re-use of historic and heritage listed buildings and structures in a way that enhances and respects heritage values.”

<sup>5</sup> Woollahra 2025 Strategy 4.3: Protect local heritage and residential amenity, including protection of significant architecture and the natural environment.

The planning proposal will permit development which is consistent and sympathetic to the existing mix of development within the Paddington HCA located within the vicinity of St Vincent's Hospital. Any development proposal will need to have regard to the Woollahra LEP, including clause 5.10 "Heritage conservation", and the Woollahra DCP controls for the Paddington HCA.

The planning proposal is consistent with the Draft District Plan liveability priorities for healthy places<sup>6</sup> as redevelopment of the subject land, particularly land at 196-200 Boundary Street will improve the streetscape and facilitate the delivery of safe and healthy places. At the DA stage the building design will also have regard to crime prevention through environmental design principles.

The planning proposal is consistent with the Draft District Plan liveability priorities on improving housing choice, diversity and affordability<sup>7</sup>, Ministerial Direction section 117(2) (3.1 Residential Zones) and the Woollahra 2025 Strategic Plan<sup>8</sup>. The planning proposal retains the current R2 Low Density Residential Zone on the land, whilst also allowing an additional use for office premises ancillary to and associated with St Vincent's Private Hospital. The planning proposal will provide additional employment opportunities (even if only minimal) within a residential zone, but will not impede the potential of the site or adjacent sites to be developed for residential purposes. Although it is likely that the land will be redeveloped for a non-residential use, the R2 zone is retained and the use of the land could return to a residential use at some time in the future.

It is important to note that the Greater Sydney Commission's Draft District Plan also recognises the role and importance of the area's health assets and specifically states that "the District has a range of important significant health and education assets such as health and/or education clusters around St. Vincent's Hospital and Concord Hospital. These assets continue to play an important role in providing jobs and services for the District's residents and should be supported" (p.51). The planning proposal is consistent with this.

## 8. Notification process

### *Issues raised in submissions (extract)*

- "More resident involvement MUST be sort for this development and the change of the LEP OR SEPP for our area as residence in this small section...have been totally ignored due to lack of notification and time given and the fact that there are many houses being rented out by unconcerned or ill-informed owners."

### *Staff response*

The duration and extent of the notification for this planning proposal is appropriate.

A total of 316 notification letters were sent to the adjoining and nearby property owners. The notification area is shown on the map at Figure 4 of this report. The extent of the notification area is consistent with the Strategic Planning Team's standard practice of notifying the area most likely to be impacted by the particular planning proposal.

<sup>6</sup> Draft District Plan Liveability Action L11: Provide design-led planning to support high quality urban design and Action L12: Develop guidelines for safe and healthy built environments.

<sup>7</sup> Draft District Plan Liveability Action L2: Identify the opportunities to create the capacity to deliver 20-year strategic housing supply targets, L3: Councils to increase housing capacity across the District, Action L4: Encourage housing diversity L6: Support councils to achieve additional affordable housing, and Action L8: Undertake broad approaches to facilitate affordable housing.

<sup>8</sup> Woollahra 2025 Strategy 4.4: Encourage diversity in housing choice to suit a changing population.

In addition to the notification letters, five advertisements appeared in the Wentworth Courier providing details of the exhibition, and the exhibition material was available on Council's website and at Council's Customer Service counter.

Further, the planning proposal was exhibited for 31 days, significantly longer than required under the conditions of the Gateway Determination which classified the planning proposal as "low impact" and identified that it had to be publicly available for a minimum of 14 days.

## 9. Operational issues with St Vincent's Private Hospital

### *Issues raised in submissions (extracts)*

- "This area has now almost become unliveable with the amounts of noise, lack of parking and lack of sun and free air due to being overrun and over taken and over built by St Vincent Hospital."
- "The hospital loading dock is also a major contributor to the traffic with trucks backing up at all hours beeping the reversing alarms, garbage lids slamming at all hours as this dock is in use 24hrs a day, then we have all the staff and orderlies slamming car doors all night fighting for parking using disability stickers to park here all day and night as they all have access to disability stickers, not to mention the hair nets and rubbish in the gutters."
- "Noise from air conditioning ducting and units in the existing loading dock."

### *Staff response*

Operational issues associated with the existing St Vincent's Private Hospital facilities are not relevant matters for the planning proposal. A copy of the submissions raising concerns on these matters will be forwarded to the City of Sydney and St Vincent's Private Hospital for their attention.

## 10. Other matters

### *Issues raised in submissions (extract)*

- "Local mechanic at 152 Boundary St, Paddington who takes up All the parking around him on both sides in two different councils{Boundary st}by way of moving cars around and directly swapping them and the use of fake residence stickers and disability stickers."

### *Staff response*

This is not a matter relevant to the planning proposal. This matter has been referred to Council's Regulatory Team for separate investigation.

### *Issues raised in submissions (extract)*

- "We have to deal with Verona patrons at night. I have asked for assistance from council many times before with no avail and pretending nothing can be done."

### *Staff response*

This is not a matter relevant to the planning proposal. A copy of the submission has been forwarded to the City of Sydney for attention.

The key issues raised in the submissions relate to:

- concern with office premises (i.e. a non-residential) being permitted in the residential area;
- potential amenity impacts arising from the redevelopment of the site on heritage values, the streetscape and adjoining properties; and



- potential intensification of the uses on the existing hospital site arising from the relocation of staff to 190-200 Boundary Street.

In regard to the first issue we have considered the appropriateness of allowing the additional use of “office premises” on the land at 190-200 Boundary Street. We find that based on the location of the site, its context, and the scale of development that could be achieved, the planning proposal is consistent with the character and amenity of the surrounding neighbourhood. The proposed amendments to the Woollahra LEP will only allow the site to be developed for the purpose of an office if the activities proposed are ancillary to and associated with St Vincent’s Private Hospital. The use of the site for any other purpose (other than those already permitted with consent in the R2 Zone) will continue to be prohibited. No other changes are proposed to the planning controls that currently apply to the site.

Many of the submissions raised concerns relating to the impacts of development on the site. In regard to the impact on heritage significance, we have concluded that a limited office use would be consistent with the historical character of Paddington which has a distinct and significant residential and non-residential pattern. As previously stated, detailed assessment of any potential physical impacts on adjoining properties arising from a specific development proposal will be undertaken at the DA stage when the intensity of the use and its built form and details are known. Any development proposal will need to have regard to the controls in the Woollahra LEP and Woollahra DCP and will address a range of matters including heritage, streetscape, building bulk, amenity, traffic and parking impacts. The DA will be publicly exhibited and the community will have an opportunity to provide comment at that time.

The third area of concern in the submissions relates to the potential intensification of uses on the existing hospital site and subsequent external impacts on the adjoining residential areas in Paddington. Any significant changes on the existing St Vincent’s Private Hospital site will require a separate planning proposal and/or DA to the City of Sydney and would be publicly exhibited for comment.

## **5. Making the draft LEP under delegated authority**

To streamline the plan making process, the Minister can delegate some plan making powers to Council for routine matters. In this case, Council has been provided with written authorisation to exercise the functions of the Greater Sydney Commission to make an LEP under section 59 of the Act.

Should Council resolve to proceed and finalise the planning proposal, which is our recommended approach, staff will request that the Parliamentary Counsel (PC) prepare a draft LEP. Once the draft LEP has been prepared, PC will issue an opinion that it can be made.

Alternatively, if Council decides not to finalise the planning proposal, it should resolve to write to the Minister requesting him or his delegate not to proceed with it under section 58(4) of the Act.

## **6. Conclusion**

The planning proposal was prepared and exhibited in the manner required by the Act, the Regulation and conditions set out in the Gateway Determination.

Fifteen submissions were received in response to the exhibition period. These submissions were from the adjoining and nearby property owners; each raising concern and objecting to the planning proposal. We have considered the issues raised in the submissions and find that none of these issues justify amendment to the exhibited planning proposal or its discontinuation.

We conclude that the planning proposal is appropriate for the site. We therefore recommend that Council resolves to finalise the planning proposal and amend Schedule 1 of the Woollahra LEP to facilitate use of land at 190-200 Boundary Street, Paddington for the purpose of office premises, but only if the offices are ancillary to and associated with St Vincent's Private Hospital. We also recommend that Council exercise its delegated authority to make the plan.

### **Annexures**

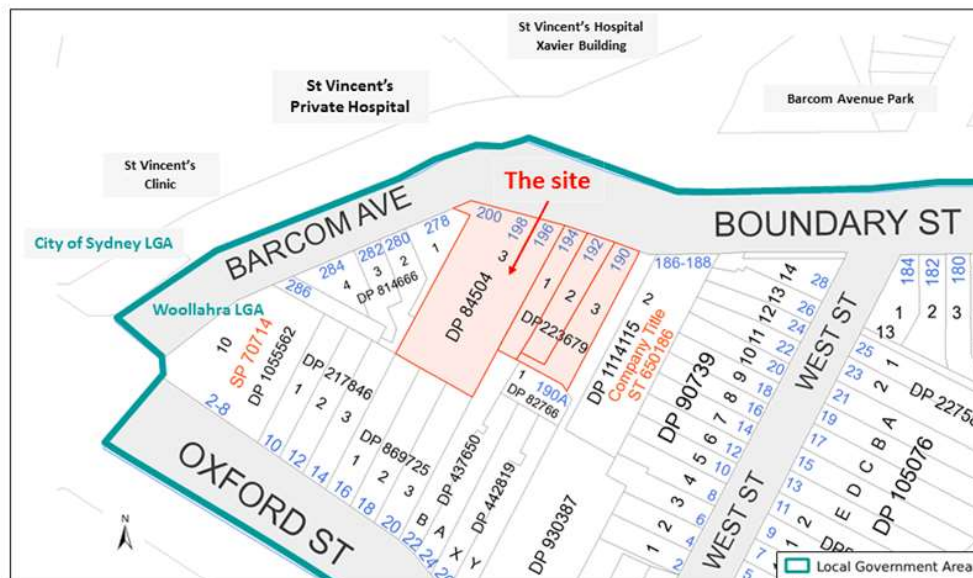
1. 190-200 Boundary Street Paddington - Planning proposal as exhibited, excluding attachments [↓](#)
2. Urban Planning Committee report dated 27 February 2017 [↓](#)
3. Gateway determination and written authorisation [↓](#)
4. Submissions (redacted version) [↓](#)

# Annexure 1



## PLANNING PROPOSAL

### 190-200 Boundary Street, Paddington



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Planning proposal for 190-200 Boundary Street, Paddington

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## SECTION 1 – INTRODUCTION AND BACKGROUND

### 1 Summary

In December 2016 Woollahra Council received a request for a planning proposal from SJB Planning on behalf of St Vincent's Private Hospital (the applicant), for land at 190-200 Boundary Street, Paddington (the site). The documentation submitted with the request, including a planning proposal report, is included as Attachment 1.

The request seeks to amend Schedule 1 of the *Woollahra Local Environmental Plan 2014* (WLEP 2014), to permit development for the purposes of office premises, but only if they are ancillary to and associated with St Vincent's Private Hospital.

Council supports this request because it has strategic merit. At its meeting on 13 March 2017, Council resolved to:

- prepare this planning proposal supporting the permissibility of the requested uses on the site,
- forward the planning proposal to the Greater Sydney Commission requesting a gateway determination, and
- request delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

The site is zoned R2 Low Density Residential. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have an adverse impact on adjoining land or an adverse heritage conservation impact. As there is no evidence of a previous lawfully commenced non-residential use, the proposed amendment is required to permit this use. The amendment will apply only to this site. The proposal does not seek any other amendments to the WLEP 2014 or *Woollahra Development Control Plan 2015* (WDCP 2015).

The proposal is consistent with all relevant state and local environmental planning instruments, strategies, plans and policies, and will not result in any adverse environmental or amenity impacts on the site or neighbouring land.

This planning proposal is divided into 2 sections. Section 1 provides introductory and background information about the site, planning controls and development concepts. Section 2 provides the strategic justification for the planning proposal, following the guidelines in the NSW Department of Planning and Environment (DP&E) document, *A Guide to Preparing Planning Proposals* (August 2016).

## 2 The site and surrounding context

### 2.1 Location and context

The site is located on the southern side of Barcom Avenue / Boundary Street, Paddington, as shown below in Figure 1. Barcom Avenue / Boundary Street forms part of the boundary between the Woollahra and City of Sydney local government areas (LGAs). In this report, the boundary between the LGAs is shown on the maps by a green line.



Figure 1: Local area map

Surrounding development consists of:

- North: St Vincent's Hospital precinct and Barcom Avenue Park are located on the opposite side of Barcom Avenue / Boundary Street.
- South: Commercial / retail shops orientated to Oxford Street. Oxford Street forms part of the boundary between Woollahra Council and the City of Sydney local government areas.
- East: A four storey residential flat building at 186 Boundary Street. This building is separated from the site by an access handle driveway approximately 2.9m wide. The driveway provides access from Boundary Street to the rear of No. 30-36 Oxford Street, and neighbouring properties on Oxford Street.
- West: Residential terrace houses on four separately owned lots at 278-284 Barcom Avenue.

The site is highly accessible by public transport. The site is approximately one minute walk from numerous bus services along Oxford Street connecting the Sydney CBD and various eastern suburbs locations, including Bondi Junction and Bondi Beach. The site is approximately five minutes walk to Taylor Square, where numerous bus services connect the Sydney CBD and various other eastern suburbs locations such as Randwick, the University of NSW, Coogee, Maroubra and beyond. The site is approximately fifteen minutes



walk from the Sydney CBD, and also from Museum train station which connects to all locations in the City Rail network.

## 2.2 Site description

The site consists of four adjoining lots described below:

- 190 Boundary Street (Lot 3 DP 223679)
- 192 Boundary Street (Lot 2 DP 223679)
- 194 Boundary Street (Lot 1 DP 223679)
- 196 – 200 Boundary Street (Lot 3 DP 84504)

A cadastral map showing property information is included below as Figure 2. The site is highlighted in red.

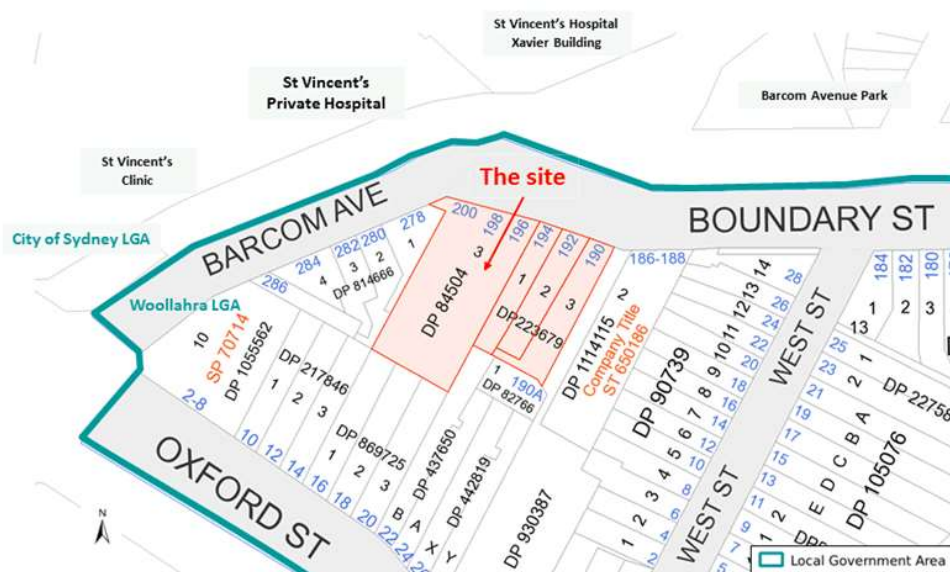


Figure 2: Cadastral map

The site has a total area of approximately 889 sqm. The site has a total frontage of approximately 34m to Barcom Avenue / Boundary Street, and a maximum depth of approximately 33.7m. The site slopes approximately 3m from the south west to the north east, and has a minimal amount of vegetation.

The site is currently developed with five terrace houses dating from the late Victorian / early Federation period. The terraces vary in size and height.

- 190-194 contains three single storey terraces. These terraces are currently used and inhabited for residential purposes.
- 196-200 contains two double storey terraces. These terraces are dilapidated and currently uninhabitable. A significant portion of the site is unbuilt on. This unbuilt portion adjoins the western and southern boundary.

Site photos of the existing development on the site are included as Figures 3 and 4.



**Figure 3: Existing single storey terraces at 190-194 Boundary Street (source SJB)**



**Figure 4: Existing dilapidated double storey terraces at 196-200 Boundary Street (source SJB)**

### 3 Background

#### 3.1 Request for a planning proposal

In December 2016, Woollahra Council received a request for a planning proposal from SJB Planning on behalf of the applicant for the site. The applicant submitted the following supporting documentation with their request for a planning proposal:

- Planning proposal report prepared by SJB Planning, dated December 2016.
- Built Form & Urban Study prepared by SJB Architects, dated 9 November 2016
- Statement of Heritage Impact prepared by Cracknell and Lonergan Architects, dated 3 November 2016

The documentation submitted with the request is included as Attachment 1.

#### 3.2 Council resolution

On 27 February 2017, Council's Urban Planning Committee considered the request for a planning proposal. The committee supported the request and made a recommendation to Council that a planning proposal be prepared and submitted to the Greater Sydney Commission for a gateway determination.

On 13 March 2017, Council resolved the following:

- A. That Council prepare a planning proposal which explains a proposed amendment to Woollahra LEP 2014, which will permit development for office premises on land at 190-200 Boundary Street, Paddington, but only if they are ancillary to and associated with St Vincent's Private Hospital.
- B. That the planning proposal described in point A above be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- C. That when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

The Urban Planning Committee report and Council resolution are included as Attachment 2.

#### 3.3 Preparation of the planning proposal

This planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* and the two documents prepared by the DP&E, titled *A Guide to Preparing Planning Proposals* (August 2016) and *A Guide to Preparing Local Environmental Plans* (August 2016).

## SECTION 2 – PLANNING PROPOSAL REPORT

### Part 1 Objective of planning proposal

#### Part 1.1 Objective

The objective of the planning proposal is to facilitate the use of the site at 190-200 Boundary Street, Paddington for the purpose of an office premises, but only if they are ancillary to and associated with St Vincent's Private Hospital. It is intended that the site will remain zoned as R2 Low Density Residential and the proposed office premises use will be in addition to the current permissible uses.

It is intended that the existing built form controls applicable to the site will remain in place; no changes are proposed to those controls (including the maximum height of buildings, floor space ratio (FSR) and setback controls).

Currently, the development of the site for the purpose of an office premises associated with St Vincent's Private Hospital is at the conceptual stage. The design for a new building at the site will be detailed as part of a future development application and should be in accordance with the current applicable built form controls.

#### Part 1.2 Design concept

An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:

- adaptive re-use of the terraces at 190-194 for offices; and
- demolition and redevelopment of the existing terraces at 196-200 for offices.

The applicant has stated in their request that the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access. Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building. However, they also state that there is capacity to accommodate car parking onsite with any future development if it is deemed necessary.

The detailed design of development is a matter to be considered at the development application stage, and does not affect this planning proposal.

## Part 2 Explanation of provisions

### Part 2.1 Existing planning controls

The planning controls that apply to the site, and are relevant to this planning proposal are described below.

#### Zoning

The site is zoned R2 Low Density Residential under the WLEP 2014. The land use table controls that apply to the site under WLEP 2014 are shown below.

#### Zone R2 Low Density Residential

##### 1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for development that is compatible with the character and amenity of the surrounding neighbourhood.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

##### 2 Permitted without consent

Home occupations; Roads

##### 3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business premises; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home occupations (sex services); Information and education facilities; Office premises; Public administration buildings; Recreation areas; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Shops

##### 4 Prohibited

Any development not specified in item 2 or 3

The zone generally permits development of low density residential uses, such as dwelling houses and dual occupancies, as well as other land uses that provide facilities or services to meet the day to day needs of residents, such as shops and child care centres.

Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the office premises will not have an adverse impact on adjoining land or an adverse heritage conservation impact. These pre-requisites are detailed in clause 6.6 of the WLEP 2014 : Part 6 Additional Local Provisions. There is historical information that part of the site, specifically 200 Boundary Street, and possibly 198 Boundary Street was used, or may have been used in the past for non-residential uses, such as a scrap yard, second-hand building material sales and storage, liquid soap manufacturing and panel beating. This information is sourced from the statement of heritage impact, past editions of the Wise Directory and Council's records. However, there is no evidence of lawful commencement of these non-residential uses. Additionally, there is no historical information of non-residential uses on the remainder of the

site, being 190-196 Boundary Street. Therefore, the proposed amendment to the WLEP is required to permit this use.

Adjacent land along Oxford Street is zoned B4 Mixed Use under the WLEP 2014. The zone generally permits development of a mixture of compatible uses such as business, office, retail and residential.

The hospital land to the north, across Barcom Avenue / Boundary Street is zoned SP2 Infrastructure (Health Services Facilities) under the *Sydney Local Environmental Plan 2012* (SLEP 2012). The zone permits development for the purposes of health services facilities, including any development that is ordinarily incidental or ancillary to development for that purpose. Zoning for the site and surrounding land is shown below in Figure 5.



**Figure 5: Existing WLEP 2014 and Sydney LEP 2012 land use zoning**  
(source: Department of Planning & Environment - Planning Viewer)

**Heritage**

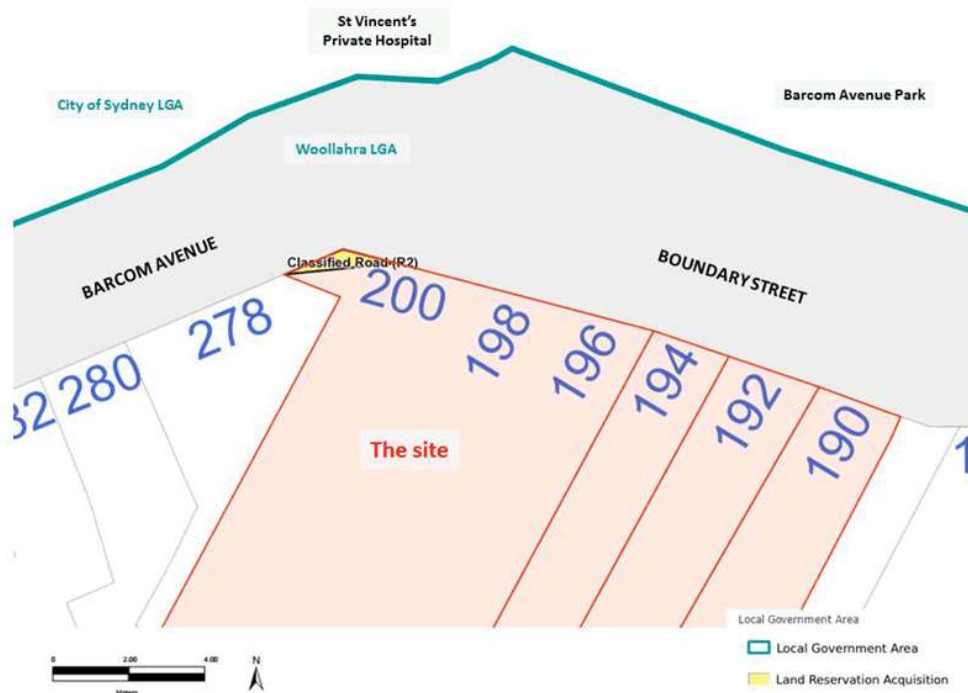
The site is located within the Paddington Heritage Conservation Area under the WLEP 2014. The buildings located on the site are contributory to the character of the area. There are no heritage items located within the vicinity of the site. The location of existing heritage conservation areas and heritage items applying to the site and surrounding land is shown below in Figure 6.



**Figure 6: Existing WLEP 2014 and Sydney LEP 2012 heritage conservation**  
 (source: Department of Planning & Environment - Planning Viewer)

**Land reservation acquisition**

At the junction of Barcom Avenue and Boundary Street, a small portion of the site (approximately 3 square metres in size) is shown on the Land Reservation Acquisition Map of WLEP 2014 as land to be acquired for the purpose of a classified road. The Roads and Maritime Services (RMS) are identified as the relevant authority to acquire the land (clause 5.1 – Relevant acquisition authority). Council must not grant consent on that portion of the site for any development other than for the purpose of a road (clause 5.1A – Development on land intended to be acquired for public purposes). The location of land reservation acquisition area applying to the site is shown below in Figure 7.



**Figure 7: Existing WLEP 2014 land reservation acquisition area**  
 (source: Woollahra Council)



### Land contamination

The site may be contaminated. Historical information identified in the Statement of Heritage Impact, past editions of the Wise Directory and Council's oral history records show that the site was, or may have been, used in the past for various uses that may have contaminated the site. These past uses include a scrap yard, second-hand building material sales and storage, liquid soap manufacturing and panel beating. These uses are identified under the provisions of both *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), and WDCP 2015 – Chapter E4: Contaminated Land, as activities that may cause contamination. The uses may be categorised under descriptions specifically referred to in the two documents as activities that may cause contamination, such as scrap yards, acid / alkaline plant and formulation, chemical manufacture and formulation, metal treatment, oil production and storage, service stations and waste storage and treatment activities.

The provisions of both SEPP55 and WDCP 2015 require Council to consider whether the land is contaminated and if so, whether the land is suitable in its current form, or after remediation, for all the purposes which will be permitted on the land as a result of a planning proposal.

This issue is discussed in further detail in Part 3.3.

### Part 2.2 Proposed controls

The planning proposal seeks to amend Schedule 1 of the WLEP 2014. Schedule 1 identifies additional permitted uses on certain sites within the Woollahra LGA. It is proposed to add an additional clause to the schedule to permit development on the site for the purpose of office premises, but only if they are ancillary to and associated with St Vincent's Private Hospital.

This is a simple and effective way of resolving the land use permissibility issue to achieve the desired outcome of the planning proposal. The planning proposal does not seek to amend any other provision of the WLEP 2014.

### Part 3 Justification

The planning proposal has strategic merit and is consistent with all relevant state and local planning strategies and controls. The proposal is also consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital.

This strategic merit is justified by the proposal being consistent with the following strategies:

- NSW Government's document *A Plan for Growing Sydney* (2014) – Central subregion – Priorities for Strategic Centres.
- NSW Government's *Draft Central District Plan* (2016) – Liveability Priority 12: Support planning for health infrastructure.
- *WDCP 2015*, Chapter C1 Paddington Heritage Conservation Area.
- Council's *Community Strategic Plan, Woollahra 2025 – our community our place our plan*, in particular Goal 4 Well planned neighbourhoods.
- All relevant State Environmental Planning Policies (SEPPs).
- All relevant section 117 directions issued by the Minister for Planning.

Additionally, the strategic merit is justified by the proposal providing the following planning benefits:

- The proposal does not impact on land identified with any environmental constraints.
- The proposal will enable an economic benefit of providing the potential for additional employment in a location accessible to public transport and walking and cycling options.
- The proposal will support the functions of St Vincent's Hospital which provides a sub-regional social benefit of specialist and general health care services.

This justification is discussed in detail below.

#### Part 3.1 Need for planning proposal

##### 1. Is the planning proposal a result of any strategic study or report?

No. The planning proposal is the result of the land owners' intention to develop the site for ancillary uses to St Vincent's Private Hospital.

##### 2. Is the planning proposal the best means of achieving the objectives, or is there a better way?

Yes. This planning proposal is the best means of achieving the objective of facilitating the use of the site for the purpose of an office premises in conjunction with St Vincent's Private Hospital. Currently, office premises are only permitted in the zone if there is a history of a lawfully commenced non-residential use on the land, and Council is satisfied the use will not have an adverse impact on adjoining land or an adverse heritage conservation impact (Clause 6.6 of the WLEP 2014, in Part 6 Additional Local Provisions). As there is no

evidence of a previous lawfully commenced non-residential use, the proposed amendment is required to permit this use. This planning proposal will achieve the amendment in an efficient manner by limiting the change required to the WLEP 2014, and limiting the impact of the amendment specifically to the site and under a specific circumstance, ie. office premises associated with St Vincent's Private Hospital.

Other options to achieve the objective would be more complicated than the proposed amendment. These include:

- Rezoning the site to an existing zone under the WLEP 2014 which permits development for the purposes of office premises. These zones are the business zones: B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use.

This option is not acceptable for the site or area. The amendment would permit a range of commercial premises and similar uses on the site, such as retail premises, entertainment facilities and restricted premises. The site is not an appropriate location for these types of uses, as they are not consistent with the existing low density residential character of the immediate vicinity.

- Amending the clause 6.6 of the WLEP 2014 to allow office premises in all residential areas without the need to satisfy the tests regarding previous lawfully commenced, non-residential usage of a site and impacts on both adjoining land and heritage significant.

This option is not acceptable. The amendment would permit the use of land for office premises throughout all residential zones of the LGA. This would undermine the objectives of these zones which focus on maintaining a predominantly residential character, but with some recognition of previous non-residential uses in some parts of the LGA where this is characteristic of the area, such as heritage conservation areas.

### Part 3.2 Relationship to strategic planning framework

#### 3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, subregional strategy or district plan or strategy (including exhibited draft plans or strategies)?

Yes. The planning proposal is consistent with the objectives of *A Plan for Growing Sydney* and the initiatives of the *Draft Central District Plan (2016)*. These plans are discussed in detail in Attachment 3.

#### 4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Yes. The planning proposal is consistent with WDCP 2015 and Woollahra 2025.

##### **WDCP 2015**

The planning proposal will permit development which is consistent with the objectives and desired future character for the Paddington Heritage Conservation Area, as outlined in WDCP 2015, Chapter C1 Paddington Heritage Conservation Area. The planning proposal is

consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital.

**Woollahra 2025**

The planning proposal is consistent with Woollahra 2025, which is Council's 15 year strategic plan for the LGA. Woollahra's future planning is based on the principle of sustainability. That is, meeting the needs of the present, without compromising the ability of future generations to meet their own social, economic, environmental and civic leadership needs.

The planning proposal is consistent with Theme 2 - Quality places and spaces: Goal 4 - Well planned neighbourhoods. The proposal will:

- encourage and support sustainable development by providing employment opportunities within a highly accessible location for public transport, walking and cycling, and near existing housing.
- maintain Paddington's mostly low rise (no amendment to the WLEP 2014 height control is proposed), mixed urban form, architecture and heritage.

**5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable *State Environmental Planning Policies* (refer to Attachment ).

**6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

Yes. The planning proposal is consistent with applicable section 117 directions (refer to Attachment ).

**Part 3.3 Environmental, social and economic impact**

**7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

**8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

Yes. Refer to the comments below.

### **Land contamination**

The site may be contaminated. Historical information identified in the Statement of Heritage Impact, past editions of the Wise Directory and Council's oral history records show that the site was, or may have been, used in the past for various uses that may have contaminated the site. These past uses include a scrap yard, second-hand building material sales and storage, liquid soap manufacturing and panel beating. These uses are identified under the provisions of both *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), and WDCP 2015 – Chapter E4: Contaminated Land, as activities that may cause contamination. The uses may be categorised under descriptions specifically referred to in the two documents as activities that may cause contamination, such as scrap yards, acid / alkaline plant and formulation, chemical manufacture and formulation, metal treatment, oil production and storage, service stations and waste storage and treatment activities.

The provisions of both SEPP55 and WDCP 2015 require Council to consider whether the land is contaminated and if so, whether the land is suitable in its current form, or after remediation, for all the purposes which will be permitted on the land as a result of a planning proposal.

Given the possibility of contamination on the site, we recommend that the gateway determination include conditions to facilitate the following:

- The applicant is to undertake land contamination investigations for the site, as outlined in SEPP 55, clause 6, "Contamination and remediation to be considered in zoning or rezoning proposal".
- The findings of these investigations must be submitted to Council so that it can form part of the information placed on public exhibition.
- Council is to consult with Environmental Protection Authority (EPA) as part of the public exhibition process.

### **Acid sulfate soils**

The site is identified on the WLEP 2014 Acid Sulfate Soils Map as Category 5. Any environmental impact of this soil type can be managed through the development application process and does not affect this proposal.

### **Other Environmental Effects**

Any other environmental effects that might arise through the redevelopment of this site can be identified and managed through the development application process. Good design and conditions of consent will limit these effects.

## **9. Has the planning proposal adequately addressed any social and economic effects?**

Yes. Refer to the comments below.

### **Heritage**

The site is located in the Paddington Heritage Conservation Area. The planning proposal and statement of heritage impact was referred to Council's Heritage Planner. Council's Heritage Planner commented that the proposed additional use of the site is sympathetic to

the existing mix of development within the vicinity of St Vincent's Hospital. No objection was raised to the proposal.

#### **Land reservation acquisition**

A small portion of the site (approximately 3 sqm in size) is shown as land to be acquired for the purpose of a classified road by the RMS. Council must not grant consent on that portion of the site for any development other than for the purpose of a road. This is a matter to be considered at the development application stage, and does not affect this proposal. However, consultation with the RMS will be undertaken as part of the public exhibition process.

#### **Other social and economic effects**

The planning proposal will have positive social and economic effects because it:

- is consistent with *A Plan for Growing Sydney* (2014), in that it will support health-related land uses and infrastructure around St Vincent's Hospital;
- is consistent with the *Draft Central District Plan* (2016) in supporting planning for health infrastructure;
- provides additional employment opportunities in an area that is well serviced by multiple transport options;
- provides an incentive for the existing owner to develop a dilapidated parcel of land which has been vacant for many years; and
- will not prevent the site from being developed for residential uses in the future.

### **Part 3.4 State and Commonwealth interests**

#### **10. Is there adequate public infrastructure for the planning proposal?**

Yes. The site is connected to water, sewer, electricity and telephone services. The site is in proximity to regular and frequent public transport services.

It is not anticipated that any significant infrastructure demand will result from the planning proposal. The existing services that are available to the site are suitable for the proposal and appropriate for the requirements of office premises.

#### **11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Council will consult with all government departments required by the gateway determination during the public exhibition of the planning proposal, including Transport for NSW, RMS and EPA.

### **Part 4 Mapping**

The planning proposal does not require any amendments to the WLEP 2014 maps.

## Part 5 Community consultation

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*.

The planning proposal will be exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- a weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period,
- a notice on Council's website,
- a letter to any relevant public agency, including the EPA and RMS,
- a letter to land owners in the vicinity of the site,
- a letter to local community groups including the Paddington Society and Paddington Business Partnership, and
- a letter to the City of Sydney Council.

During the exhibition period, the following material will be available on Council's website and in the customer service area at Woollahra Council offices:

- the planning proposal, in the form approved by the gateway determination,
- the gateway determination,
- the request for a planning proposal, and
- information relied upon by the planning proposal (such as investigations into land contamination and any other relevant reports).

## Part 6 Project timeline

The project timeline is to be determined by Council. However, a preliminary timeline is outlined below:

Planning Proposal Stage	Estimated Completion
Urban Planning Committee recommends proceeding	27 February 2017
Council resolution to proceed	13 March 2017
Submit planning proposal to DP&E for a gateway determination	Early May 2017
Gateway determination	May 2017
Government agency consultation	June/July 2017 (28 days)
Public exhibition period	June/July 2017 (28 days)
Submissions assessment	August 2017
Council assessment of submissions to the public exhibition	August 2017
Urban Planning Committee consideration	September 2017
Council decision	September 2017
Subject to Council decision, liaise with Parliamentary Counsel to prepare LEP amendment (if delegated)	September 2017
Forward LEP amendment to DP&E for notification	October 2017
Notification of the approved LEP	October 2017



## ATTACHMENTS

### Attachment 1

#### Applicant planning proposal documentation

1. **Planning proposal report** prepared by SJB Planning, dated December 2016.
2. **Built Form & Urban Study** prepared by SJB Architects, dated 9 November 2016
3. **Statement of Heritage Impact** prepared by Cracknell and Lonergan Architects, dated 3 November 2016

Planning proposal for 190-200 Boundary Street, Paddington

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Planning proposal for 190-200 Boundary Street, Paddington

**Attachment 2**

**Urban Planning Committee report and Council resolution**

Planning proposal for 190-200 Boundary Street, Paddington

Attachment 2

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### Attachment 3

#### Consistency with *A Plan for Growing Sydney (2014)* and *Draft Central District Plan (2016)*

<b>A Plan for Growing Sydney (December 2014)</b>	
<p>This plan contains:</p> <ul style="list-style-type: none"> <li>▪ A vision for Sydney</li> <li>▪ 4 goals, 3 planning principles and 22 directions</li> <li>▪ Priorities for Sydney's 6 subregions. The site is located with the Central Subregion.</li> </ul>	
<b>Goal</b>	<b>Comment on consistency</b>
1. A competitive economy with world-class services and transport	<p>Consistent.</p> <p>The planning proposal will help meet this goal by providing additional employment opportunities adjacent to an established hospital precinct. The precinct is located in an established area with good public transport accessibility.</p>
2. A city of housing choice, with homes that meet our needs and lifestyles	<p>Consistent.</p> <p>The planning proposal will not impede the development of housing or housing choice.</p>
3. A great place to live with communities that are strong, healthy and well connected	<p>Consistent.</p> <p>The planning proposal will provide the opportunity to development office premises, and potentially additional jobs within an area that includes residential and non-residential uses. This may lead to local jobs close to home, which will assist in enhancing and strengthening the health and connectedness of the local community.</p>
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources	<p>Consistent.</p> <p>The planning proposal will not impede sustainability or the protection of the natural environment.</p>

<b>Planning principles</b>	<b>Comment on consistency</b>
Principle 1: Increasing housing choice around all centres through urban renewal in established areas	<p>Consistent.</p> <p>The planning proposal will not impede development options for housing on the site, adjoining land or around a centre in an established area.</p>

Planning principles	Comment on consistency
Principle 2: Stronger economic development in strategic centres and transport gateways	Consistent.  The planning proposal will support health-related land uses and infrastructure around St Vincent's Hospital. The proposal will also provide additional flexibility in development options for the site, which is well located to take advantage of good public transport links.
Principle 3: Connecting centres with a networked transport system	Consistent.  The planning proposal will not impede the provision of efficient public transport links to commercial centres.

Directions
A set of 22 directions is listed for the four goals of A Plan for Growing Sydney. Each direction has been considered, but many are not related to this planning proposal. The relevant planning directions are addressed below.

Direction	Comment on consistency
Direction 1.7: Grow strategic centres – providing more jobs closer to home	Consistent.  The planning proposal will provide additional flexibility in development options for the site, by permitting office premises. The site is located in Paddington, an area with a substantial amount of housing. Therefore, the proposal will provide opportunities for locating jobs close to homes.
Direction 1.10: Plan for education and health services to meet Sydney's growing needs	Consistent.  The planning proposal will provide additional flexibility in development options for the site, by permitting office premises associated with St Vincent's Private Hospital. Therefore, the proposal may assist in planning for the expansion of health facilities to service Sydney's growing population.
Direction 3.1: Revitalise existing suburbs	Consistent.  The planning proposal will provide additional flexibility in the development options for the site, by permitting office premises associated with St Vincent's Private Hospital. This will encourage the redevelopment and revitalisation of a vacant site with dilapidated buildings.

Direction	Comment on consistency
Direction 4.1 Protect our natural environment and biodiversity	Consistent.  The planning proposal applies to land located in an existing urban environment and does not apply to sensitive land or land with significant natural conservation values.
Central Subregion priorities	Comment on consistency
The priorities for the Central Subregion are: <ul style="list-style-type: none"> <li>• A competitive economy</li> <li>• Accelerate housing supply, choice and affordability and build great places to live</li> <li>• Protect the natural environment and promote its sustainability and resilience</li> </ul> The priority for the City East strategic centre is to: <ul style="list-style-type: none"> <li>• Support health-related land uses and infrastructure around St Vincent's hospital.</li> </ul>	Consistent. The planning proposal is consistent with the priorities of the subregion and the City East strategic centre as it: <ul style="list-style-type: none"> <li>• will provide the opportunity to develop the site with office premises associated with St Vincent's Private Hospital, potentially creating additional jobs and adding to the competitiveness of the economy;</li> <li>• is in proximity to existing transportation infrastructure, services and recreation; and</li> <li>• will permit development which is consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital; and</li> <li>• will support health-related land uses and infrastructure around St Vincent's Hospital.</li> </ul>

<b>Draft Central District Plan</b>
<p>The <i>Draft Central District Plan</i> (2016) (the District Plan) sets out a vision, priorities and actions for the development of the Central District of Greater Sydney. The four goals of <i>A Plan for Growing Sydney</i> are addressed in the District Plan in three themes:</p> <ul style="list-style-type: none"> <li>• A productive city (Goal 1)</li> <li>• A liveable city (Goals 2 and 3)</li> <li>• A sustainable city (Goals 3 and 4)</li> </ul> <p>Each theme contains priorities which must be addressed during the preparation of a planning proposal. The consistency of this planning proposal with these priorities is addressed in this table.</p>

<b>A productive city</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p><b>Productivity Priority 1: Creating opportunities for the growth of commercial floor space</b></p> <p>Relevant planning authorities need to consider the mechanisms to protect and enhance opportunities for the growth of commercial floor space. When planning strategic and district centres, relevant planning authorities should consider Productivity Priority 3 (Section 3.5), as well as strategies to:</p> <ul style="list-style-type: none"> <li>• enhance the urban amenity and walkability of centres</li> <li>• promote the diversification of complementary commercial activities</li> <li>• maintain a commercial core for employment activities in targeted locations</li> <li>• support the economic viability of office development.</li> </ul>	<p>Consistent.</p> <p>While the planning proposal does not apply to a site within a strategic or district centre, it will provide the opportunity to develop commercial floor space on the site.</p>
<p><b>Productivity Priority 2: Support the growth of innovation and creative industries</b></p> <p>The relevant planning authority should investigate opportunities to support the growth of innovation and creative industries. Consideration should be given to the full spectrum of activities from high-end global businesses to small start-ups. This may be achieved through a range of</p>	<p>Not applicable.</p> <p>The planning proposal will not impede the integration of arts and cultural outcomes, or creative hubs under existing development standards and controls.</p>

Planning proposal for 190-200 Boundary Street, Paddington

Attachment 3:4



<b>A productive city</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p>mechanisms and strategies including:</p> <ul style="list-style-type: none"> <li>• providing flexibility in appropriate zones for the co-location of creative industries in desirable locations with access to transport and ancillary uses such as retail, cafes and restaurants</li> <li>• incentivising opportunities for the provision of affordable space for creative and start-up businesses.</li> </ul> <p>Councils and State agencies should also consider opportunities to grow innovation and creative industries by:</p> <ul style="list-style-type: none"> <li>• providing affordable space for creative hubs on government-owned land and/or in large-scale government-led urban renewal projects</li> <li>• enhancing synergies and connectivity between health and education facilities</li> <li>• supporting increased opportunities for a diversity of housing choices including price points close to work opportunities.</li> </ul>	
<p><b>Productivity Priority 3:</b> <b>Manage growth and change in strategic and district centres and, as relevant, local centres</b></p> <p>When undertaking planning for strategic, district and local centres, the relevant planning authority should consider:</p> <ul style="list-style-type: none"> <li>• opportunities for existing centres to grow and new centres to be planned to meet forecast demand across a range of retail business types, including: the need to reinforce the suitability of centres for retail and commercial, encouraging a competitive market</li> <li>• the commercial requirements of retailers and commercial operators such as servicing, location, visibility and accessibility</li> <li>• the use of B3 Commercial Core Zones in strategic centres, and where appropriate, in district centres to reinforce and support the operation</li> </ul>	<p>Consistent.</p> <p>The site is not located in an identified centre.</p> <p>The planning proposal will not impede the growth and change of any centre under existing development standards and controls.</p>

<b>A productive city</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p>and viability of non-residential uses, including local office markets.</p> <p>When preparing strategic plans, the relevant planning authority needs to demonstrate how its planning for centres has considered strategies to:</p> <ul style="list-style-type: none"> <li>• deliver on the strategic and district centre's job targets</li> <li>• meet the retail and service needs of the community</li> <li>• facilitate the reinforcement and/ or expansion of allied health and research activities</li> <li>• promote the use of walking, cycling and integrated public transport solutions</li> <li>• provide urban spaces such as meeting places and playgrounds</li> <li>• respond to the centre's heritage and history</li> <li>• promote community arts</li> <li>• reflect crime prevention through environmental design (CPTED) principles such as safety and management</li> <li>• manage the transition between higher intensity activity in and around a centre and lower intensity activity that frames the centre.</li> </ul>	
<p><b>Productivity Priority 4:</b></p> <p><b>Prioritise the provision of retail floor space in centres</b></p> <p>When preparing retail and commercial strategies to inform local planning, the following matters should be considered:</p> <ul style="list-style-type: none"> <li>• existing and future supply and demand for retail floor space within the District, based on the DP&amp;E's medium population growth scenario</li> <li>• the accessibility of different types of retail and commercial floor space to communities</li> <li>• opportunities to allow retail and</li> </ul>	<p>Not applicable.</p> <p>The planning proposal will not impede the preparation of retail and commercial strategies to inform local planning.</p>

<b>A productive city</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<ul style="list-style-type: none"> <li>• commercial activities to innovate</li> <li>• the impacts of new retail and commercial proposals to enhance the viability and vitality of existing and planned centres</li> <li>• the need for new retail development to reinforce and enhance the public domain</li> <li>• the net social, economic and environmental implications of new supply within different locations</li> </ul>	
<p><b>Productivity Priority 5:                      Protect and support employment and urban services land</b></p> <p>Relevant planning authorities should take a precautionary approach to rezoning employment and urban services lands, or adding additional permissible uses that would hinder their role and function. The exception being where there is a clear direction in the regional plan (currently <i>A Plan for Growing Sydney</i>), the District Plan or an alternative strategy endorsed by the relevant planning authority.</p> <p>Any such alternative strategy should be based on a net community benefit assessment (i.e. analysis of the economic, environmental and social implications) of the proposed exception, taking account of a District-wide perspective in accordance with Action P5.</p> <p>How these matters are taken into account is to be demonstrated in any relevant planning proposal.</p>	<p>Consistent.</p> <p>The planning proposal will not impede or hinder the role and function of employment and urban services land.</p>

A Liveable City	
District priorities	Comment on consistency
<p><b>Liveability Priority 1:</b> <b>Deliver Central District's five-year housing targets</b></p> <p>To deliver these five-year housing targets, councils need to:</p> <ul style="list-style-type: none"> <li>plan to provide sufficient capacity and monitor delivery of the five-year housing targets</li> <li>liaise with the Commission to identify barriers to delivering additional housing in accordance with the targets.</li> </ul>	<p>Consistent.</p> <p>The planning proposal will not impede the ability of the site to be developed for housing to meet the district plan's five year housing target for Woollahra Council of 300 dwellings.</p>
<p><b>Liveability Priority 2:</b> <b>Deliver housing diversity</b></p> <p>Relevant planning authorities should consider the needs of the local population base in their local housing strategy and how to align local planning controls that:</p> <ul style="list-style-type: none"> <li>address housing diversity that is relevant to the needs of the existing and future local housing market</li> <li>deliver quality design outcomes for both buildings and places.</li> </ul>	<p>Not applicable.</p> <p>The planning proposal does not form part of a local housing strategy. Additionally, the proposal will not impede the planning for housing diversity or quality design outcomes.</p>
<p><b>Liveability Priority 3:</b> <b>Implement the Affordable Rental Housing Target</b></p> <p>Building on Action 2.3.3 of <i>A Plan for Growing Sydney</i>, when preparing planning proposals or strategic plans for new urban renewal or greenfield areas, the relevant planning authority will include an Affordable Rental Housing Target as a form of inclusionary zoning.</p> <p>A target of 5% to 10% of new floor space will be applied at the rezoning stage so that it can factored into the development equation:</p> <ul style="list-style-type: none"> <li>within areas that have been shown, via a local housing strategy, or another form of appropriate research, to have current or future need for affordable rental housing</li> <li>to applicable land within new urban</li> </ul>	<p>Not applicable.</p> <p>The planning proposal does not apply to land in a new urban renewal or greenfields area.</p>

A Liveable City	
District priorities	Comment on consistency
<p>renewal or greenfield areas (government and private) subject to development feasibility assessed at a precinct scale</p> <ul style="list-style-type: none"> <li>• to all new floor space (above the existing permissible floor space)</li> <li>• in addition to local and State development contributions and cognisant of any public or private subsidy for affordable rental housing provision</li> <li>• to provide a range of dwelling types including one, two and three+ bedroom homes</li> <li>• in accordance with any relevant guidance developed by the Commission and DP&amp;E.</li> </ul> <p>The Affordable Rental Housing dwellings will be secured by the relevant planning authority and passed onto a registered Community Housing Provider to manage, further developing this emerging sector of the economy.</p> <p>In this regard, we encourage the NSW Government to bring forward its own land to maximise affordable housing and Affordable Rental Housing.</p>	

<b>A Liveable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p><b>Liveability Priority 4:</b></p> <p><b>Increase social housing provision</b></p> <p>Relevant planning authorities and the Department of Family and Community Services (and the Land and Housing Corporation) should collaborate to optimise housing and community diversity outcomes on sites of social housing concentration.</p> <p>Subject to appropriate consultation, feasibility considerations and environmental assessment, relevant planning authorities should translate optimal outcomes for social housing sites into land use controls.</p>	<p>Not applicable.</p> <p>The site does not contain any social housing.</p>
<p><b>Liveability Priority 5:</b></p> <p><b>Facilitate the delivery of safe and healthy places</b></p> <p>Relevant planning authorities should:</p> <ul style="list-style-type: none"> <li>• facilitate the development of healthy and safe built environments</li> <li>• consider the inclusion of planning mechanisms such as floor space bonuses to incentivise the provision of: <ul style="list-style-type: none"> <li>- neighbourhoods with good walking and cycling connections particularly to schools</li> <li>- social infrastructure such as public libraries or child care</li> <li>- urban agriculture, community and roof gardens for productive food systems.</li> </ul> </li> </ul>	<p>Consistent.</p> <p>The planning proposal will not impede the planning or delivery of healthy and safe environments under existing development standards and controls.</p>
<p><b>Liveability Priority 6:</b></p> <p><b>Facilitate enhanced walking and cycling connections</b></p> <p>Relevant planning authorities should facilitate enhanced walking and cycling outcomes by giving due consideration to the delivery of district and regional connections and walkable neighbourhoods.</p>	<p>Not applicable.</p> <p>The planning proposal will not impede the planning or delivery of walking and cycling facilities.</p>

<b>A Liveable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p><b>Liveability Priority 7:</b> <b>Conserve heritage and unique local characteristics</b></p> <p>Relevant planning authorities should:</p> <ul style="list-style-type: none"> <li>• require the adaptive re-use of historic and heritage listed buildings and structures in a way that enhances and respects heritage values</li> <li>• protect Aboriginal, cultural and natural heritage and places, spaces and qualities valued by the local community.</li> </ul>	<p>Consistent.</p> <p>The planning proposal will allow office uses which can be partly accommodated within the adaptive re-use of existing buildings and partly within new development. The adaptive re-use of buildings and new buildings will need to meet the guidelines and controls within Part 6.1 of the WDCP 2015.</p>
<p><b>Liveability Priority 8:</b> <b>Foster the creative arts and culture</b></p> <p>Relevant planning authorities should:</p> <ul style="list-style-type: none"> <li>• integrate arts and cultural outcomes into urban development through planning proposals that nurture a culture of art in everyday local spaces and enhance access to the arts in all communities</li> <li>• give due consideration to the inclusion of planning mechanisms that would incentivise the establishment and resourcing of creative hubs and incubators and accessible artist-run spaces.</li> </ul>	<p>Consistent.</p> <p>The planning proposal will not impede the integration of arts and cultural outcomes, or creative hubs under existing development standards and controls.</p>
<p><b>Liveability Priority 9:</b> <b>Share resources and spaces</b></p> <p>Relevant planning authorities should consider the delivery of shared local facilities such as community hubs, cultural facilities and public libraries as multifunctional shared spaces.</p>	<p>Not applicable.</p> <p>The planning proposal will not impede the delivery of shared local facilities under existing development standards and controls.</p>

<b>A Liveable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p><b>Liveability Priority 10:</b></p> <p><b>Support innovative school planning and delivery</b></p> <p>Relevant planning authorities should give due consideration to:</p> <ul style="list-style-type: none"> <li>• innovative land use and development approaches, including: <ul style="list-style-type: none"> <li>- using travel management plans, that identify travel options, to reduce car use</li> <li>- enabling the development and construction of schools as flexible spaces, so they can facilitate shared use and change over time to meet varying community need</li> </ul> </li> <li>• the inclusion of planning mechanisms that would incentivise the: <ul style="list-style-type: none"> <li>- development of new schools as a part of good quality and appropriate mixed use developments</li> <li>- the shared use of facilities between schools and the local community including playing fields and indoor facilities, so they can meet wider community needs.</li> </ul> </li> </ul>	<p>Not applicable.</p> <p>The planning proposal does not apply to land which is currently used or proposed to be used for educational establishments.</p> <p>The Department of Education has advised that they do not anticipate the need for any new schools in the Woollahra LGA in foreseeable future.</p>
<p><b>Liveability Priority 11: Provide socially and culturally appropriate infrastructure and services</b></p> <p>Relevant planning authorities should:</p> <ul style="list-style-type: none"> <li>• collaborate with Federal and State agencies and service providers to integrate local and District social infrastructure for Aboriginal residents including preschools, child care and aged care services</li> <li>• include appropriate planning mechanisms to incentivise the provision of these services required by local communities where appropriate.</li> </ul>	<p>Not applicable.</p> <p>A need for additional services and facilities to service Woollahra's Aboriginal population has not been identified.</p>



<b>A Liveable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p><b>Liveability Priority 12:</b></p> <p><b>Support planning for health infrastructure</b></p> <p>Relevant planning authorities should give due consideration to the need to support the co-location of ancillary uses that complement health precincts, including:</p> <ul style="list-style-type: none"> <li>• residential aged care facilities</li> <li>• housing for health workers</li> <li>• visitor and short-term accommodation</li> <li>• health and medical research activities</li> <li>• child care</li> <li>• non-critical patient care</li> <li>• commercial uses that are complementary to and service the health precinct</li> </ul> <p>Consideration should also be given to the protection of health precincts and super precincts from residential encroachment into key employment areas.</p>	<p>Consistent.</p> <p>The planning proposal will provide the opportunity to develop the site with office premises associated with and ancillary to St Vincent's Private Hospital. This use will complement and service the St Vincent's Hospital health precinct.</p>
<p><b>Liveability Priority 13:</b></p> <p><b>Support planning for emergency services</b></p> <p>Relevant planning authorities must consider the operational and locational requirements of emergency services.</p>	<p>Not applicable.</p> <p>Council will consult with NSW State Emergency Services, NSW Police, NSW Ambulance and Fire &amp; Rescue NSW as part of the public exhibition of the planning proposal. However, it is not anticipated that any additional provision will be required.</p>
<p><b>Liveability Priority 14:</b></p> <p><b>Support planning for cemeteries and crematoria</b></p> <p>Relevant planning authorities should give consideration to the need and locational requirements of cemeteries and crematoria.</p>	<p>Not applicable.</p> <p>Cemeteries and crematoria are not permissible anywhere in the Woollahra LGA under Woollahra LEP 2014, nor does the planning proposal propose to permit them.</p>

<b>A sustainable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p><b>Sustainability Priority 1:</b></p> <p><b>Maintain and improve water quality and waterway health</b></p> <p>The Office of Environment and Heritage and the Environment Protection Authority have developed a risk-based framework to assist decisions that maintain, improve or restore water quality in the strategic planning process to help meet the NSW Water Quality and River Flow Objectives.</p> <p>Relevant planning authorities and managers of public land should:</p> <ul style="list-style-type: none"> <li>• adopt the Office of Environment and Heritage and the Environment Protection Authority's framework to determine the appropriate stormwater and wastewater management targets that contribute to maintaining or improving water quality and waterway health to meet the community's values</li> <li>• consider more water sensitive approaches to managing stormwater to meet the water quality and quantity targets, including harvesting and re-use of water and management of riparian corridors</li> <li>• develop mechanisms to allow offsetting between sub-catchments and facilitate cost-effective opportunities to meet the management targets for whole catchments and water quality objectives for receiving waters</li> <li>• while management targets are being established, ensure that the quality of stormwater and wastewater from public land and new development in established urban areas maintains or improves the health of waterways, in line with community values and expectations of how waterways will be used.</li> </ul>	<p>Consistent.</p> <p>The planning proposal applies to developed land in an area comprised of a mix of residential and non-residential uses. The planning proposal will not impede opportunities to appropriately manage or improve stormwater and wastewater quality and waterway health. A detailed assessment of these issues can be undertaken as part of a development application.</p>
<p><b>Sustainability Priority 2:</b></p> <p><b>Protect and conserve the values of Sydney Harbour</b></p> <p>When preparing strategic plans, relevant</p>	<p>Not applicable.</p> <p>The planning proposal is not a strategic plan. Additionally, the proposal does not apply to land adjoining or with access to any</p>

<b>A sustainable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p>planning authorities around Sydney Harbour should consider opportunities to:</p> <ul style="list-style-type: none"> <li>• conserve and interpret Aboriginal and European heritage</li> <li>• protect and enhance aquatic and terrestrial biodiversity (also see Section 5.5)</li> <li>• enhance access to and along the foreshore and provide connected green space around the foreshore (also see Section 5.6)</li> <li>• manage demand for and the design of essential maritime facilities within the natural and built environment.</li> </ul>	foreshore area.
<p><b>Sustainability Priority 3:</b> <b>Enhance access to Sydney Harbour foreshore and waterways</b></p> <p>Councils around Sydney Harbour should work with Roads and Maritime Services to revise foreshore and waterway access strategies for Sydney Harbour. These strategies should consider ways to manage competing demands placed on Sydney Harbour including:</p> <ul style="list-style-type: none"> <li>• protection of flora and fauna</li> <li>• public access to the foreshore and waterway</li> <li>• growth in boat ownership</li> <li>• changes in boat size</li> <li>• demand for moorings, marinas, dinghy storage and other boat support infrastructure</li> <li>• demand for on-street boat parking</li> </ul>	<p>Not applicable.</p> <p>The planning proposal does not apply to land adjoining or with access to any foreshore area or waterway.</p>
<p><b>Sustainability Priority 4:</b> <b>Avoid and minimise impacts on biodiversity</b></p> <p>Efforts to protect biodiversity values should be based on avoiding and minimising adverse impacts to biodiversity, as far as practicable. Only when impacts cannot be avoided or minimised, should consideration be given to offsetting those impacts.</p>	<p>Not applicable.</p> <p>The planning proposal applies to an existing developed site. There are no known critical habitat areas, threatened species, populations or ecological communities or their habitats present on the site.</p>
<p><b>Sustainability Priority 5:</b> <b>Align strategic planning to the vision for</b></p>	<p>Consistent.</p> <p>The planning proposal will not impede the</p>

<b>A sustainable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p><b>the Green Grid</b></p> <p>Consistent with Action 3.2.1 of <i>A Plan for Growing Sydney</i>, relevant planning authorities should consider opportunities to support the delivery of the Central District Green Grid. This could include consideration of how land use zones can be applied, how new development is designed, or where voluntary planning agreements and agreements for dual use of open space and recreational facilities could contribute to delivering the Green Grid.</p>	<p>delivery of any known priority projects which support the long term vision for Sydney's Green Grid identified in the Draft Central District Plan.</p>
<p><b>Sustainability Priority 6:</b></p> <p><b>Maximise benefits to the public from the innovative use of golf courses</b></p> <p>When new opportunities to examine the future use of golf courses arise, relevant planning authorities should consider how golf courses could be managed to provide greater public benefits to communities in a way that responds to local needs for green space and recreation.</p>	<p>Not applicable.</p> <p>The planning proposal does not apply to a golf course or propose any changes to the use of golf courses.</p>
<p><b>Sustainability Priority 7:</b></p> <p><b>Protect, enhance and extend the urban canopy</b></p> <p>When making strategic plans, relevant planning authorities should consider tree canopy cover in land release and established urban areas, with a focus on providing shade to streets.</p> <p>Councils should include green cover and shade tree planting along major transport corridors in local infrastructure investment planning, development control and urban design.</p>	<p>Not applicable.</p> <p>The planning proposal will not impede the option for addition vegetation on the site.</p>
<p><b>Sustainability Priority 8:</b></p> <p><b>Improve protection of ridgelines and scenic areas</b></p> <p>The scenic qualities of landscapes are already recognised and considered in some areas of Greater Sydney, as part of the strategic planning and development process.</p> <p>All councils should identify and map areas with high scenic value and develop</p>	<p>Consistent.</p> <p>The planning proposal does not apply to land on a ridgeline or scenic area. The planning proposal will not alter the height or FSR controls for the site, and will therefore not alter the potential bulk and scale of development on the site. The visual amenity of future development can be assessment as</p>

<b>A sustainable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
strategies, planning and development controls that protect important scenic landscapes and vistas of them. Planning and development controls should prohibit opportunities for development on ridgelines that would diminish their scenic quality.	part of a development application.
<p><b>Sustainability Priority 9:</b> <b>Support opportunities for District waste management</b></p> <p>When making plans, relevant planning authorities should:</p> <ul style="list-style-type: none"> <li>• use appropriate land use zones to minimise the potential for conflict with the operation and expansion of existing waste facilities</li> <li>• protect precincts that have functioning waste management facilities from encroachment by residential and other sensitive development</li> <li>• consider ways to encourage design measures such as fully enclosing waste facilities to minimise dust, odours and noise impacts to mitigate the risks and potential impacts on surrounding communities</li> <li>• consider opportunities to support co-location of waste management facilities with other activities that produce or reuse waste materials.</li> </ul>	<p>Not applicable.</p> <p>The planning proposal does not apply to land that is or will be used for district waste management.</p>
<p><b>Sustainability Priority 10:</b> <b>Mitigate the urban heat island effect</b></p> <p>Relevant planning authorities should consider where the urban heat island effect is experienced, and the location of vulnerable communities and use strategic plans to reduce impacts from extreme heat.</p>	<p>Not applicable.</p> <p>The planning proposal applies to developed land in an area of mixed residential and non-residential uses. The planning proposal will not amend the height and FSR controls on the site and therefore will not increase the site's development capacity in terms of bulk, scale or density, or its capacity to add to urban heat island effects.</p>

<b>A sustainable City</b>	
<b>District priorities</b>	<b>Comment on consistency</b>
<p><b>Sustainability Priority 11:</b> <b>Integrate land use and transport planning to consider emergency evacuation needs</b></p> <p>Relevant planning authorities should coordinate with Transport for NSW and the State Emergency Service to consider land use and local road planning, so that it is integrated with emergency evacuation planning and takes into account the cumulative impact of growth on road evacuation capacity.</p>	<p>Not applicable.</p> <p>The planning proposal will not amend the height and FSR controls on the site and therefore will not increase the site's development capacity in terms of density or traffic generation.</p>
<p><b>Sustainability Priority 12:</b> <b>Assist local communities develop a coordinated understanding of natural hazards and responses that reduce risk</b></p> <p>The Commission, the NSW Government and local councils will continue to adopt a range of tools and resources and implement actions to adapt to climate change and reduce risks to public and private assets. We will also explore ways to coordinate, improve and communicate information about risks associated with climate change to local communities.</p>	<p>Not applicable.</p> <p>The planning proposal will not affect the ability of the Commission, the NSW Government and Woollahra Council to adopt tools and resources and implement actions to adapt to climate change and reduce risks to public and private assets.</p>

## Attachment 4

### Consistency with state environmental planning policies

State environmental planning policy	Comment on consistency
SEPP No 1 – Development Standards	Not applicable.
SEPP No.14 – Coastal Wetlands	Not applicable.
SEPP No 19 – Bushland in Urban Areas	Not applicable.
SEPP No 21 – Caravan Parks	Not applicable.
SEPP No 26 – Littoral Rainforests	Not applicable.
SEPP No 30 – Intensive Agriculture	Not applicable.
SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)	Applicable. The planning proposal does not contradict or hinder the application of this SEPP.
SEPP No 33 – Hazardous and Offensive Development	Applicable The planning proposal does not contradict or hinder the application of this SEPP.
SEPP No 36 – Manufactured Home Estates	Not applicable.
SEPP No 39 – Spit Island Bird Habitat	Not applicable.
SEPP No 44 – Koala Habitat Protection	Not applicable.
SEPP No 47 – Moore Park Showground	Not applicable.
SEPP No 50 – Canal Estate Development	Not applicable.
SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 55 – Remediation of Land	Applicable Clause 6 of SEPP 55 requires the consent authority to be satisfied that the site is, or can be made, suitable for the proposed use of the land. The proposal seeks to amend the WLEP 2014 provisions to allow the use of the site as an office premises, and this clause must be considered in the planning proposal. The site may be contaminated. Historical information identified in the statement of heritage impact, past editions of the Wise

State environmental planning policy	Comment on consistency
	<p>Directory and Council's oral history records show that the site was, or may have been, used in the past for various uses that may have contaminated the site. These past uses include a scrap yard, second-hand building material sales and storage, liquid soap manufacturing and panel beating. These uses are identified under the provisions of both SEPP55 as activities that may cause contamination. The uses may be categorised under descriptions specifically referred to in the two documents as activities that may cause contamination, such as scrap yards, acid / alkaline plant and formulation, chemical manufacture and formulation, metal treatment, oil production and storage, service stations and waste storage and treatment activities.</p> <p>Given the possibility of contamination on the site, we recommend that the gateway determination include conditions to facilitate the following:</p> <ul style="list-style-type: none"> <li>• The applicant is to undertake land contamination investigations for the site, as outlined in SEPP 55, clause 6, "Contamination and remediation to be considered in zoning or rezoning proposal".</li> <li>• The findings of these investigations must be submitted to Council so that it can form part of the information placed on public exhibition.</li> <li>• Council is to consult with Environmental Protection Authority (EPA) as part of the public exhibition process.</li> </ul> <p>Any future DA for the site will also be subject to the standard assessment requirements under SEPP 55.</p> <p>The planning proposal does not contradict or hinder the application of this SEPP.</p>
SEPP No 59 – Central Western Sydney Regional Open Space and Residential	Not applicable.
SEPP No 62 – Sustainable Aquaculture	Not applicable.



State environmental planning policy	Comment on consistency
SEPP No 64 – Advertising and Signage	<p>Applicable</p> <p>Future redevelopment of the site as facilitated by this planning proposal may include signage. This signage will be subject to separate future development applications, which will include assessment against this SEPP.</p> <p>This planning proposal does not contradict or hinder application of this SEPP.</p>
SEPP No 65 – Design Quality of Residential Apartment Development	<p>Applicable</p> <p>The planning proposal seeks to amend the WLEP 2014 provisions to allow the use of the site as an office premises. Future redevelopment of the site for the purpose of an office premises as facilitated by this planning proposal will not require assessment against this SEPP.</p> <p>This planning proposal does not contradict or hinder application of this SEPP.</p>
SEPP No 70 – Affordable Housing (Revised Schemes)	<p>Applicable</p> <p>This planning proposal does not contradict or hinder application of this SEPP.</p>
SEPP No 71 – Coastal Protection	Not applicable.
SEPP (Affordable Rental Housing) 2009	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	<p>Applicable</p> <p>The planning proposal does not contradict or hinder the application of this SEPP.</p>
SEPP (Exempt and Complying Development Codes) 2008	<p>Applicable</p> <p>The planning proposal is not inconsistent with the SEPP.</p>
SEPP (Housing for Seniors or People with a Disability) 2004	<p>Applicable</p> <p>The planning proposal does not contradict or hinder the application of this SEPP.</p>
SEPP (Infrastructure) 2007	<p>Applicable</p> <p>The planning proposal does not contradict or hinder the application of this SEPP.</p>
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable.

<b>State environmental planning policy</b>	<b>Comment on consistency</b>
SEPP (Kurnell Peninsula) 1989	Not applicable.
SEPP (Major Development) 2005	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable.
SEPP (Penrith Lakes Scheme) 1989	Not applicable.
SEPP (Rural Lands) 2008	Not applicable.
SEPP (Transitional Provisions) 2011	Not applicable.
SEPP (State and Regional Development) 2011	Not applicable.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Three Ports) 2013	Not applicable.
SEPP (Urban Renewal) 2010	Not applicable.
SEPP (Western Sydney Employment Area) 2009	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.

<b>Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies</b>	<b>Comment on consistency</b>
SREP No 8 (Central Coast Plateau Areas)	Not applicable
SREP No 9 - Extractive Industry (No 2 - 1995)	Not applicable
SREP No 16 – Walsh Bay	Not applicable
SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)	Not applicable
SREP No 24 - Homebush Bay Area	Not applicable

<b>Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies</b>	<b>Comment on consistency</b>
SREP No 26 – City West	Not applicable
SREP No 30 - St Marys	Not applicable
SREP No 33 - Cooks Cove	Not applicable
SREP (Sydney Harbour Catchment) 2005	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. The planning proposal applies to land within the Sydney Harbour Catchment and the Foreshores and Waterways Area. The planning principles of the SREP (Sydney Harbour Catchment) 2005 have been considered during its preparation.

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## Attachment 5

### Compliance with section 117 directions

Compliance with section 117 directions		
Direction	Applicable/comment	
<b>1</b>	<b>Employment and resources</b>	
1	Business and industrial zones	Not applicable. This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). The proposal relates to residential zoned land and will not diminish or affect the amount of business zoned land available in the Woollahra LGA.
1.2-1.5	Directions 1.2-1.5	Not applicable. These directions are not relevant to the Sydney metropolitan area.
<b>2</b>	<b>Environment and heritage</b>	
2.1	Environment protection zones	Not applicable.
2.2	Coastal protection	Not applicable.
2.3	Heritage conservation	Consistent. The WLEP 2014 contains provisions that facilitate the conservation of the items referred to in sub-clauses (4) (a)-(c) of this direction. The planning proposal does not affect those provisions and any future development at the site will be subject to those provisions. Furthermore, the proposal will permit development which is consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital.
2.4	Recreation vehicle areas	Not applicable.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable. The planning proposal does not apply to land in the Far North Coast.

<b>Compliance with section 117 directions</b>		
<b>Direction</b>	<b>Applicable/comment</b>	
<b>3</b>	<b>Housing, infrastructure and urban development</b>	
3.1	Residential zones	Consistent. The planning proposal will provide additional employment opportunities (even if only minimal) within a residential zone, but will not impede the potential of the site or adjacent sites to be developed for residential purposes.
3.2	Caravan parks and manufactured home estates	Not applicable.
3.3	Home occupations	Consistent. The proposal does not alter the permissibility of home occupations in the zone.
3.4	Integrating land use and transport	Consistent. The planning proposal will provide the opportunity to develop additional employment uses in an accessible transport location.
3.5	Development near licensed aerodromes	Not applicable.
3.6	Shooting ranges	Not applicable.
<b>4</b>	<b>Hazard and risk</b>	
4.1	Acid sulfate soils	Consistent. The site is identified on the WLEP 2014 Acid Sulfate Soils Map as Category 5. Any environmental impact of this soil type can be managed through the development application process and does not affect this planning proposal.
4.2	Mine subsidence and unstable land	Not applicable.
4.3	Flood prone land	Consistent. The site is not within an identified Flood Planning Area and the planning proposal will not affect this.
4.4	Planning for bushfire protection	Consistent. The site is not on land identified Bushfire Prone and the planning proposal will not affect this.

<b>Compliance with section 117 directions</b>		
<b>Direction</b>		<b>Applicable/comment</b>
<b>5</b>	<b>Regional planning</b>	
5.1 - 5.9	Strategies 5.1-5.9	Not applicable. These strategies do not apply to the Woollahra LGA.
5.10	Implementation of Regional Plans	Not applicable.
<b>6</b>	<b>Local plan making</b>	
6.1	Approval and referral requirements	Consistent. The planning proposal is consistent with this Ministerial Direction.
6.2	Reserving land for public purposes	Consistent. A small portion of the site is shown as land to be acquired for the purpose of a classified road by the RMS. Council must not grant consent on that portion of the site for any development other than for the purpose of a road. This is a matter to be considered at the development application stage, and does not affect this planning proposal.
6.3	Site specific provisions	Consistent. This planning proposal does not introduce unnecessarily restrictive site specific controls and instead offers greater flexibility to achieve an alternative development outcome on the site.  The proposal does not seek to impose any development standards or requirements in addition to those already contained in the WLEP 2014.
<b>7</b>	<b>Metropolitan Planning</b>	
7.1	Implementation of A Plan for Growing Sydney (Dec 2014)	Consistent. Consistent. This planning proposal is consistent with this direction and does not hinder implementation of <i>A Plan for Growing Sydney</i> (2014).
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.

Planning proposal for 190-200 Boundary Street, Paddington

Attachment 5:4



## Annexure 2

Woollahra Municipal Council  
Urban Planning Committee Agenda

27 February 2017

**Item No:** R1 Recommendation to Council  
**Subject:** **PLANNING PROPOSAL FOR 190-200 BOUNDARY STREET, PADDINGTON**  
**Author:** Jorge Alvarez, Senior Strategic Planner  
**Approvers:** Anne White, Acting Team Leader - Strategic Planning  
Chris Bluett, Manager - Strategic Planning  
Allan Coker, Director - Planning & Development  
**File No:** 17/21512  
**Reason for Report:** To report on a request for a planning proposal submitted to Council by St Vincent's Private Hospital for 190-200 Boundary Street, Paddington. To obtain Council's approval to prepare a planning proposal and forward it to the Greater Sydney Commission for a gateway determination.

### Recommendation:

- A. That Council prepare a planning proposal which explains a proposed amendment to Woollahra LEP 2014, which will permit development for office premises on land at 190-200 Boundary Street, Paddington, but only if they are ancillary to and associated with St Vincent's Private Hospital.
- B. That the planning proposal described in point A above be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- C. That when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

### 1. Summary

In December 2016 a request for a planning proposal (contained in Annexure 1) was submitted to Council by St Vincent's Private Hospital (the applicant) for land at 190-200 Boundary Street, Paddington (the site). The request seeks to amend Schedule 1 of the *Woollahra Local Environmental Plan 2014* (WLEP 2014), to permit development for the purposes of office premises, but only if the activities proposed are ancillary to and associated with St Vincent's Private Hospital.

The site is zoned R2 Low Density Residential. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have any adverse impact. As there is no evidence of this type of history, the proposed amendment is required to permit this use. The amendment will apply only to this site.

Overall, we support this request because it has strategic merit. We therefore seek a decision of the Council to:

- prepare a planning proposal; and
- forward the planning proposal to the Greater Sydney Commission (GSC) for a gateway determination. The determination will enable the planning proposal to be placed on public exhibition.

## 2. The site

### 2.1 Location and context

The site is located on the southern side of Barcom Avenue / Boundary Street, Paddington, as shown below in Figure 1. Barcom Avenue / Boundary Street forms part of the boundary between the Woollahra and City of Sydney local government areas (LGAs). In this report, the boundary between the LGAs is shown on the maps by a green line.

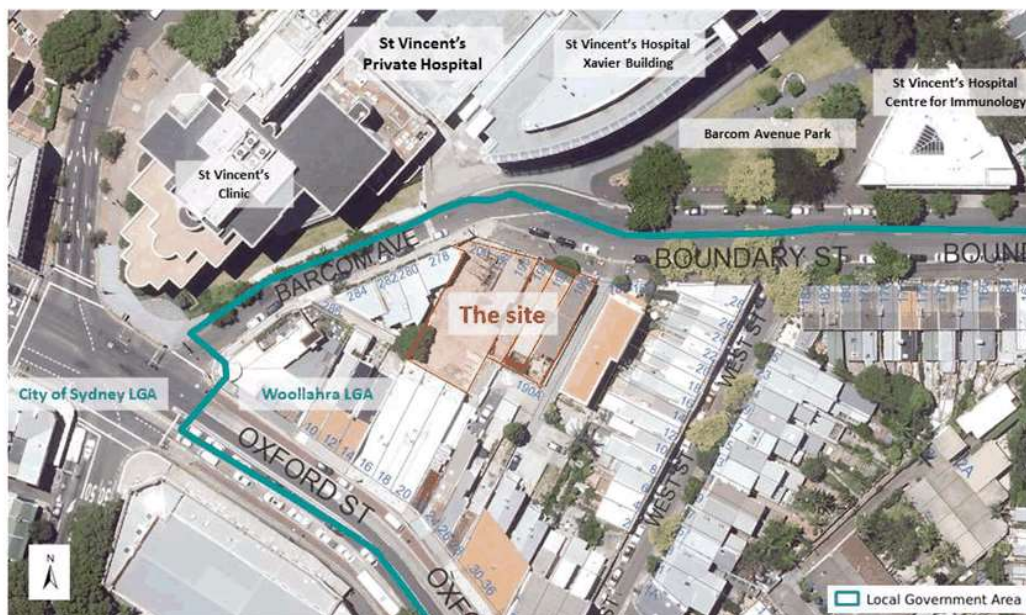


Figure 1: Local area map

Surrounding development consists of:

- North: St Vincent's Hospital precinct and Barcom Avenue Park are located on the opposite side of Barcom Avenue / Boundary Street.
- South: Commercial / retail shops orientated to Oxford Street. Oxford Street forms part of the boundary between Woollahra Council and the City of Sydney local government areas.
- East: A four storey residential flat building at 186 Boundary Street. This building is separated from the site by an access handle driveway approximately 2.9m wide. The driveway provides access from Boundary Street to the rear of No. 30-36 Oxford Street, and neighbouring properties on Oxford Street.
- West: Residential terrace houses on four separately owned lots at 278-284 Barcom Avenue.

The site is highly accessible by public transport. The site is approximately one minute walk from numerous bus services along Oxford Street connecting the Sydney CBD and various eastern suburbs locations, including Bondi Junction and Bondi Beach. The site is approximately five minutes walk to Taylor Square, where numerous bus services connect the Sydney CBD and various other eastern suburbs locations such as Randwick, the University of NSW, Coogee, Maroubra and beyond. The site is approximately fifteen minutes walk from the Sydney CBD, and also from Museum train station which connects to all locations in the City Rail network.

## 2.2 Site description

The site consists of four adjoining lots described below:

- 190 Boundary Street (Lot 3 DP 223679)
- 192 Boundary Street (Lot 2 DP 223679)
- 194 Boundary Street (Lot 1 DP 223679)
- 196 – 200 Boundary Street (Lot 3 DP 84504)

A cadastral map showing property information is included below as Figure 2. The site is highlighted in red.

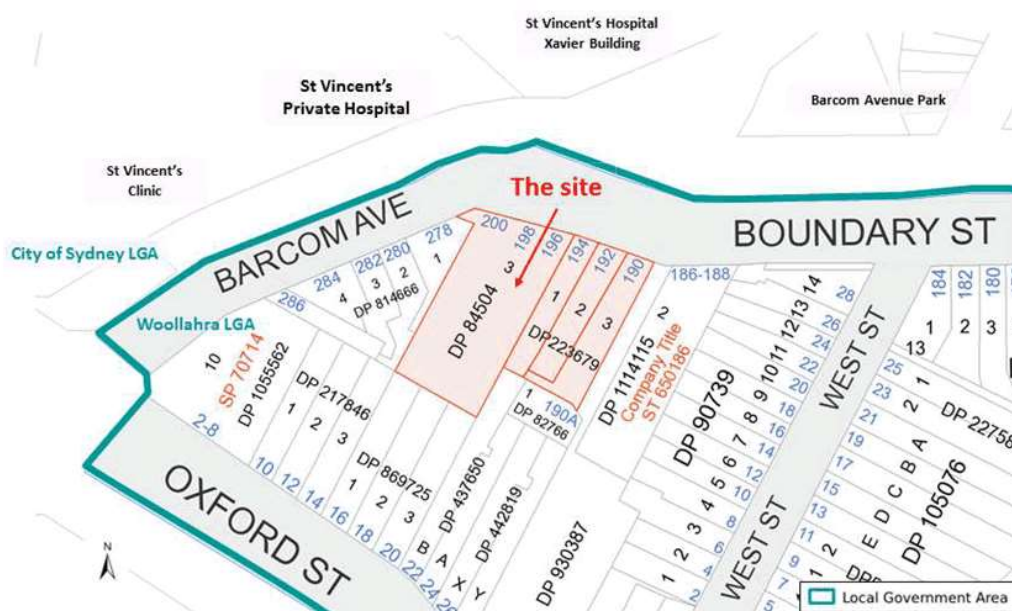


Figure 2: Cadastral map

The site has a total area of approximately 889m<sup>2</sup>. The site has a total frontage of approximately 34m to Barcom Avenue / Boundary Street, and a maximum depth of approximately 33.7m. The site slopes approximately 3m from the south west to the north east, and has a minimal amount of vegetation.

The site is currently developed with five terrace houses dating from the late Victorian / early Federation period. The terraces vary in size and height.

- 190-194 contains three single storey terraces. These terraces are currently used and inhabited for residential purposes.
- 196-200 contains two double storey terraces. These terraces are dilapidated and currently uninhabitable. A significant portion of the site is unbuilt on. This unbuilt portion adjoins the western and southern boundary.

Site photos of the existing development on the site are included as Figures 3 and 4.



*Figure 3: Existing single storey terraces at 190-194 Boundary Street (source SJB)*



*Figure 4: Existing dilapidated double storey terraces at 196-200 Boundary Street (source SJB)*

### 3. Planning controls

The planning controls that apply to the site that are relevant to this planning proposal are described below.

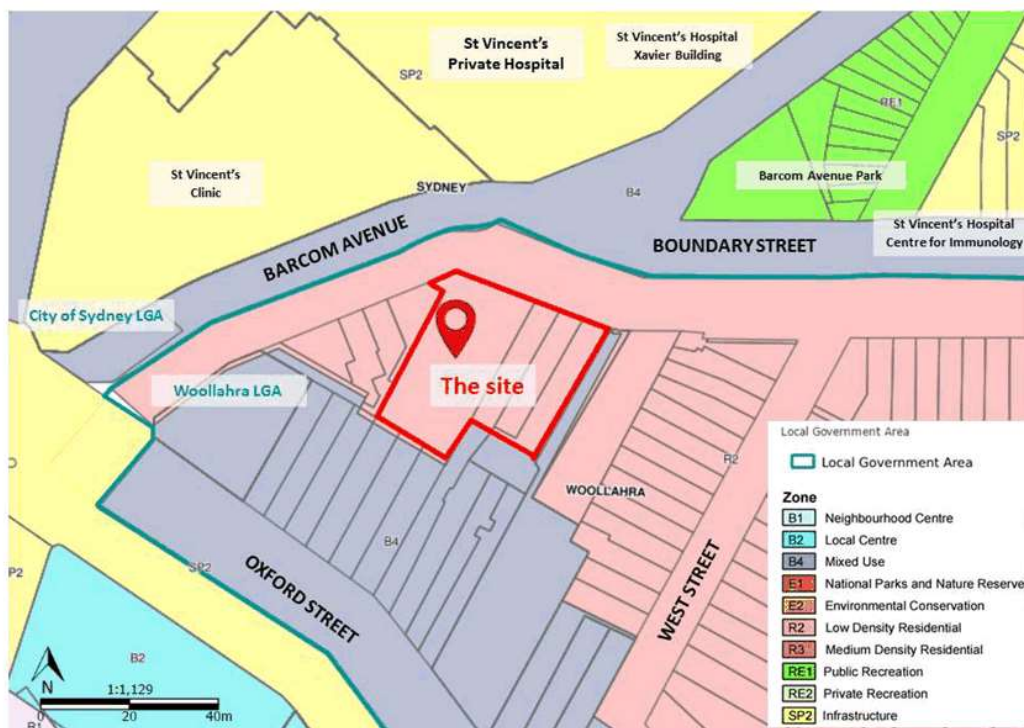
#### 3.1 Zoning

The site is zoned R2 Low Density Residential under the WLEP 2014. The zone generally permits development of low density residential uses, such as dwellings houses and dual occupancies, as well as other land uses that provide facilities or services to meet the day to day needs of residents, such as shops and child care centres. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have any adverse impact.

Adjacent land along Oxford Street is zoned B4 Mixed Use under the WLEP 2014. The zone generally permits development of a mixture of compatible uses such as business, office, retail and residential.

The hospital land to the north, across Barcom Avenue / Boundary Street is zoned SP2 Infrastructure (Health Services Facilities) under the *Sydney Local Environmental Plan 2012* (SLEP 2012). The zone permits development for the purposes of health services facilities, including any development that is ordinarily incidental or ancillary to development for that purpose.

Zoning for the site and surrounding land is shown below in Figure 5.

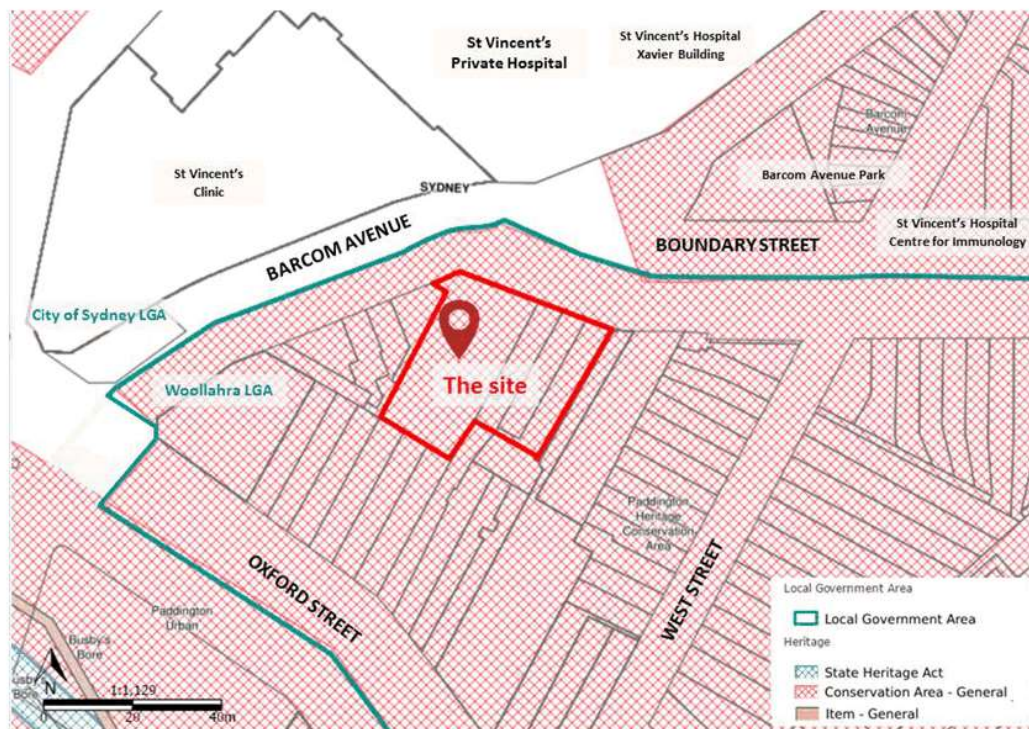


**Figure 5: Existing WLEP 2014 land use zoning**  
(source: Department of Planning & Environment - Planning Viewer)

### 3.2 Heritage

The site is located within the Paddington Heritage Conservation Area under the WLEP 2014. The buildings located on the site are contributory to the character of the area. There are no heritage items located within the vicinity of the site.

Heritage development controls for the site and surrounding land are as shown below in Figure 6.



**Figure 6: Existing WLEP 2014 heritage conservation**  
(source: Department of Planning & Environment - Planning Viewer)

### 3.3 Land reservation acquisition

At the junction of Barcom Avenue and Boundary Street, a small portion of the site (approximately 3m<sup>2</sup> in size) is shown on the Land Reservation Acquisition Map of WLEP 2014 as land to be acquired for the purpose of a classified road. The Roads and Maritime Services (RMS) are identified as the relevant authority to acquire the land (*clause 5.1 – Relevant acquisition authority*). Council must not grant consent on that portion of the site for any development other than for the purpose of a road (*clause 5.1A – Development on land intended to be acquired for public purposes*). This is a matter to be considered at the development application stage, and does not affect this request. However, we will consult with RMS as part of the public exhibition process.

### 3.4 Contamination

Information from Council's records identifies that 194-200 Boundary Street may have been used as a scrap yard in the past. This use is identified as an activity that may cause contamination under the provisions of both *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), and *Woollahra Development Control Plan 2015* (WDCP 2015) – Chapter E4: Contaminated Land.

The provisions of both of these documents require Council to consider whether the land is contaminated and if so, whether the land is suitable in its current form, or after remediation, for all the purposes which will be permitted on the land as a result of a planning proposal. The onus is on the applicant to demonstrate to Council that the site is, or can be made, suitable for the proposed land use. However, the applicant has not provided any information regarding contamination.

Given the possibility of contamination on the site, we recommend that the applicant undertake contamination investigations consistent with the provisions of SEPP 55. The results of these investigations would be placed on public exhibition as supporting information to the planning proposal, should it progress through the gateway (see Part 6).

### 4. The planning proposal request

The objective of the planning proposal request is to permit development on the site for the purposes of office premises, but only if the activities proposed are ancillary to and associated with St Vincent's Private Hospital.

The site is zoned R2 Low Density Residential. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have any adverse impact. As there is no evidence of this type of history, the proposed amendment is required to permit this use. The amendment will apply only to this site.

#### 4.1 Proposed controls

The request seeks to amend Schedule 1 of the WLEP 2014. Schedule 1 identifies additional permitted uses on certain sites within the Woollahra LGA. An additional clause (Clause 15) is proposed as follows:

##### 15 Use of certain land at 190-200 Boundary Street, Paddington

- (1) This clause applies to land at 190-200 Boundary Street, Paddington, being Lots 1, 2 and 3 in DP 223679 and Lot 3 in DP 84504.
- (2) Development for the purpose of a place of an office premise is permitted with development consent but only if the consent authority is satisfied that the activities proposed are ancillary to and associated with St Vincent's Private Hospital.

This is a simple and effective way of resolving the land use permissibility issue to achieve the objective of the planning proposal. The planning proposal does not seek to amend any other provision of the WLEP 2014.

#### 4.2 Design concept

An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:

- adaptive re-use of the terraces at 190-194 for offices; and
- demolition and redevelopment of the existing terraces at 196-200 for offices.

Woollahra Municipal Council  
Urban Planning Committee Agenda

27 February 2017

The applicant has stated in their request that the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access. Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building. However, they also state that there is capacity to accommodate car parking onsite with any future development if it is deemed necessary.

We note the design concept, however, the detailed design of development is a matter to be considered at the development application stage, and does not affect this request.

## **5. Review of the request for a planning proposal**

Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) sets out what information a planning proposal is to include when submitted for a gateway determination. The Department of Planning and Environment (the Department) has prepared the document titled *A guide to preparing planning proposals* dated August 2016 (the guidelines) to help applicants meet the requirements of the Act. Council staff have reviewed the applicant's request and found that it was submitted in the form of a report which has regard to Section 55 of the Act and the guidelines.

If the request is supported by Council, the planning proposal documentation will be prepared with regard to Section 55 of the Act and the guidelines. The applicant's request will be submitted to the GSC as part of the planning proposal.

### **5.1 Strategic merit**

We have identified that the request has strategic merit and therefore we can provide in principle support. The strategic merit is justified by being consistent with the following strategies and concepts:

- NSW Government's document *A Plan for Growing Sydney* (2014) – Central subregion – Priorities for Strategic Centres (p.111). The request will support health-related land uses and infrastructure around St Vincent's Hospital.
- NSW Government's *Draft Central District Plan* (2016) – Liveability Priority 12: Support planning for health infrastructure (p.124). The request gives due consideration to the need to support the co-location of ancillary commercial uses to complement an existing health precinct.
- *WDCP 2015*, Chapter C1 Paddington Heritage Conservation Area. The request is consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital.
- Council's *Community Strategic Plan, Woollahra 2025 – our community our place our plan*, in particular Goal 4 Well planned neighbourhoods. The request will:
  - encourage and support sustainable development by providing employment opportunities within a highly accessible location for public transport, walking and cycling, and near existing housing.
  - maintain Paddington's mostly low rise (no amendment to the WLEP 2014 height control is proposed), mixed urban form, architecture and heritage.
- State Environmental Planning Policies (SEPPs). The request is consistent with the provision of all relevant SEPPs.



- The Minister for Planning’s relevant section 117 directions. The request is consistent with the following directions:
  - 2.3 Heritage conservation: The request will not prevent the conservation of any items, areas, objects and places of environmental heritage significance and indigenous heritage significance.
  - 3.1 Residential zones: The request will not prevent the site from being developed for residential uses.
  - 3.4 Integrated land use and transport: The request will provide the opportunity to deliver employment generating development in a transport accessible location.
  - 6.3 Site specific provisions: The request does not introduce unnecessarily restrictive site specific controls to the WLEP 2014.
- The request is not on land identified with any environmental constraints.
- The request will enable an economic benefit of providing the potential for additional employment in a location accessible to public transport and walking and cycling options.
- The request will support the functions of St Vincent’s Hospital which provides a sub-regional social benefit of specialist and general health care services.

This opinion is not intended to represent a position regarding the merits of a future development application for the site.

## 5.2 Site-specific merit

As the site is located in the Paddington Heritage Conservation Area, the request was referred to Council’s Heritage Planner. Council’s Heritage Planner commented that the additional use request is sympathetic to the existing mix of development within the vicinity of St Vincent’s Hospital. No objection was raised to the request.

This opinion is not intended to represent a position regarding the merits of a future development application for the site.

## 6. Options for proceeding

There are two options for responding to the request:

- prepare a planning proposal and submit it to the GSC, or
- notify the applicant that the request is not supported.

**Option 1:** Prepare a planning proposal and forward it to the GSC requesting a gateway for determination. This is our preferred approach.

Council will forward the planning proposal to the GSC requesting a gateway determination under section 58(2) of the Act. The GSC, or delegate, will then issue a gateway determination specifying whether the planning proposal is to proceed and, if so, in what circumstances. The gateway determination will confirm the information and consultation required before the planning proposal can be publicly exhibited.

To address the matters regarding contamination in the planning proposal we will ask the GSC to apply a condition to the gateway determination to facilitate the following:

- The applicant is to undertake site contamination investigations as outlined in clause 6 of SEPP 55.
- The findings of these investigations must be lodged with Council so that it can form part of the information placed on public exhibition.

Under section 59 of the Act, if a planning proposal is of local significance only Council can seek the delegation of the plan-making steps. This planning proposal is considered to have local significance only, and we would seek the delegation of the plan-making steps. This delegation will be to the position of General Manager, and sub-delegated to the position of Director Planning and Development, provided in Council's resolution of 29 November 2012. Delegation of a planning proposal removes duplication and streamlines the plan-making process.

**Option 2:** Notify the applicant that the request is not supported.

In the event that Council does not support the request or does not indicate its support within 90 days, the applicant can ask the Department for a pre-gateway review. Under this review mechanism, the Sydney Central Planning Panel will undertake an independent review of the planning proposal. This is not our recommended approach.

#### 7. Next steps

If the Urban Planning Committee supports the recommendation and it is endorsed by Council, the planning proposal will be prepared and submitted to the GSC requesting a gateway determination under section 58(2) of the Act. The GSC, or delegate, will then issue a gateway determination specifying whether the planning proposal is to proceed and, if so, in what circumstances. The gateway determination will confirm the information and consultation required before the planning proposal can be publicly exhibited.

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*. The gateway determination will nominate the minimum required exhibition period. We recommend that the planning proposal is exhibited for a minimum of 28 days, should the gateway determination express a lesser period.

Public notification of the exhibition will comprise:

- a weekly notice in the local newspaper (the *Wentworth Courier*) for the duration of the exhibition period;
- a notice on Council's website;
- a letter to relevant public authorities;
- a letter to land owners in the vicinity of each site;
- a letter to local community groups including the Paddington Society and Paddington Business Partnership.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council:

- the planning proposal, in the form approved by the gateway determination;
- the gateway determination;
- the request for a planning proposal; and
- any other relevant reports or documents.

Submissions to the exhibition will be reported to the Urban Planning Committee for Council's further consideration.

#### **8. Identification of income**

When a planning proposal is not initiated by Council, under section 11 of the *Environmental Planning and Assessment Regulation 2000* we can request payment of all costs and expenses incurred in relation to the planning proposal. The Delivery Program 2013-2017 and Operational Plan 2016/17 sets out the fees and charges for preparing a planning proposal. The applicant is responsible for all costs associated with the planning proposal as required by the adopted fees and charges. The applicant has paid the fee for stage 1 (up to gateway determination) of a major planning proposal.

#### **9. Conclusion**

The planning proposal request seeks to amend Schedule 1 of the *Woollahra Local Environmental Plan 2014* (WLEP 2014), to permit development for the purposes of office premises, but only if the activities proposed are ancillary to and associated with St Vincent's Private Hospital.

The site is zoned R2 Low Density Residential. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have any adverse impact. As there is no evidence of this type of history, the proposed amendment is required to permit this use. The amendment will apply only to this site.

We support this request because it has strategic merit. We therefore recommend that Council:

- prepare a planning proposal; and
- forward the planning proposal to the GSC for a gateway determination. The determination will enable the planning proposal to be placed on public exhibition.

#### **Annexures**

1. Request for a planning proposal [↓](#)

SJB Planning

# **190-200 Boundary Street, Paddington**

## **Planning Proposal**

December 2016

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SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

## Executive Summary

### Overview

This Planning Proposal (PP) has been prepared for St Vincent's Private Hospital, the owners of the land known as 190-200 Boundary Street, Paddington ("the site"). The site has a legal description of:

- Lot 3 DP 223679 (190 Boundary Street);
- Lot 2 DP 223679 (192 Boundary Street);
- Lot 1 DP 223679 (194 Boundary Street); and
- Lot 3 DP 84504 (195 – 200 Boundary Street).

The site has a total area of approximately 899m<sup>2</sup> and is zoned R2 Low Density Residential in accordance with the Woollahra Local Environmental Plan (WLEP) 2014.

The site is located opposite the main St Vincent's Private Hospital buildings, on the south eastern side of Boundary Street. It is noted that Boundary Street represents the boundary between the Woollahra Local Government Area (LGA) and the City of Sydney LGA.

St Vincent's Private Hospital seeks to be able to develop and use the site for the purpose of an office premises which is currently prohibited at the site in accordance with the provisions of Clause 6.6 (Use of existing non-residential buildings in residential zones) of WLEP 2014.

The WLEP 2014 provides the following definition for an office premises:

*"Office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used."*

The aim of St Vincent's Private Hospital is to be able to use the site to provide offices for general administrative purposes, including office space for Hospital staff and space for storage of clerical archives and records and the like.

The Proposal seeks to amend Schedule 1 of WLEP 2014 to allow an additional permitted use at the site for the purpose of an office premises ancillary to and associated with St Vincent's Private Hospital.

The Proposal does not require any other consequential amendments to WLEP 2014 or the Woollahra Development Control Plan (WDCP) 2015.

The Proposal is supported by two (2) reports, those being a Built Form & Urban Study prepared by SJB Architects and a Statement of Heritage Impact prepared by Cracknell and Lonergan Architects (refer to Attachment 1). Collectively, the reports consider the constraints of the site, and effectively demonstrate that the site is able to be developed for the purpose of a commercial building (an office premises) within the framework of the existing building height control of WLEP 2014, and the existing built form controls of WDCP 2015.

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Planning Proposal

This Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act (EP&A Act) 1979* and the two (2) documents prepared by the NSW Department of Planning and Environment titled: *Local Environmental Plans - A Guide to Preparing Local Environmental Plans (August 2018)* and *Planning Proposals - A Guide to Preparing Planning Proposals (August 2016)*.

#### **Background**

The St Vincent's Private Hospital has owned the properties which comprise the site for a number of years and undertook previous investigations, including consultations with Council officers as long ago as 2007, regarding the concept now proposed.

At that time the site was subject to the provisions of WLEP 1995. In accordance with WLEP 1995 the site was zoned Residential (2a) and the use of the site for the purpose of a hospital was permissible with consent. The use of the site for the purpose of an office ancillary to and associated with the hospital would have also therefore been permissible with consent. The introduction of WLEP 2014 had the effect of prohibiting the proposed land use.

The proposed office use will not be accommodating medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access.

Car parking will not increase as the functions to be accommodated are currently occurring in the hospital building and car parking is also provided in the hospital building. Notwithstanding, there is capacity to accommodate car parking onsite with any future development if it is deemed necessary. The large site provides this opportunity, if needed, in the future.

#### **Site and Context Identification**

The site is located at 190-200 Boundary Street, Paddington opposite St Vincent's Hospital, north of Oxford Street and 2.3km east of Sydney CBD; and is within the Paddington Heritage Conservation Area, as identified in WLEP 2014. The site does not accommodate any heritage items and there are no heritage items immediately adjacent to the site.

To the west of the site is the main St Vincent's Private Hospital building which is up to eight (8) storeys in scale. The Oxford Street retail corridor is to the south of the site, and extends to the Sydney CBD. Barcom Avenue Park, St Vincent's (Public) Hospital and a St Vincent's Medical Research building are located to the north of the site. The St Vincent's Hospital buildings range between two (2) and ten (10) storeys in scale.

Residential development is generally located to the east, including a four (4) storey residential flat building at 186 Boundary Street.

The site consists of four (4) allotments and accommodates five (5) terrace houses. A considerable portion of 196-200 Boundary Street, being the western most allotment, is unbuilt upon.

The terraces vary between single storey (being Nos. 190-194) and two (2) storey (being Nos.196-200) in scale, and date from the Victorian Filigree – Early Federation period of terrace housing. Two (2) of the five (5) terrace dwellings are located at 196-200 Boundary Street, and are dilapidated and uninhabitable.

The subdivision pattern of the four (4) allotments is generally in keeping with the wider subdivision patterns of the area and is typical of the historical period that they represent.

The locality of the site and the existing terrace dwellings and adjacent buildings are shown in Figures 1 – 7 below.





Figure 1: Locality map (Source: Nsmaps)



Figure 2: Aerial photo of site (Source: Nsmaps)

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Figure 3: North eastern elevation of existing terraces dwellings at 190 – 194 Boundary Street



Figure 4: North eastern elevation of terraco dwellings at 196 – 200 Boundary Street



Figure 5: South east elevation of St Vincent's Private Hospital



Figure 6: Residential flat building at 186 Boundary Street

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Planning Proposal



Figure 7: St Vincent's Hospital with Barcom Avenue Park in the foreground

## 1.0 Objectives and Intended Outcome of the Planning Proposal

The objective of this PP is to facilitate the use of the site at 190-200 Boundary Street, Paddington, which is located opposite the St Vincent's Private Hospital, for the purpose of an office premises in conjunction with the St Vincent's Private Hospital. It is intended that the site will remain zoned as R2 Low Density Residential and the proposed office premises use will be in addition to the current permissible uses.

It is intended that the existing built form controls applicable to the site will remain in place; no changes are proposed to those controls (including the maximum height of buildings, floor space ratio (FSR) and setback controls).

Currently, the development of the site for the purpose of an office premises associated with the St Vincent's Private Hospital is at the conceptual stage. The design for a new building at the site will be detailed as part of a future DA and will be consistent with the current applicable built form controls.

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## 2.0 Explanation of Provisions

The proposed outcome will be achieved by amending Schedule 1 (Additional Permitted Uses) of the Woollahra Local Environmental Plan 2014 to include the following provision:

*\*15 Use of certain land at 190-200 Boundary Street, Paddington*

*(1) This clause applies to land at 190-200 Boundary Street, Paddington, being Lots 1, 2 and 3 in DP 223679 and Lot 3 in DP 84504.*

*(2) Development for the purpose of a place of an office premise is permitted with development consent but only if the consent authority is satisfied that the activities proposed are ancillary to and associated with St Vincent's Private Hospital.\**

### 3.0 Justification

#### 3.1 Section A – Need for the planning proposal

*Is the planning proposal a result of any strategic study or report?*

Yes. The applicant held initial discussions with Council and from those discussions a Built Form and Urban Study report has been prepared, as well as a Statement of Heritage Impact report.

The Built Form and Urban Study considers the site's context and the uses and the amenity of neighbouring buildings. In particular the Built Form and Urban Study considers possibilities for the development of the subject site for the purpose of an office premises in a manner that is compliant with the current built form controls which apply to the R2 Low Density Residential zoned land.

The Built Form and Urban Study demonstrates that the development of the site for the purpose of an office premises is able to be undertaken in accordance with the current applicable built form controls without reducing the potential of adjacent sites to be developed in a compliant manner.

As a result, this Planning Proposal has been produced.

*Is the planning proposal the best means of achieving the objectives, or is there a better way?*

Yes. This PP is the best means of achieving the objectives. Currently, the use of the site for the purpose of an office premises is not permissible in accordance with the provisions of WLEP 2014. A PP is therefore needed to change the permissibility provisions of WLEP 2014 to allow the site to be used for the purpose of an office premises.

There is no other way or better way to allow the site to be used as an office premises.

#### 3.2 Section B – Relationship to strategic planning framework

*Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes. The Planning Proposal is consistent with the relevant objectives and actions contained in the Metropolitan Strategy – A Plan for Growing Sydney and the East Subregion Draft Subregional Strategy.

Each of these documents is addressed in the subsequent sections of this document.

A Plan for Growing Sydney

On 14 December 2014, the NSW Minister for Planning released the new Metropolitan Strategy – A Plan for Growing Sydney ("the Plan"). The Plan is a State Government strategic document that outlines a vision for Sydney over the next 20 years. It identifies key challenges facing Sydney including a population increase of 1.6 million by 2034, 689,000 new jobs by 2031 and a requirement for 664,000 new homes.

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Planning Proposal

In responding to these and other challenges, the *Plan* sets out four (4) goals, reproduced below:

- (1) a competitive economy with world-class services and transport;
- (2) a city of housing choice with homes that meet our needs and lifestyles;
- (3) a great place to live with communities that are strong, healthy and well connected; and
- (4) a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources."

To achieve these goals, the *Plan* proposes 22 Directions and associated Actions, including:

- Direction 1.7: Grow strategic centres – providing more jobs closer to home; and
- Direction 1.10: Plan for education and health services to meet Sydney's growing needs.

In addition, the *Plan* outlines priorities for the 'sub-regions' of Sydney. The subject site is within the "Central" sub-region.

Specifically, the site is within the City East area of the Central Sydney Sub-region. The Planning Proposal is entirely consistent with the only listed priority for the City East area, which is as follows:

*"Support health-related land uses and infrastructure around St Vincent's Hospital".*

The Planning Proposal is consistent with relevant goals, directions and actions of the plan in that it will:

- Provide the opportunity for additional office space within the Central Sydney sub-region while not sterilising the potential for residential accommodation;
- Facilitate development of a site which is accessible by public transport;
- Improve residents' access to jobs, services and recreation;
- Support health-related land uses and infrastructure around St Vincent's Hospital; and
- Plan for the expansion of health facilities to service Sydney's growing population.

East Subregion Draft Strategy

Strategy A – Economy and Employment		
Objective	Action	Comment on Consistency
Objective A1 Provide suitable commercial sites and employment lands in strategic areas	<b>Action A1.1</b> Provide a framework for accommodating jobs across the subregion.	The Planning Proposal will: <ul style="list-style-type: none"> <li>· Increase capacity for employment in a location that is adjacent to and has a strong nexus with, existing employment lands; and</li> </ul>
	<b>Action A1.2</b> Plan for sufficient zoned land and infrastructure to achieve employment capacity targets in employment lands.	<ul style="list-style-type: none"> <li>· Assist Council to meet the Draft East Subregional Strategy employment target of 300 additional jobs by 2031 for the Woollahra LGA.</li> </ul> The Proposal applies to a site that is within an existing residential zone (i.e. R2 Low Density Residential) and that is opposite and adjacent to a B4 Mixed Use Zone and a SP2 Infrastructure (Health Services Facilities) Zone.
	<b>Action A1.4</b> Contain the rezoning of employment lands to residential zonings across Sydney.	The Proposal is consistent with the relevant Objectives and Actions of Strategy A of the Draft East Subregional Strategy.



Strategy A – Economy and Employment		
Objective	Action	Comment on Consistency
Objective A2 Increase innovation and skills development	Action A2.2 Strengthen industry clusters	The Planning Proposal will: <ul style="list-style-type: none"> <li>Facilitate the use of the site for an office premises to be used in association with St Vincent's Private Hospital which is located opposite the site.</li> </ul> The Hospital is part of a well-established cluster of health service facilities which includes St Vincent's Private Hospital, St Vincent's Hospital and the Sacred Heart Health Service.  The Proposal will reinforce and strengthen this important cluster of health services.

Table 1: East Subregion Draft Strategy

Draft Central District Plan

The Greater Sydney Commission placed six (6) draft District Plans for Greater Sydney on public exhibition on Monday 21 November 2016. The Plans will be on exhibition until the end of March 2017.

The District Plans sit in the middle of the hierarchy of metropolitan, district and local planning for the Greater Sydney Region. The draft District Plans set out "Priorities" and "Actions" and it is understood that in finalising the draft District Plans, the Commission will prepare an implementation plan covering all relevant actions.

The site is located within the area covered by the Draft Central District Plan. It is noted that not all of the Priorities and Actions in the Draft Plan relate to the current Planning Proposal. Nonetheless the Planning Proposal is consistent with those Priorities and Actions that are relevant to the site as detailed below:

**Productivity Priorities**

*Enhancing the Eastern City's role as a global leader*

*Supporting the growth of health and education super precincts*

The site is opposite the St Vincent's Private Hospital and the St Vincent's Hospital. The hospitals have a strong connection to the area and were established over one hundred years ago. The St Vincent's Private Hospital is a leading centre for education and research and the St Vincent's Hospital functions as a full service public teaching hospital.

Together the hospitals provide significant training and research activities housing several specialty units that are internationally recognised as centres of excellence.

Consequently, the locality is widely recognised as a well-established health services precinct and the Planning Proposal will support and consolidate the existing facilities, if even in an incremental manner. The proposal is consistent with the Priority of "Enhancing the Eastern City's role as a global leader" by supporting the growth of an established health services precinct.

*Planning for job targets in strategic and district centres*

*Plan for the growth of centres*

The site is located in an area that is categorised by the R2 Low Density Residential land to the east, SP2 Infrastructure (Health Services Facilities) to the north and north east, and B4 Mixed Use zone to the west. The

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proposal to allow the land to be used for the purpose of an office premises associated with St Vincent's Private Hospital is likely to result in incremental additional job creation in the locality, which will invariably contribute to employment opportunities within the centre and assist Council in satisfying the relevant employment target.

*Protect and manage employment and urban services land*

*Protect and support employment and urban services land*

The proposal will provide the opportunity to allow development at the site which will support the existing health services facilities. The proposal is consistent with this Priority.

*Improve 30 minute access to jobs and services*

The proposal will allow for development at the site for the purpose of additional office premises floor space and consequentially additional employment opportunities. The site is in a location with good access to public transport and adjacent to residential properties and within a residential zone. The proposal is therefore consistent with the Priority to improve 30 minute access to jobs and services.

**Liveability Priorities**

*Foster cohesive communities in the Central District*

- *Conserve and enhance environmental heritage including Aboriginal, European and natural*
- *Conserve heritage and unique local characteristics*

The proposal demonstrates that the expansion of permissible uses to allow the site to be used for the purpose of an office premises will not diminish the significance of the Paddington Conservation Area. Additionally, the Statement of Heritage Impact submitted with the proposal demonstrates that future development of the site for the purpose of an office premises is capable of being undertaken in a manner that will not adversely impact upon the contribution of the existing buildings to the significance of the Paddington Conservation Area.

The proposal is consistent with the Priority to conserve and enhance environmental heritage and unique local characteristics.

*Respond to people's need for services*

- *Support planning for health networks*
- *Support planning for health facilities and services*
- *Support planning for health infrastructure*

The purpose of the proposal is to provide ancillary offices to support St Vincent's Private Hospital which is a long established and highly regarded health services facility.

The hospital provides an important health service to the local community as well as the wider Sydney Metropolitan community and the proposal will help consolidate and improve that service.

St Vincent's Hospital is specifically recognised under Section 4.8.6 of the Draft Central District Plan. The "Liveability Priority 12: Support planning for health infrastructure" in this Section of the Plan outlines that the relevant planning authorities should "give due consideration to the need to support the co-location of ancillary uses that complement health precincts", including, amongst other uses, "commercial uses that are complementary to and service the health precinct".

The proposal to provide ancillary office premises to the hospital is consistent with this Priority.

**Is the planning proposal consistent with the council's local strategy or other local strategic plan?**

Yes. The Planning Proposal is consistent with the Council's Community Strategic Plan titled Woollahra 2025 – our community, our place, our plan. Notably, the Proposal is consistent with the goals and strategies of Council's Plan, as set out in Table 2 below:

Theme	Goal	Strategy
<b>Community well-being</b>	Goal 2: A supported community	<p><b>Strategy 2.1:</b> Increase access to services and information to support the community.</p> <p><b>Strategy 2.4:</b> Protect the health and well-being of residents and visitors to our area.</p>
<b>Quality places and spaces</b>	Goal 4: Well planned neighbourhoods	<p><b>Strategy 4.1:</b> Encourage and ensure high quality planning and urban design outcomes.</p> <p><b>Strategy 4.2:</b> Promote sustainable design in future private and public development.</p> <p><b>Strategy 4.3:</b> Protect local heritage and residential amenity, including protection of significant architecture and the natural environment.</p>
<b>Local prosperity</b>	Goal 9: Community focused economic development	<b>Strategy 9.1:</b> Encourage vibrant and vital local suburbs, villages and neighbourhoods that support a healthy economy.

Table 2: Woollahra 2025 – Strategic Plan

**Is the planning proposal consistent with applicable state environmental planning policies?**

The relevant State Environmental Planning Policies and deemed State Environmental Policies have been addressed at Attachment 2 of this report.

**Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The Section 117 Directions applicable to the Planning Proposal have been addressed at Attachment 3 of this report.

**3.3 Section C – Environmental, social and economic impact**

**Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The proposal does not apply to land, or is in the vicinity of land, that has been identified as containing critical habitats or threatened species, populations or ecological communities, or their habitats.

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Planning Proposal

***Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

It is unlikely that the proposed amendment to WLEP 2014 will result in environmental effects that cannot be managed through the development assessment process. Existing policies, regulations and standards are already in place to ensure environmental impacts are mitigated during the development assessment and the construction phases and as part of the eventual use of the development.

Rather than negative environmental effects, the Planning Proposal presents an opportunity for the development of a scheme that can enhance the existing urban and environmental amenity within and around the subject site. The proposal is likely to result in positive social and economic impacts for the locality by facilitating the better coordination of the office functions of the St Vincent's Private Hospital.

***How has the planning proposal adequately addressed any social and economic effects?***

It is not anticipated that the PP will have any negative social and economic effects which need to be addressed as part of the Proposal.

There are no likely environmental effects that cannot be managed through the development assessment process. Council and the other land owners are aware of environmental constraints on the land, such as acid sulfate soil and heritage conservation. These matters will be addressed if a development application is lodged.

**3.4 Section D – State and Commonwealth interests**

***Is there adequate public infrastructure for the planning proposal?***

Yes. The Planning Proposal relates to a site within an established urban context serviced by all required utilities and with access to public transport infrastructure. The LEP amendment and subsequent redevelopment of the site would be based upon the sound principles for utilising existing community investment in infrastructure and services.

It is understood that the existing infrastructure has the capacity to accommodate development on the site, subject to any necessary expansion and augmentation at the detailed application stage.

***What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

This section will be completed following consultation with public. The Gateway Determination will advise the full list of public authorities that will need to be consulted with as part of the Planning Proposal process.

It is requested that public authority consultation be undertaken concurrently with community consultation.

#### 4.0 Mapping

The Planning Proposal seeks an additional permitted use for a site. The WLEP 2014 does not include an Additional Permitted Uses Map. The proposed amendment does not affect any WLEP 2014 Maps.

As such, no maps require amendment as a result of the Proposal.

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Planning Proposal

## 5.0 Community Consultation

An exhibition period of at least 28 days is intended. This is consistent with part 5.2 of A Guide to Preparing Local Environmental Plans, and due to likely community interest in this Proposal.

Public notification of the exhibition will comprise:

- A weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period;
- A notice on Council's website;
- A letter to the owners of land which is the subject of the Planning Proposal; and
- A letter to the owners of land owners in the vicinity of the site.

Consultation will also have regard to the requirements set down in the Gateway Determination issued by the Director-General of the NSW Department of Planning and Environment.

During the exhibition period, the Planning Proposal, Gateway Determination and other relevant documentation will be available on Council's Customer Service Centre and on Council's website.

## 6.0 Project Timeline

The project timeline is to be determined by Council, however a preliminary timeline is outlined in Table 3 below:


Planning Proposal Stage	Estimated Completion
Urban Planning Committee recommends proceeding	February 2017
Submit Planning Proposal to Department of Planning and Environment seeking a Gateway Determination	March 2017
Receive Gateway Determination	April 2017
Government agency consultation	April – May 2017 (28 days)
Public exhibition period	
Submissions assessment	May – June 2017
Council assessment of Planning Proposal post exhibition	June 2017
Submission of Planning Proposal to the DPE finalising the LEP	N/A – Proposal likely to be subject to delegation
Council decision to make the LEP amendment (if delegated)	July 2017
Forwarding of LEP amendment to DPE for notification	July 2017
Notification of the approved LEP	August 2017

Table 3: Preliminary Project Timeline

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Planning Proposal



Attachments



Attachment 1: Built Form & Urban Study prepared by SJB Architects  
and Statement of Heritage Impact prepared by  
Cracknell and Lonergan Architects

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501





SJB Architects

**Project**  
Boundary Street, Paddington, Built Form & Urban Study  
190-200 Boundary Street,  
Paddington NSW 2021

Ref: 5494  
Client: 30 November 2016  
Version: 01  
Prepared by: RC, TH  
Checked by: FL, SC

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**Executive Summary**

SJB have been appointed by St Vincent's Private Hospital Sydney to undertake a built form and urban study of 190-200 Boundary Street, Paddington, located opposite St Vincent's Hospital. The aim of the study is to demonstrate how the proposed development can be integrated into the existing DCP controls which contribute to the broader character of the area. This report supports a planning proposal for a change to the Woollahra Local Environment Plan 2014 (WLEP 2014) to allow the site to be used for the purpose of an office premises associated with the hospital.

We have analysed the site, its immediate and broader urban context, focusing specifically on the site's integration with the surrounding heritage conservation built form character and urban grain. Key features of the site include its siting topography, location opposite St Vincent's Hospital adjoining residential properties and proximity to O'Brien Street.

The design study has been prepared to investigate the potential built form while adhering to the existing residential Woollahra Development Control Plan 2015 controls and the WLEP 2014 maximum building height development standard. The study has tested built form, scale, orientation, overshadowing and amenity, to understand scale relationships and potential impacts in the immediate and broader context.

# Introduction

Overview of the regional, urban and local context to provide an initial understanding of the site.

Introduction

1.1 Regional Context

The subject site is located at 190-200 Boundary Street, Pleddington opposite St Vincent's Hospital. Boundary Street forms the western boundary between Woollahra Council and the City of Sydney.

Located east of Sydney's CBD, the site is well serviced by public transport, including the M2 and M5 roads and buses on Chord Street which provide access to the CBD, inner west and eastern suburbs.



Figure 01 - Regional Context

Introduction

1.2 Local Context

The subject site is located at 190-200 Boundary Street, Paddington opposite St Vincent's Private Hospital, north of Oxford Street and 2.3km east of Sydney CBD. The site is located within the Paddington Heritage Conservation Area, as identified in the WLEP 2014.

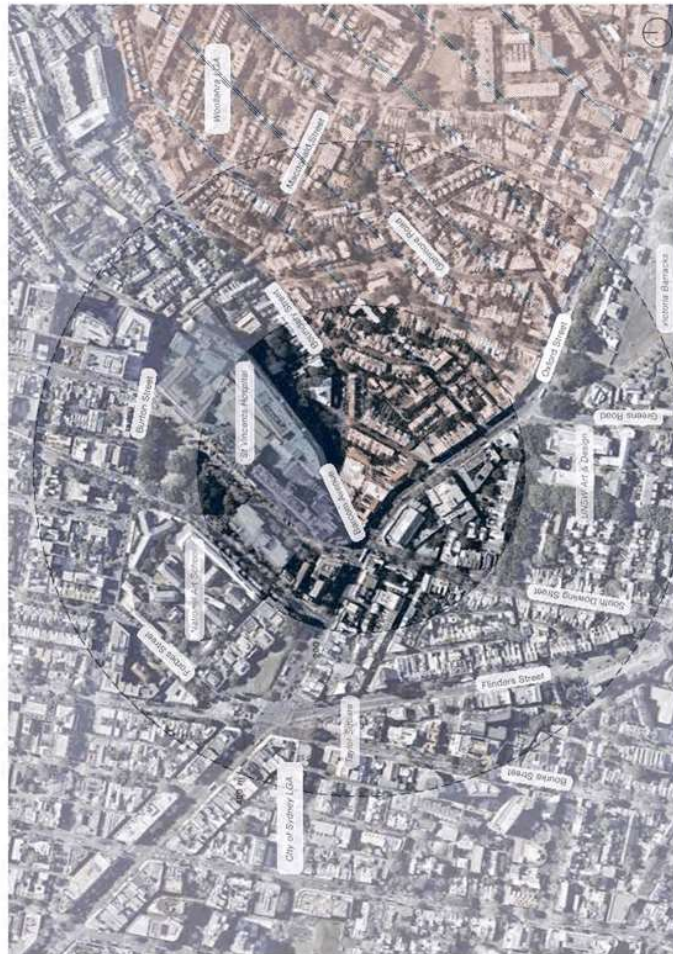
To the west of the site is St Vincent's Private Hospital, with the Oxford Street retail corridor along the northern boundary of the site extending to the Sydney CBD. Broom Avenue Park and a St Vincent's Medical Research building is located to the north of the site, with residential development focused to the east.

The nearest train station to the subject site is Kings Cross Train Station, located 800m away. Local facilities positioned within close proximity to the site include: St Vincent's Private Hospital, National Art School, UNSW Art & Design, Oxford Street retail corridor and Moore Park.

The subject site has a total area of approximately 851.61 m<sup>2</sup> and is made up of 4 lots with frontage to Boundary Street. Access to the site is provided off Boundary Street. The existing road and footpath infrastructure requires maintenance and upgrades at a pedestrian level.

The site sits on approximately 3m from the south west to the north east, and has no existing vegetation.

There are no heritage listed items within close proximity however the site is located in the Paddington Heritage Conservation Area.



Key  
 - - Subject Site  
 ■ St Vincent's Private Hospital  
 ■ St Vincent's Private Hospital and Care  
 ■ Woollahra LGA  
 SJB Architects

Introduction

1.3 Site Context





Introduction

1.3 Woollahra Local Environmental Plan 2014 (WLEP 2014)



Figure 01 - Height of Buildings

The subject site has a height control of 9.2m, as outlined in the Woollahra LEP 2014. There are no specific height controls to the north applying to the subject site as outlined in the City of Sydney LEP 2012 (SLEP 2012).

Key	10.1	14.1
10.1	5	14.1
10.2	6	14.5
10.3	7	14.7
10.4	8	15
10.5	9	15.5
10.6	10	16
10.7	11	16.5
10.8	12	17
10.9	13	17.5
11	14	18
11.1	15	18.5
11.2	16	19
11.3	17	19.5
11.4	18	20
11.5	19	20.5
11.6	20	21
11.7	21	21.5
11.8	22	22
11.9	23	22.5
12	24	23
12.1	25	23.5
12.2	26	24

Source: Woollahra Local Environmental Plan 2014 - Height of Buildings Map - Sheet H03 - 001  
SUS Architects



Figure 02 - Floor Space Ratio

There is no FSR control placed on the subject site.

Key	0.1	0.2	0.3	0.4
0.1	0.1	0.2	0.3	0.4
0.2	0.5	0.6	0.7	0.8
0.3	0.9	1.0	1.1	1.2
0.4	1.3	1.4	1.5	1.6
0.5	1.7	1.8	1.9	2.0
0.6	2.1	2.2	2.3	2.4
0.7	2.5	2.6	2.7	2.8
0.8	2.9	3.0	3.1	3.2
0.9	3.3	3.4	3.5	3.6
1	3.7	3.8	3.9	4
1.1	4.1	4.2	4.3	4.4
1.2	4.5	4.6	4.7	4.8
1.3	4.9	5	5.1	5.2
1.4	5.3	5.4	5.5	5.6
1.5	5.7	5.8	5.9	6
1.6	6.1	6.2	6.3	6.4
1.7	6.5	6.6	6.7	6.8
1.8	6.9	7	7.1	7.2
1.9	7.3	7.4	7.5	7.6
2	7.7	7.8	7.9	8
2.1	8.1	8.2	8.3	8.4
2.2	8.5	8.6	8.7	8.8
2.3	8.9	9	9.1	9.2
2.4	9.3	9.4	9.5	9.6
2.5	9.7	9.8	9.9	10
2.6	10.1	10.2	10.3	10.4
2.7	10.5	10.6	10.7	10.8
2.8	10.9	11	11.1	11.2
2.9	11.3	11.4	11.5	11.6
3	11.7	11.8	11.9	12
3.1	12.1	12.2	12.3	12.4
3.2	12.5	12.6	12.7	12.8
3.3	12.9	13	13.1	13.2
3.4	13.3	13.4	13.5	13.6
3.5	13.7	13.8	13.9	14
3.6	14.1	14.2	14.3	14.4
3.7	14.5	14.6	14.7	14.8
3.8	14.9	15	15.1	15.2
3.9	15.3	15.4	15.5	15.6
4	15.7	15.8	15.9	16
4.1	16.1	16.2	16.3	16.4
4.2	16.5	16.6	16.7	16.8
4.3	16.9	17	17.1	17.2
4.4	17.3	17.4	17.5	17.6
4.5	17.7	17.8	17.9	18
4.6	18.1	18.2	18.3	18.4
4.7	18.5	18.6	18.7	18.8
4.8	18.9	19	19.1	19.2
4.9	19.3	19.4	19.5	19.6
5	19.7	19.8	19.9	20
5.1	20.1	20.2	20.3	20.4
5.2	20.5	20.6	20.7	20.8
5.3	20.9	21	21.1	21.2
5.4	21.3	21.4	21.5	21.6
5.5	21.7	21.8	21.9	22
5.6	22.1	22.2	22.3	22.4
5.7	22.5	22.6	22.7	22.8
5.8	22.9	23	23.1	23.2
5.9	23.3	23.4	23.5	23.6
6	23.7	23.8	23.9	24
6.1	24.1	24.2	24.3	24.4
6.2	24.5	24.6	24.7	24.8
6.3	24.9	25	25.1	25.2
6.4	25.3	25.4	25.5	25.6
6.5	25.7	25.8	25.9	26
6.6	26.1	26.2	26.3	26.4
6.7	26.5	26.6	26.7	26.8
6.8	26.9	27	27.1	27.2
6.9	27.3	27.4	27.5	27.6
7	27.7	27.8	27.9	28
7.1	28.1	28.2	28.3	28.4
7.2	28.5	28.6	28.7	28.8
7.3	28.9	29	29.1	29.2
7.4	29.3	29.4	29.5	29.6
7.5	29.7	29.8	29.9	30
7.6	30.1	30.2	30.3	30.4
7.7	30.5	30.6	30.7	30.8
7.8	30.9	31	31.1	31.2
7.9	31.3	31.4	31.5	31.6
8	31.7	31.8	31.9	32
8.1	32.1	32.2	32.3	32.4
8.2	32.5	32.6	32.7	32.8
8.3	32.9	33	33.1	33.2
8.4	33.3	33.4	33.5	33.6
8.5	33.7	33.8	33.9	34
8.6	34.1	34.2	34.3	34.4
8.7	34.5	34.6	34.7	34.8
8.8	34.9	35	35.1	35.2
8.9	35.3	35.4	35.5	35.6
9	35.7	35.8	35.9	36
9.1	36.1	36.2	36.3	36.4
9.2	36.5	36.6	36.7	36.8
9.3	36.9	37	37.1	37.2
9.4	37.3	37.4	37.5	37.6
9.5	37.7	37.8	37.9	38
9.6	38.1	38.2	38.3	38.4
9.7	38.5	38.6	38.7	38.8
9.8	38.9	39	39.1	39.2
9.9	39.3	39.4	39.5	39.6
10	39.7	39.8	39.9	40
10.1	40.1	40.2	40.3	40.4
10.2	40.5	40.6	40.7	40.8
10.3	40.9	41	41.1	41.2
10.4	41.3	41.4	41.5	41.6
10.5	41.7	41.8	41.9	42
10.6	42.1	42.2	42.3	42.4
10.7	42.5	42.6	42.7	42.8
10.8	42.9	43	43.1	43.2
10.9	43.3	43.4	43.5	43.6
11	43.7	43.8	43.9	44
11.1	44.1	44.2	44.3	44.4
11.2	44.5	44.6	44.7	44.8
11.3	44.9	45	45.1	45.2
11.4	45.3	45.4	45.5	45.6
11.5	45.7	45.8	45.9	46
11.6	46.1	46.2	46.3	46.4
11.7	46.5	46.6	46.7	46.8
11.8	46.9	47	47.1	47.2
11.9	47.3	47.4	47.5	47.6
12	47.7	47.8	47.9	48
12.1	48.1	48.2	48.3	48.4
12.2	48.5	48.6	48.7	48.8
12.3	48.9	49	49.1	49.2
12.4	49.3	49.4	49.5	49.6
12.5	49.7	49.8	49.9	50
12.6	50.1	50.2	50.3	50.4
12.7	50.5	50.6	50.7	50.8
12.8	50.9	51	51.1	51.2
12.9	51.3	51.4	51.5	51.6
13	51.7	51.8	51.9	52
13.1	52.1	52.2	52.3	52.4
13.2	52.5	52.6	52.7	52.8
13.3	52.9	53	53.1	53.2
13.4	53.3	53.4	53.5	53.6
13.5	53.7	53.8	53.9	54
13.6	54.1	54.2	54.3	54.4
13.7	54.5	54.6	54.7	54.8
13.8	54.9	55	55.1	55.2
13.9	55.3	55.4	55.5	55.6
14	55.7	55.8	55.9	56
14.1	56.1	56.2	56.3	56.4
14.2	56.5	56.6	56.7	56.8
14.3	56.9	57	57.1	57.2
14.4	57.3	57.4	57.5	57.6
14.5	57.7	57.8	57.9	58
14.6	58.1	58.2	58.3	58.4
14.7	58.5	58.6	58.7	58.8
14.8	58.9	59	59.1	59.2
14.9	59.3	59.4	59.5	59.6
15	59.7	59.8	59.9	60
15.1	60.1	60.2	60.3	60.4
15.2	60.5	60.6	60.7	60.8
15.3	60.9	61	61.1	61.2
15.4	61.3	61.4	61.5	61.6
15.5	61.7	61.8	61.9	62
15.6	62.1	62.2	62.3	62.4
15.7	62.5	62.6	62.7	62.8
15.8	62.9	63	63.1	63.2
15.9	63.3	63.4	63.5	63.6
16	63.7	63.8	63.9	64
16.1	64.1	64.2	64.3	64.4
16.2	64.5	64.6	64.7	64.8
16.3	64.9	65	65.1	65.2
16.4	65.3	65.4	65.5	65.6
16.5	65.7	65.8	65.9	66
16.6	66.1	66.2	66.3	66.4
16.7	66.5	66.6	66.7	66.8
16.8	66.9	67	67.1	67.2
16.9	67.3	67.4	67.5	67.6
17	67.7	67.8	67.9	68
17.1	68.1	68.2	68.3	68.4
17.2	68.5	68.6	68.7	68.8
17.3	68.9	69	69.1	69.2
17.4	69.3	69.4	69.5	69.6
17.5	69.7	69.8	69.9	70
17.6	70.1	70.2	70.3	70.4
17.7	70.5	70.6	70.7	70.8
17.8	70.9	71	71.1	71.2
17.9	71.3	71.4	71.5	71.6
18	71.7	71.8	71.9	72
18.1	72.1	72.2	72.3	72.4
18.2	72.5	72.6	72.7	72.8
18.3	72.9	73	73.1	73.2
18.4	73.3	73.4	73.5	73.6
18.5	73.7	73.8	73.9	74
18.6	74.1	74.2	74.3	74.4
18.7	74.5	74.6	74.7	74.8
18.8	74.9	75	75.1	75.2
18.9	75.3	75.4	75.5	75.6
19	75.7	75.8	75.9	76
19.1	76.1	76.2	76.3	76.4
19.2	76.5	76.6	76.7	76.8
19.3	76.9	77	77.1	77.2
19.4	77.3	77.4	77.5	77.6
19.5	77.7	77.8	77.9	78
19.6	78.1	78.2	78.3	78.4
19.7	78.5	78.6	78.7	78.8
19.8	78.9	79	79.1	79.2
19.9	79.3	79.4	79.5	79.6
20	79.7	79.8	79.9	80
20.1	80.1	80.2	80.3	80.4
20.2	80.5	80.6	80.7	80.8
20.3	80.9	81	81.1	81.2
20.4	81.3	81.4	81.5	81.6
20.5	81.7	81.8	81.9	82
20.6	82.1	82.2	82.3	82.4
20.7	82.5	82.6	82.7	82.8
20.8	82.9	83	83.1	83.2
20.9	83.3	83.4	83.5	83.6
21	83.7	83.8	83.9	84
21.1	84.1	84.2	84.3	84.4
21.2	84.5	84.6	84.7	84.8
21.3	84.9	85	85.1	85.2
21.4	85.3	85.4	85.5	85.6
21.5	85.7	85.8	85.9	86
21.6	86.1	86.2	86.3	86.4
21.7	86.5	86.6	86.7	86.8
21.8	86.9	87	87.1	87.2
21.9	87.3	87.4	87.5	87.6
22	87.7	87.8	87.9	88
22.1	88.1	88.2	88.3	88.4
22.2	88.5	88.6	88.7	88.8
22.3	88.9	89	89.1	89.2
22.4	89.3	89.4	89.5	89.6
22.5	89.7	89.8		

Introduction

1.4 Woollahra Development Control Plan 2015 (WDCP 2015)

The WDCP 2015 controls that affect the site in terms of building envelope are:

Chapter C1

The site falls into the Paddington Conservation Area and development in this category is required to meet the controls set out within Chapter C1. The relevant controls are:

Exterior Controls

- C1 – retention of significant external elements of the principal building are to be retained
- C2 – reconstruction or reinstatement of missing elements may be required by Council and is encouraged (other elements exist in relation to the maintenance of the front facades but do not have an impact on building envelope)

Site Elevations

- C8 – additions shall respect the existing setbacks

Rear Additions

- C1 – height must be below the gutter line of the existing building
- C6 – scale controls – largely say rear extension may complement front and surrounding buildings

Bulk Height, Scale and Form

- C1 – height of buildings on street frontages must not be increased
- C3 – scale of infill development must be consistent with predominant bulk and height of surrounding/outlying buildings

- C4 – infill development, alterations and additions must be designed and sited so that sunlight is provided to at least 50% or 30m<sup>2</sup> with minimum dimensions of 2.5m whichever is the lesser of the mean ground level private open space for a minimum of 2 hours between 0900 and 1500 on 21st June.
- C5 – street sunlight exists to northern windows to habitable rooms this is not to be reduced to less than 3 hours between 0900 and 1500 on 21st June.
- C7 – storey heights must conform to those of the appropriate adjacent buildings.

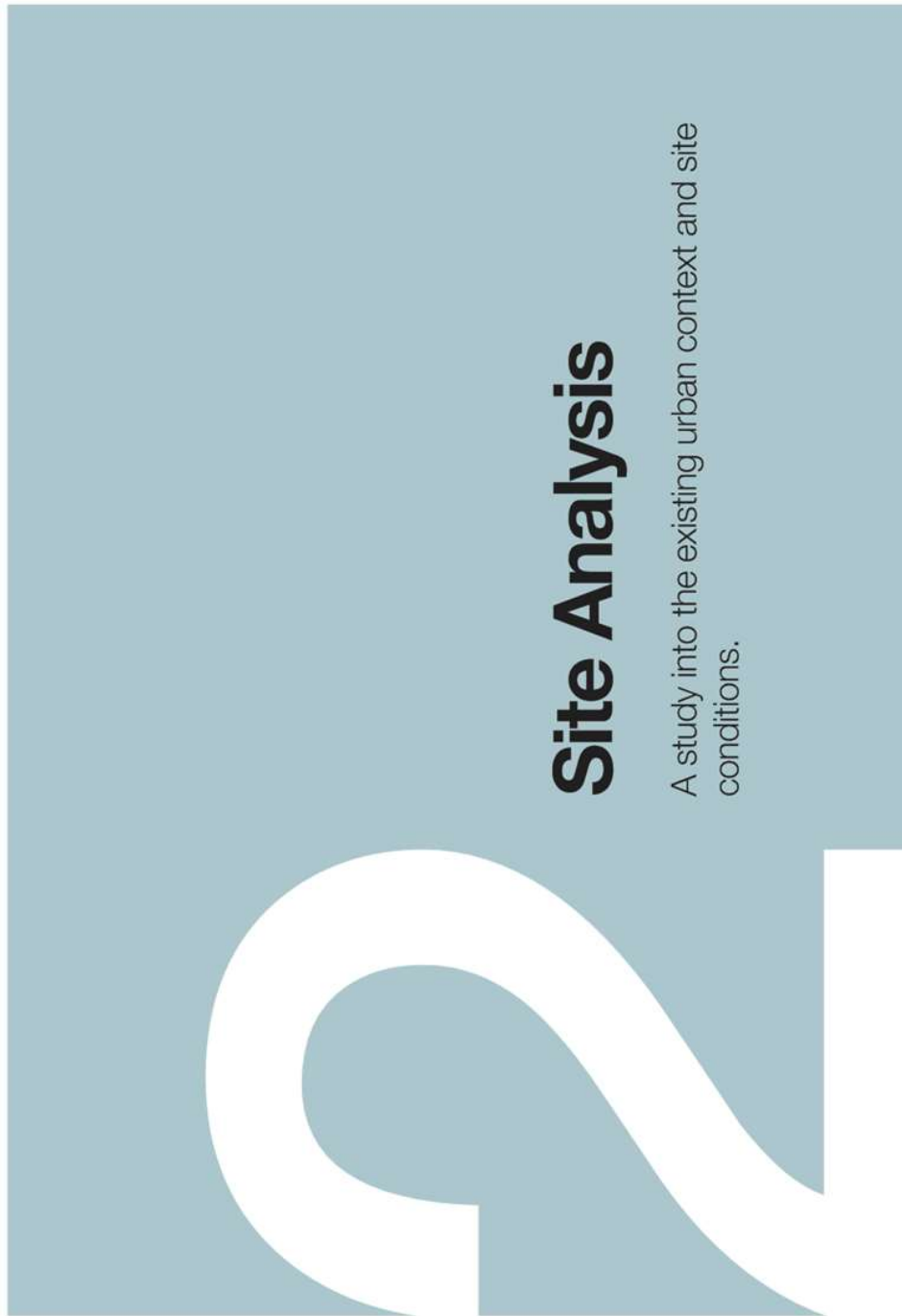
Site Coverage and Setback

- C1 – proportion of building footprint to be consistent with similar properties in the vicinity
- C2 – existing setbacks on street frontages are to be retained
- C7 – new development to be consistent with existing first and ground floor levels

Private Open Space

- Mixed Use Development
  - 8% of the site area where site less than 180m<sup>2</sup>
  - 12% of site area where site area at least 180m<sup>2</sup>

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2

Site and Context Analysis

2.1 Site Analysis



Figure 2.1 - Access & Movement

**Access • Movement**

Key pedestrian and vehicular access to the site is along Boundary Street, with movement in a primarily east-west direction. There is a series of differing road conditions affecting local routes, with congestion and traffic arising at the intersection of Boundary Street and the access to St Vincent's Hospital loading dock. Sydney Buses service Oxford Street, providing connections to Sydney CBD and the Eastern Suburbs.



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Figure 2.2 - Landform

**Landform**

Barcom Avenue Park is located to the north of the site, creating a pedestrian link from Boundary Street to Ice Street. There are a number of significant established trees located within the area, however none are positioned on the subject site. The site slopes approximately 3 m from the south west to the north east, and the site is classified as Class 5 Acid Sulphate within both the Woollahra LEP 2014 and the City of Sydney LEP 2012.



Figure 2.3 - Edges & Interfaces

**Edges • Interfaces**

The site interfaces with a variety of land uses at varying scales of development. These include:

- Northern Boundary: Medical facility and open space (2-7 storeys)
- Eastern Boundary: Residential apartment building (4 storeys)
- Southern Boundary: Back of Oxford Street retail and shop-top housing (Two storeys)
- Western Boundary: Residential Terrace (2 storeys)

Each edge condition presents a unique characteristic that future development needs to be taken into consideration in order to maintain the existing conditions and the future desired character of the area.

11

2

Site and Context Analysis

2.1 Site Analysis



Figure 10 - Built Form

**Built Form and Character**

The subject site is listed as 'Conservation Area - General' within the WLEP 2014. There are no heritage items in close proximity of the site.

The majority of the buildings in the immediate context are two-storey terraces on narrow blocks. The predominant width of these terraces, not located on corners ranges from 3.1-5.9 metres.

Height within the area is restricted to 9.5m to properties subject to the WLEP 2014.

**Key**

- Site Boundary
- Building Storeys
- Heritage Item
- Commercial

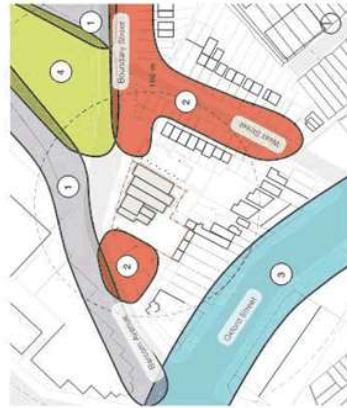


Figure 11 - Context

1. **Institutional:** St Vincent's Private Hospital (8 storey building defines the northern edge of Barcom Avenue opposite the site, it is large in scale (6 storeys) with the loading bay, servicing and car parking focused along Barcom Avenue.
2. **Residential:** Two storey terraces adjoin the property to the west along Barcom Avenue and Boundary Street. Two-storey terrace typologies line West and Boundary Streets.
3. **Retail:** Oxford Street traffic corridor is at the rear of subject site, extending to both Sydney CBD and Woollahra.
4. **Open Space:** Barcom Avenue Park provides space for possible recreation

**Key**

- Site Boundary
- Commercial
- Residential
- Retail
- Open Space Park



View of St Vincent's Hospital from Boundary St



Terraces along Barcom Avenue



Retail intersection along Oxford Street



St Vincent's Private Road adjacent to park



St Vincent's Hospital loading bay / ECH



Terraces along West Street



Oxford Street retail and streetcarriage condition



View of Barcom Avenue from the site

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Site and Context Analysis

2.2 Constraints

1. **Movement + Access:** Circulation in and around the subject site is constrained and limited due to high flow of traffic and one-way road directions, with pedestrian circulation being secondary to vehicular properties causes potential overlooking issues from buildings to the south of the subject site.
2. **Topography:** Site slope and relative levels to adjoining properties causes potential overlooking issues from buildings to the south of the subject site.
3. **Heritage and Conservation:** Consideration of built form, scale and articulation of new development.
4. **Height Limitations:** WLEP limits building height at the site to 9.5m.
5. **Urban Grain:** Fine urban grain limits built form options.
6. **Overshadowing:** Future development may overshadow neighbouring residential properties.
7. **Interfaces:** Alignment of window/lining spaces of adjacent residential buildings may affect built form options.
8. **Dispersed Buildings:** In an adjacent block of buildings on-site would need high screen for privacy if retained.

**Key**

- Site Boundary
- Secondary Route
- Local Route
- Loading Dock
- One Way Street
- Two Way Street
- Access
- Building Height
- Residential Heritage
- Mixed Use Interface
- Dispersed Buildings
- Contours

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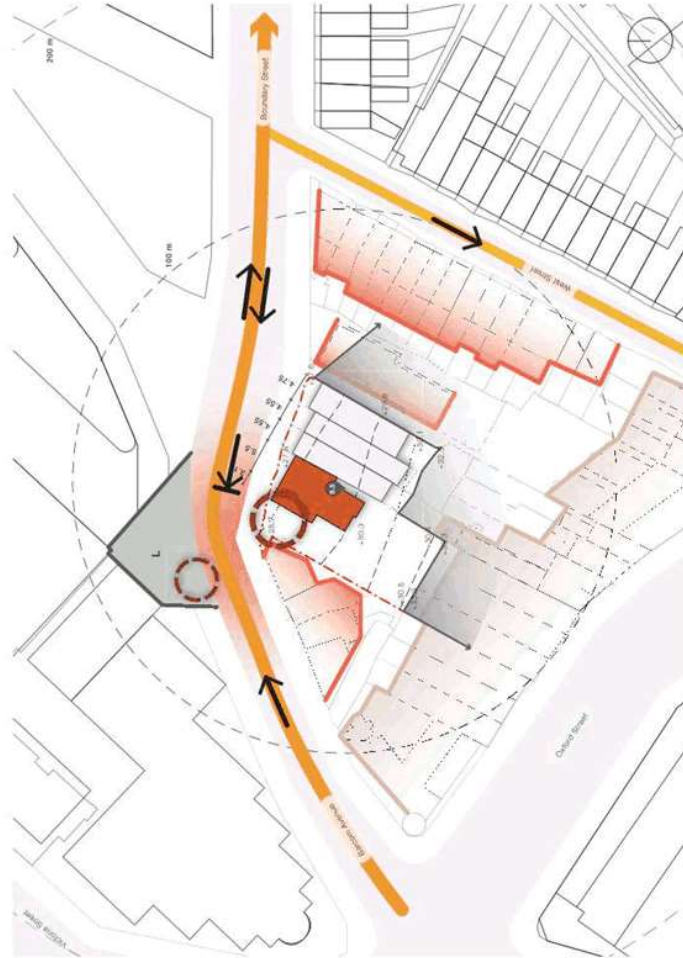
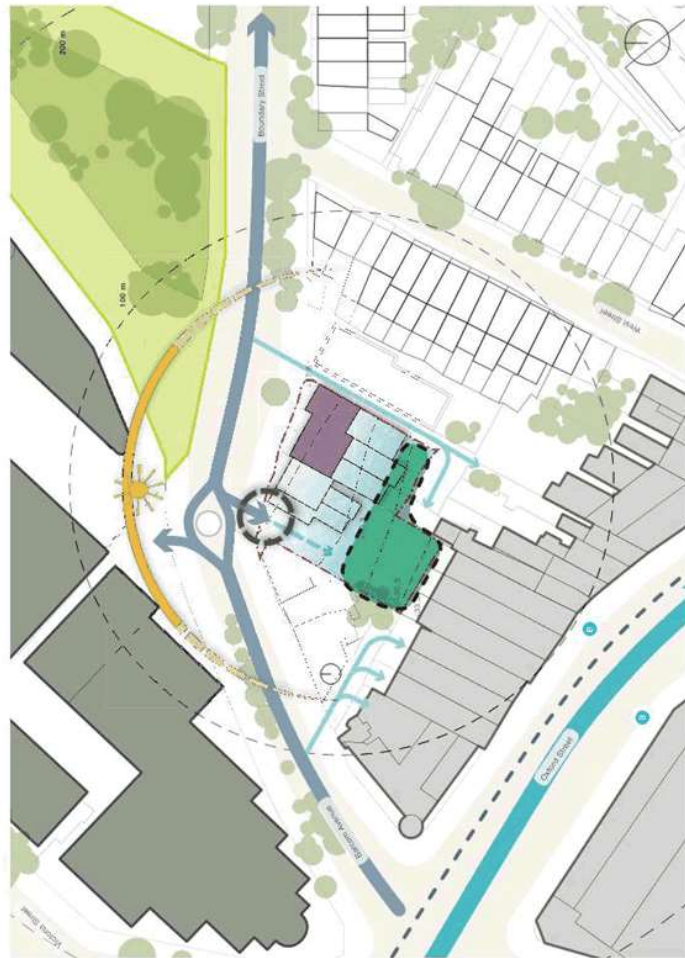


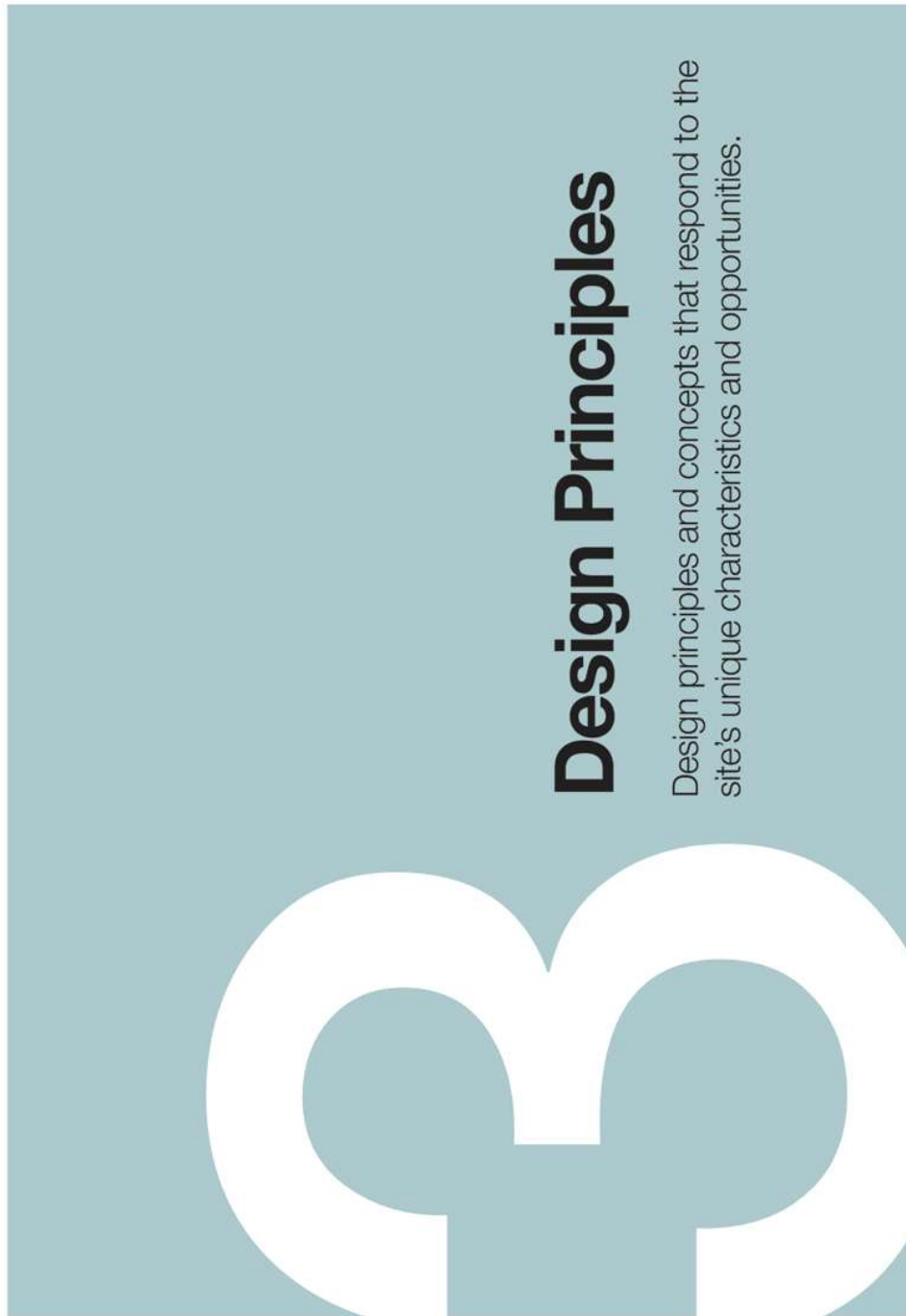
Figure 12 - Constraints

Site and Context Analysis

2.3 Opportunities

1. **Large Site Area:** Subject site has a total area of 889m<sup>2</sup>
2. **Open Space Buffer:** Vacant space at rear of site to act as noise and privacy buffer
3. **Movement:** Potential addition of private vehicular access off road at Barcom Avenue. Boundary access off road at Barcom Avenue. Boundary access off road at Oxford Street. Access road junction, Oxford Street to CBD and Eastern Suburbs
4. **Public Transport:** Sydney Trains (near) along Oxford Street to CBD and Eastern Suburbs
5. **Solar Access:** Northern orientation allows for solar access
6. **Existing Vegetation:** Existence of native trees along Barcom Avenue
7. **Local Parks:** Barcom Avenue Park adjacent to site
8. **Topography:** Fall of topography allows for additional and/or stepped height
9. **Non-residential Amenity:** St Vincent Hospital's medical facilities and Oxford Street retail corridor within walking distance
10. **Character:** Continuation of the urban grain and 'terrace' typology
11. **Adaptive reuse:** Existing terraces located on site may be adaptively reused to maintain consistent streetscape
12. **Existing Road Infrastructure:** Existing roundabout provides opportunity for easier access to potential underground carpark







3

Design Principles

3.1 Urban Design Principles



**Character**

Paddington is a inner city suburb with strong heritage significance and its conservation should be of high importance. The unique relationship between the landscaped streets and predominantly residential buildings contribute to the character of the area.

It is an example of 19th century inner city urbanisation and clearly features the development of imposed (improvised) models into the distinct Australian Victorian era tenements.



**Urban Grain**

Paddington has a fine urban grain built up in the late 1800s and includes narrow lot widths, parades, traditional shop fronts, distinct corner buildings and upper level verandahs. This pattern along side the undulating topography of the suburb provides a fine urban grain.



**Movement + Access**

Pedestrian and disabled access is a key priority for the site and future development should facilitate movement especially with the integration of existing buildings.

Vehicle access should be provided from the intersection between Barcom Ave and Boundary Street.



**Built Form**

This area of Paddington has a predominant built form and scale which reflects the history of the area and should be considered in relation to the streetscape and experience of pedestrians.

Predominantly at one to two storeys the narrow densely packed built forms line the streets with minimal setback to the street.

The medical node at St Vincent's Private and Public Hospitals are contemporary buildings with a greater scale up to 8 storeys.

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3

Design Principles

3.2 Built Form Parameters



Figure 14. Setbacks

Setbacks

As outlined in WDCP 2015, "full development is to respect the design of neighbouring buildings and the character of the conservation area in regards to setbacks - new buildings must maintain and reflect the existing setbacks to front and side boundaries."

Located on the western side of Paddington, the site is in an area originally known as the Paddington West (WDCP 2015), which includes "setbacks to side boundaries and rear setbacks to the street. Often referred to as the "street front zone" these lots feature stepped setbacks to compensate for the curvature of the road and provides an important setting for the buildings.

Pre-dominant existing rear setbacks are to be retained.

- Key**
- Site Boundary
  - On setbacks
  - Street front setback
  - Rear setback

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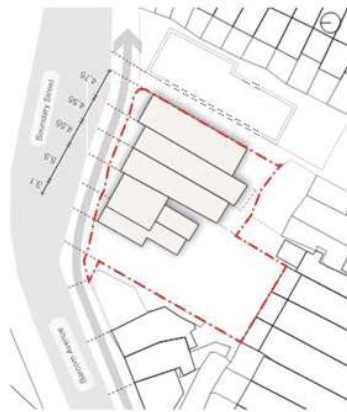


Figure 15. Urban Grain

Urban Grain

Strong within the Paddington Heritage Conservation Area, proposed developments must retain and reflect the established rhythm and pattern in the street arising from the original subdivision pattern. The Boundary Street streetscape features dense rows of terrace buildings with narrow setbacks.

Any proposed development would be consistent with the narrow footprints of existing buildings.

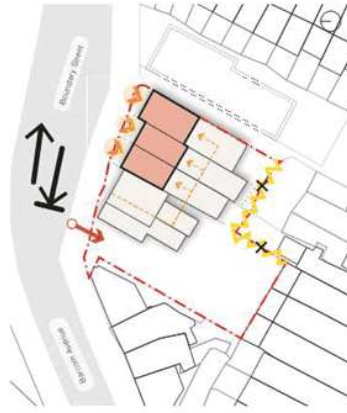


Figure 16. Access

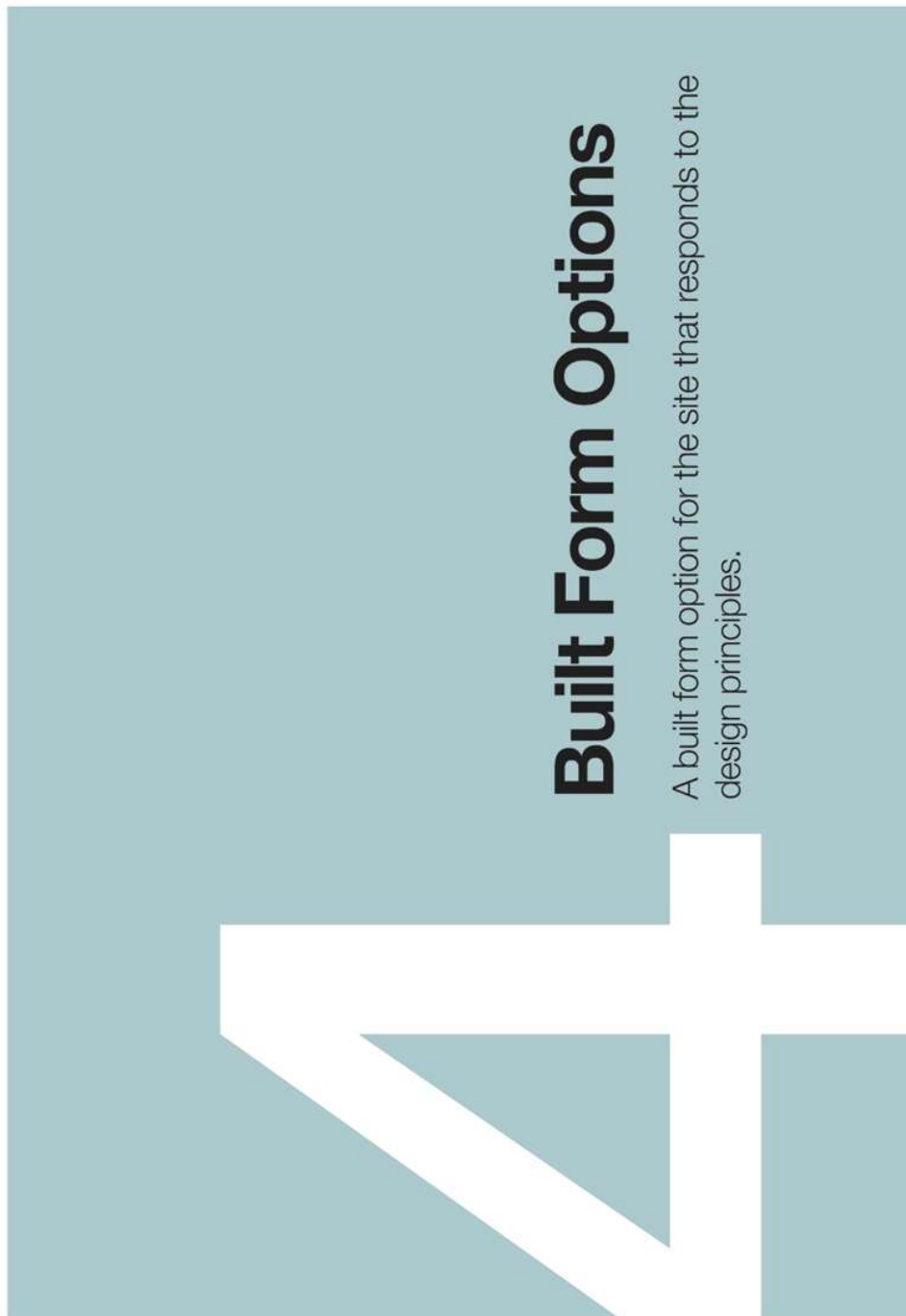
Access

Existing buildings on-site are currently accessed on foot from Boundary Street. Adaptive re-use of buildings on-site will need to consider alternative routes of access to provide disabled access to existing floor levels which sit above existing footpath levels and are currently only accessible via stairs.

Similar to many terraces in Paddington, there is no existing vehicular access to existing buildings. Due to the location of the site at the corner of Boundary Street and Boundary Street, access to the corner of the site, access through the lane adjacent to the site to the east is not possible.

- Key**
- Site Boundary
  - Pedestrian access
  - Potential pedestrian access
  - Potential vehicular access
  - No access available

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4

Built Form Options

4.1 Options Summary

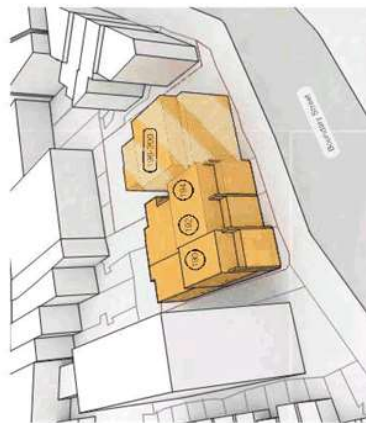


Figure 17. Existing Buildings

Existing

Existing buildings on-site include single storey terraces to the south at 190, 192 and 194 Boundary Street and a dual set of double storey terraces at 196-200 Boundary Street.

190, 192 and 194 Boundary Street are currently residential in land-use while the double storey terraces at 196-200 Boundary Street have not been occupied for some time and are currently in a dilapidated state.

A heritage statement has been included in the appendix for reference.

**Key**

- - Site Boundary
- Existing buildings
- Existing dilapidated buildings
- SUS Architects

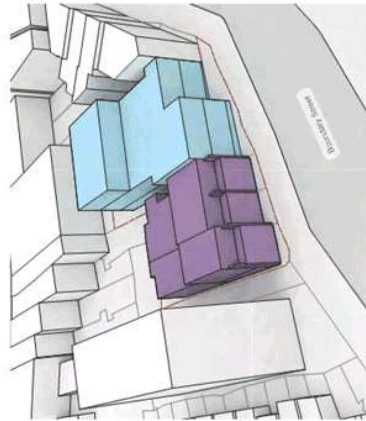


Figure 18. Option 1 Meeting

Option 1

The option proposes:

- the demolition of existing dilapidated terraces at 196-200 Boundary Street
- a new office infill building at 196-200 Boundary Street
- the adaptive reuse of terraces located on 190, 192 and 194 Boundary Street.

**Key**

- - Site Boundary
- New office building
- Commercial adaptive reuse

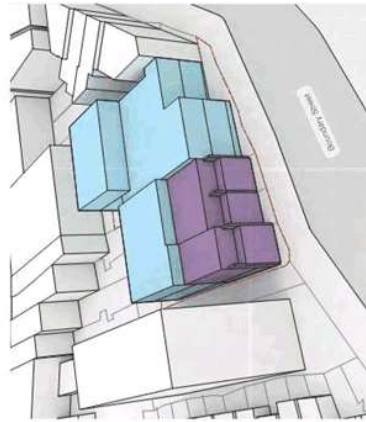


Figure 19. Option 2 Meeting

Option 2

This option proposes:

- the demolition of dilapidated terraces at 196-200 Boundary Street and rear extensions at 190, 192 and 194 Boundary Street
- a new infill office building at 196-200 Boundary Street
- the adaptive reuse of the front portion of existing terraces at 190, 192 and 194 Boundary Street with new office infill extension at the rear.

**Key**

- - Site Boundary
- New office building
- Commercial adaptive reuse

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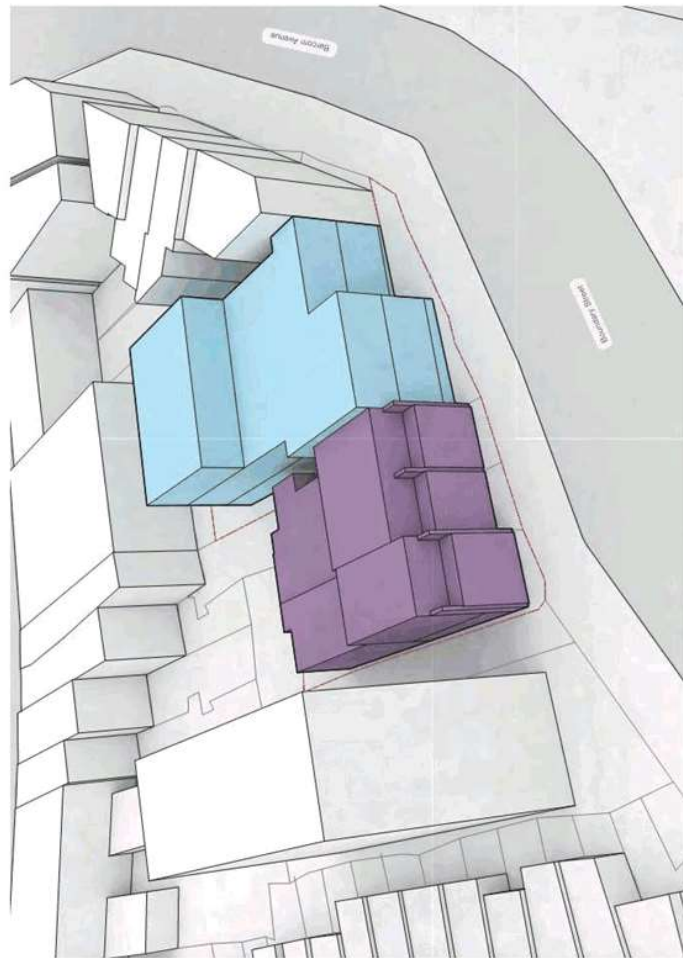
Built Form Options

4.2 Option 1

This option proposes:

- the demolition of existing dilapidated terraces at 196-200 Boundary Street
- a new office in-fill building at 196-200 Boundary Street
- the office adaptive reuse of terraces located on 190, 192, and 194 Boundary Street.

The eastern portion of the facade aligns with the location of the demolished terrace and the western portion aligns with the facade of 178 Barcom Ave. This stepped facade mimics the pattern of setbacks along Boundary Street and the existing terraces on-site.

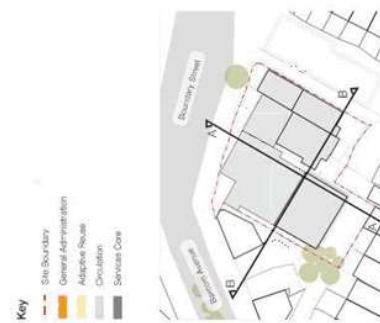
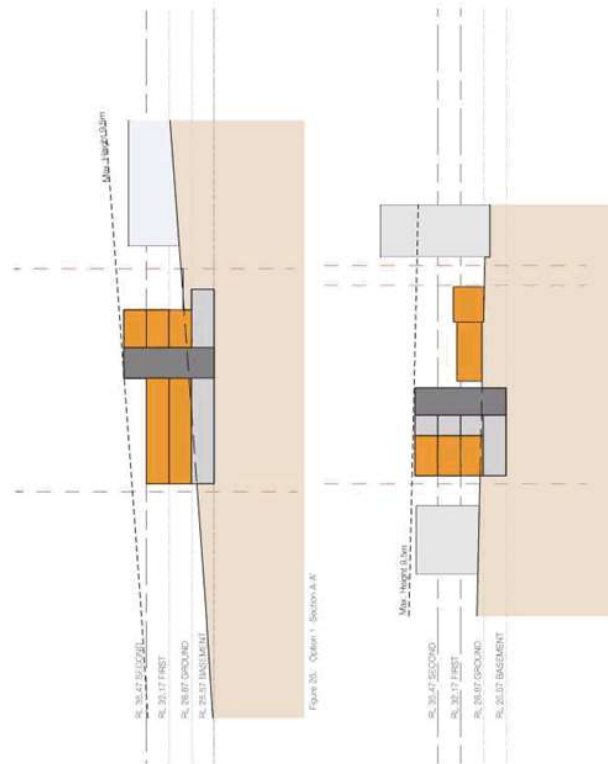






Built Form Options

4.5 Option 1 - Section



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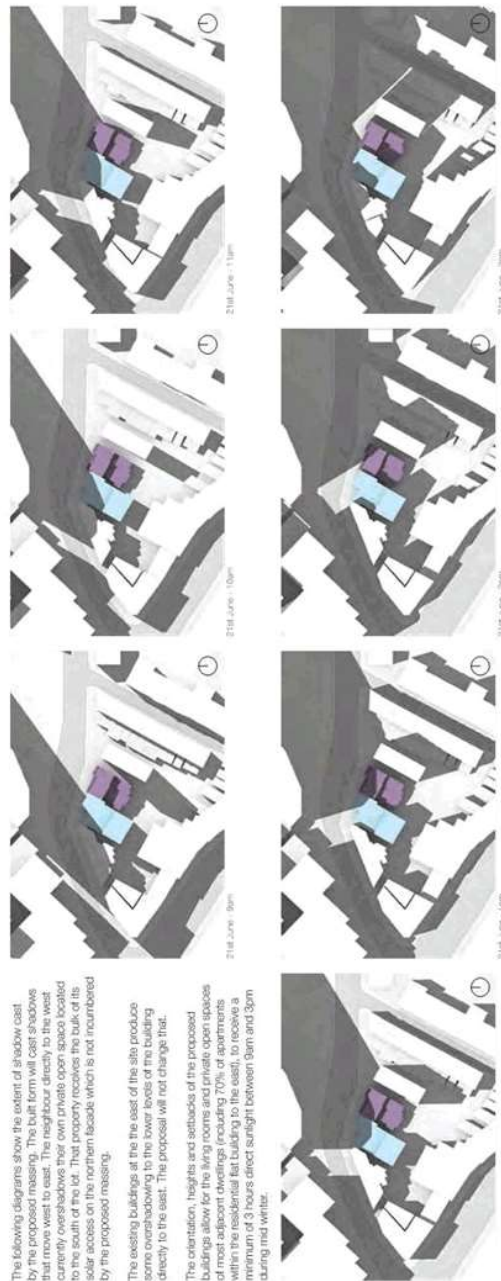
Built Form Options

4.6 Shadow Analysis

The following diagrams show the extent of shadow cast by the proposed massing. The built form will cast shadows that move west to east. The neighbour directly to the west currently overshadows their own private open space located to the south of the lot. That property receives the bulk of its solar access on the northern facade which is not incumbered by the proposed massing.

The existing buildings at the east of the site produce some overshadowing to the lower levels of the building directly to the east. The proposal will not change that.

The orientation, heights and setbacks of the proposed buildings allow for the living rooms and private open spaces of most adjacent dwellings (including 70% of apartments within the residential flat building to the east), to receive a minimum of 3 hours direct sunlight between 9am and 3pm during mid winter.



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Built Form Options

4.7 Solar

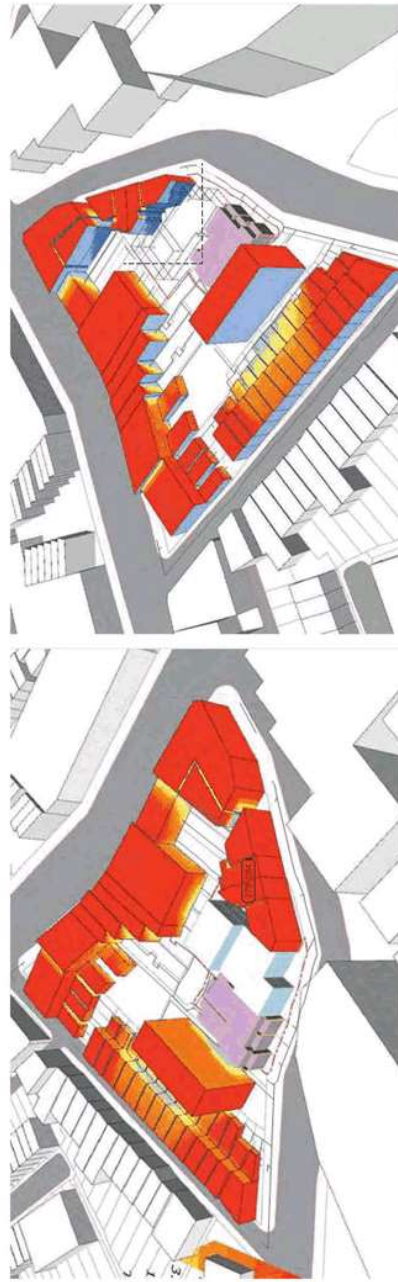


Figure 25 - View from north-west

The diagrams above show the extent of daylight access that adjacent buildings will receive on the 21st of June. The range of colours represent the hours of the day in which they will receive solar access with the warmer colours illustrating greater amounts of sunlight.

The solar access diagrams above show limited impact to adjacent buildings from the proposed built form.

The only notable new overshadowing is to the south-east wall of the neighbouring property at 278-284 Barcom Avenue. The proposed built form provides a setback from this window however it will experience some minor overshadowing mainly due to its position on the boundary. Solar resolution diagrams of the existing and proposed massings impact on the neighbour are shown in detail in Fig 28 and 29 above.

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Figure 26 - View from north-west

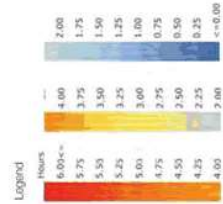


Figure 27 - View from north-west

Figure 28 - Existing solar access to 278-284 Barcom Avenue

Figure 29 - Existing solar access to 278-284 Barcom Avenue

Figure 31 - Barcom Avenue

Figure 30 - Existing solar access to 278-284 Barcom Avenue

..... indicates location of existing window

Built Form Options

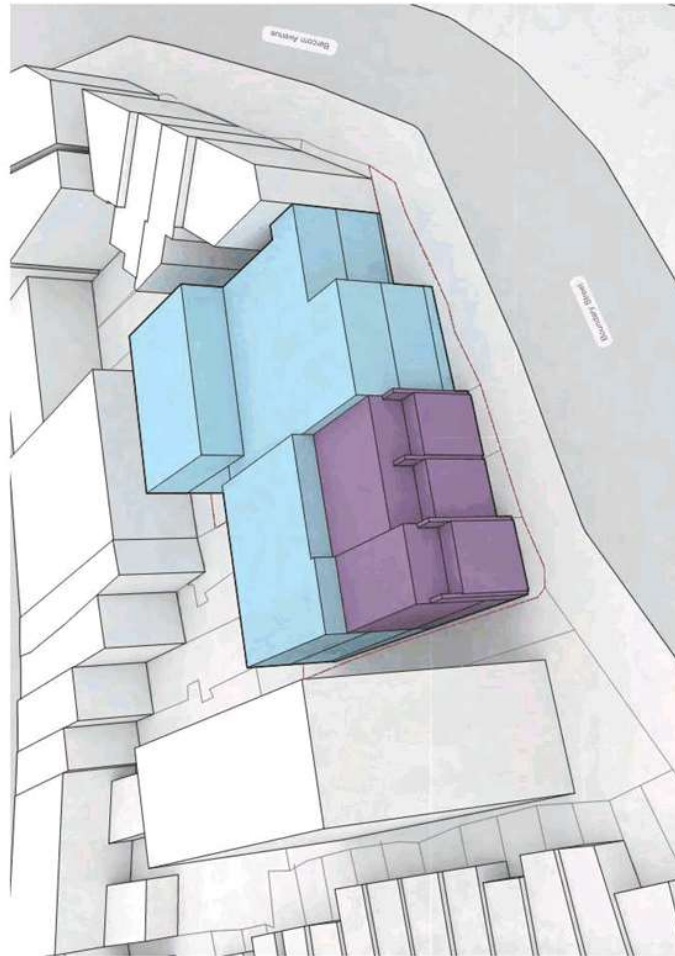
4.8 Option 2

This option proposes:

- the demolition of disjunct terraces at 196-200 Boundary Street and rear extensions at 190, 192 and 194 Boundary Street
- a new tall office building at 196-200 Boundary Street
- the adaptive reuse of the front portion of existing terraces at 190, 192 and 194 Boundary Street and rear tall commercial addition.

The eastern portion of the facade aligns with the location of the demolished terraces and the western portion aligns with the facade of 178 Barrcom Ave. This stepped facade mimics the pattern of setbacks down Boundary Street and the existing terraces on-site.

The rear addition to existing terraces align with existing floor levels at ground and at 750mm above the ground floor level of the new fill building to the west.



Built Form Options

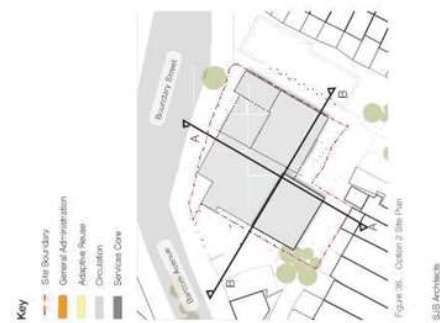
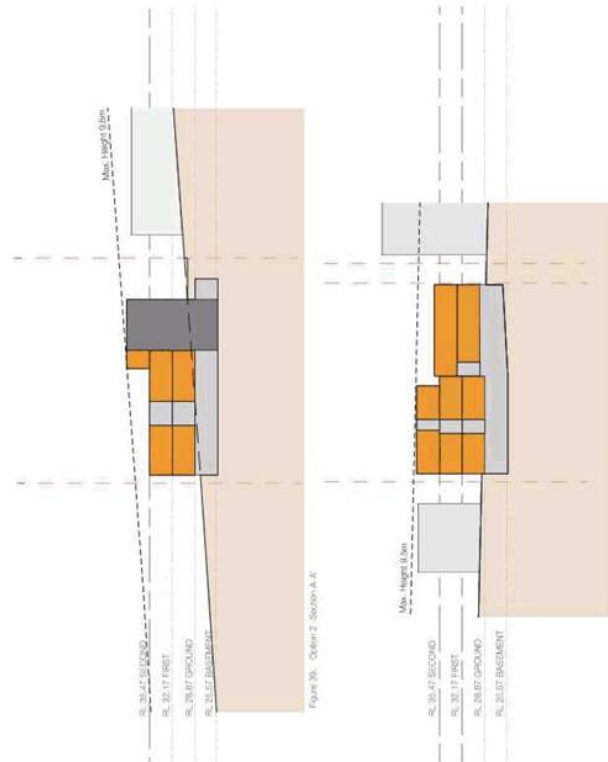
4.9 Option 2 - Indicative Floor Plans





Built Form Options

4.11 Option 2 - Section



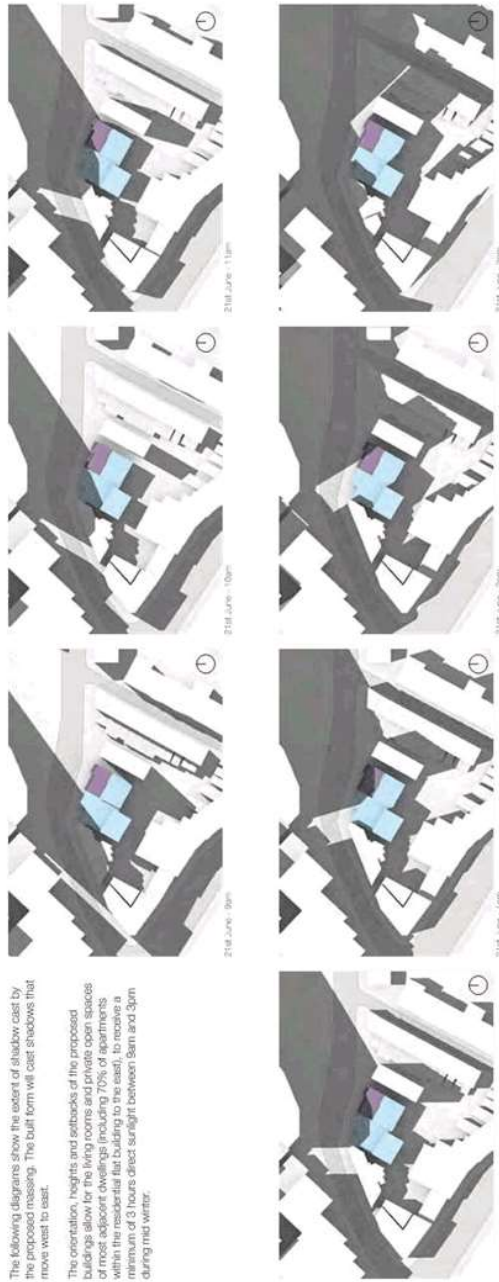
4

Built Form Option

**4.12 Shadow Analysis**

The following diagrams show the extent of shadow cast by the proposed massing. The built form will cast shadows that move west to east.

The orientation, heights and setbacks of the proposed buildings allow for the living rooms and private open spaces to receive direct sunlight during 70% of the winter maximum of 53 hours direct sunlight between 9am and 3pm during mid winter.

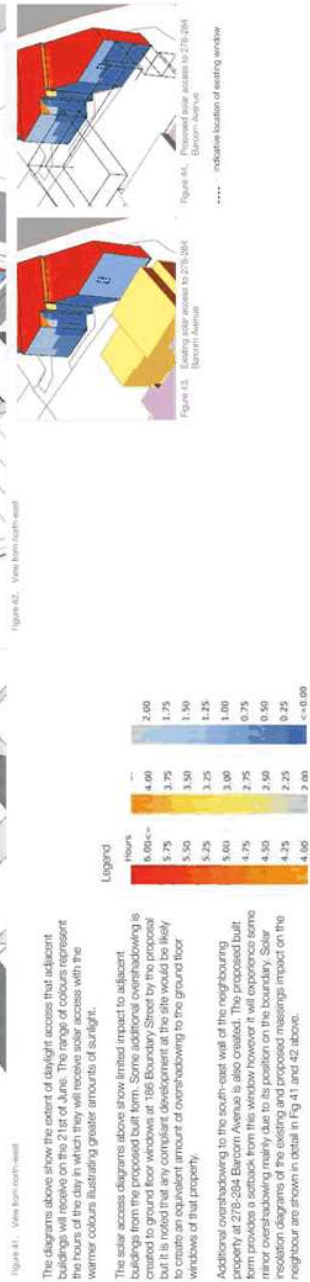
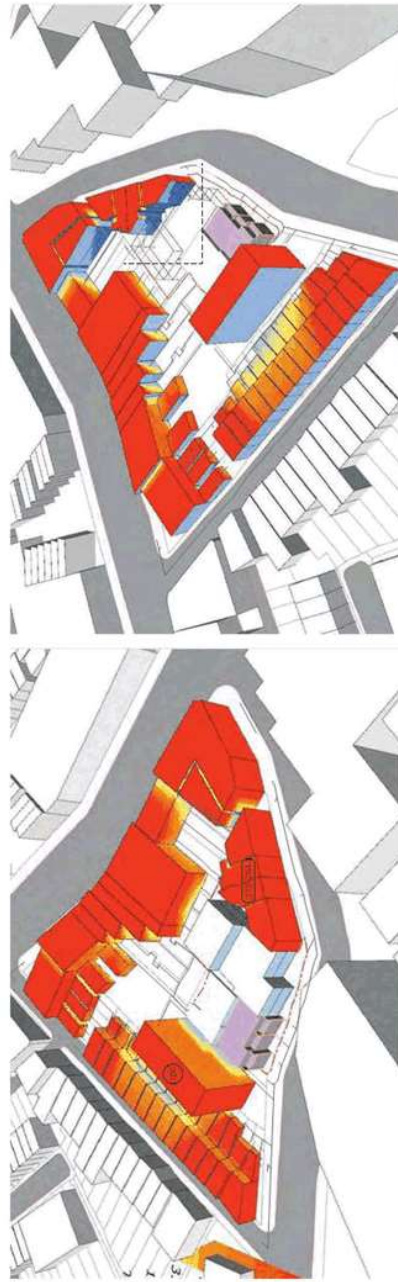


5

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Built Form Options

4.13 Solar







5

Conclusion

5.1 Conclusion

Located on Boundary Street, along the north western edge of Paddington, the subject site is located in the Paddington Heritage Conservation Area in the Woollahra LGA. Currently accommodating residential uses and two vacant disused terraces, the site is located directly opposite St Vincent's Private Hospital and within walking distance of public transport accessible on Oxford Street.

In response to this condition, we have undertaken two built form studies with a view to identifying the capability of the site to accommodate a commercial building use (for the purpose of office premises). In conjunction with heritage advice provided by Cruckwell & Loregan, studies tested the potential of the demolition of existing disused terraces and rear additions, replacement with a new office fit building and adaptive re-use of existing residential terraces. Additionally, indicative floor plans tested office premises uses within the footprints created.

We believe Option 2, the demolition of existing disused terraces and rear additions, adaptive re-use of existing terraces and new office fit building will provide an appropriate built form outcome. The option provides more GFA on-site than currently available without unacceptable adverse solar impact on neighbouring dwellings as well as an integration of disabled access to existing terraces on-site. Maintenance of some terraces on-site will allow for the conservation of the existing street character and better integration of commercial uses into the predominantly residential fabric.

Within the residential land use zone, an office premises building use can be accommodated compliant with the existing

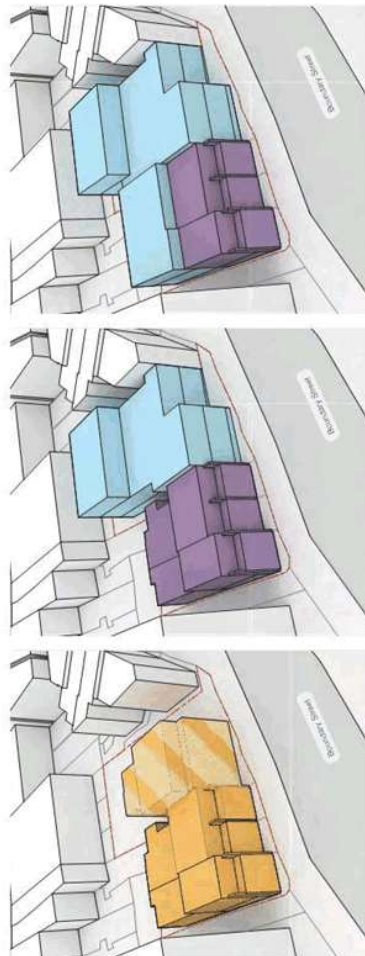


Figure 45. Existing Massing

Existing

Figure 46. Option 1 Massing

Option 1

Figure 47. Option 2 Massing

Option 2

**Key**

- Site Boundary
- Existing buildings
- Existing disused buildings
- New commercial building
- Commercial adaptive reuse

SUS Architects



SJB Architects

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www.sjb.com.au

Attachment 2: Consistency against State Environmental Planning Policies

Consistency against State Environmental Planning Policies

SEPP Title	Consistency	Comment
SEPP No 1—Development standards	N/A	
SEPP No 14—Coastal Wetlands	N/A	
SEPP No 15—Rural Landsharing Communities	N/A	
SEPP No 19—Bushland in Urban Areas	N/A	
SEPP No 21—Caravan Parks	N/A	
SEPP No 26—Littoral Rainforests	N/A	
SEPP No 29—Western Sydney Recreation Area	N/A	
SEPP No 30—Intensive Agriculture	N/A	
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP No 33—Hazardous and Offensive Development	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP No 36—Manufactured Home Estates	N/A	
SEPP No 39—Spit Island Bird Habitat	N/A	
SEPP No 44—Koala Habitat Protection	N/A	
SEPP No 47—Moore Park Showground	N/A	
SEPP No 50—Canal Estate Development	N/A	
SEPP No 52—Farm Dams and Other	N/A	

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SEPP Title	Consistency	Comment
Works in Land and Water Management Plan Areas		
SEPP No 55—Remediation of Land	Yes	<p>Clause 6 of SEPP 55 requires the consent authority to be satisfied that the site is or can be suitable for the proposed use of the land.</p> <p>The proposal seeks to amend the WLEP 2014 provisions to allow the use of the site as an office premises. The historical use of the site is for residential purposes and the current approved use of the site is for residential accommodation purposes. Office premise is an equal or less sensitive type of use compared to residential accommodation in terms of land contamination and in this respect the current approved uses demonstrate the sites suitability for office premises.</p> <p>Any future DA for the site will also be subject to the standard assessment requirements under SEPP 55.</p> <p>The Planning Proposal does not contradict or hinder the application of this SEPP.</p>
SEPP No 59—Central Western Sydney Regional Open Space and Residential	N/A	
SEPP No 62—Sustainable Aquaculture	N/A	
SEPP No 64—Advertising and Signage	Yes	<p>Future redevelopment of the site as facilitated by this Planning Proposal may include signage. This signage will be subject to separate future development applications, which will include assessment against this SEPP.</p> <p>This Planning Proposal does not contradict or hinder application of this SEPP.</p>
SEPP No 65—Design Quality of Residential Flat Development	Yes	<p>The Planning Proposal seeks to amend the WLEP 2014 provisions to allow the use of the site as an office premises. Future redevelopment of the site for the purpose of an office premises as facilitated by this Planning Proposal will not require assessment against this SEPP.</p>

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SJB Planning (NSW) Pty Ltd ACN 112 509 501

SEPP Title	Consistency	Comment
		This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 70—Affordable Housing (Revised Schemes)	Yes	This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 71—Coastal Protection	N/A	
SEPP (Affordable Rental Housing) 2009	N/A	
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal is not inconsistent with the SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP (Infrastructure) 2007	Yes	The Planning Proposal does not contradict or hinder the application of this SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	N/A	
SEPP (Kurnell Peninsula) 1989	N/A	
SEPP (Major Development) 2005	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	N/A	
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	
SEPP (Rural Lands) 2008	N/A	
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	N/A	
State Environmental Planning Policy (State and Regional Development) 2011	N/A	
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N/A	

**SJB Planning**

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SEPP Title	Consistency	Comment
SEPP (Sydney Region Growth Centres) 2006	N/A	
State Environmental Planning Policy (Three Ports) 2013	N/A	
State Environmental Planning Policy (Urban Renewal) 2010	N/A	
SEPP (Western Sydney Employment Area) 2009	N/A	
SEPP (Western Sydney Parklands) 2009	N/A	

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SJB Planning (NSW) Pty Ltd ACN 112 509 501

Attachment 3: Section 117 Directions

Section 117 Directions (version 14 April 2016)

S117 Direction Title	Consistency	Comment
<b>1.0 Employment and Resources</b>		
1.1 Business and Industrial Zones	Yes	This direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). The proposal relates to residential zoned land and will not diminish or affect the amount of business zoned land available in the Woollahra LGA.
1.2 Rural Zones	N/A	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	N/A	Not applicable.
1.4 Oyster Aquaculture	N/A	Not applicable.
1.5 Rural Lands	N/A	Not applicable.
<b>2.0 Environment and Heritage</b>		
2.1 Environment Protection Zones	N/A	Not applicable.
2.2 Coastal Protection	N/A	Not applicable.
2.3 Heritage Conservation	Yes	The WLEP 2014 contains provisions that facilitate the conservation of: <ul style="list-style-type: none"> <li>a) facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</li> <li>b) Aboriginal objects or Aboriginal</li> </ul>

SJB Planning

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S117 Direction Title	Consistency	Comment
		places that are protected under the National Parks and Wildlife Act 1974, and c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.  The Planning Proposal does not affect those provisions and any future development at the site will be subject to those provisions.
2.4 Recreation Vehicle Areas	N/A	Not applicable.
<b>3.0 Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	N/A	Consistent. The Planning Proposal will provide additional employment opportunities (even if only minimal) within a residential zone, but will not sterilise the potential of the site or adjacent sites to be developed for residential purposes.
3.2 Caravan Parks and Manufactured Home Estates	N/A	Not applicable.
3.3 Home Occupations	Yes	The proposal does not alter the permissibility of home occupations in the zone.
3.4 Integrating Land Use and Transport	Yes	Consistent. The Planning Proposal will provide additional employment opportunities (even if only incremental) in an accessible transport location.
3.5 Development Near Licensed Aerodromes	N/A	Not applicable.
3.6 Shooting Ranges	N/A	Not applicable.
<b>4.0 Hazard and Risk</b>		
4.1 Acid Sulphate Soils	Yes	The site is identified on the WLEP 2014 Acid Sulphate Soils Map as Category 5 and the Planning proposal will not affect this.
4.2 Mine Subsidence and Unstable	NA	Not applicable.

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S117 Direction Title	Consistency	Comment
Land		
4.3 Flood Prone Land	Yes	The site is not within an identified Flood Planning Area and the Planning Proposal will not affect this.
4.4 Planning for Bushfire Protection	Yes	The site is not on land identified Bushfire Prone and the Planning Proposal will not affect this.
<b>5.0 Regional Planning</b>		
5.1 Implementation of Regional Strategies	N/A	Not applicable.
5.2 Sydney Drinking Water Catchments	N/A	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	Revoked
5.6 Sydney to Canberra Corridor	N/A	Revoked
5.7 Central Coast	N/A	Revoked
5.8 Second Sydney Airport; Badgerys Creek	N/A	Not applicable.
5.9 North West Rail Link Corridor Strategy	N/A	Not applicable.
5.10 Implementation of Regional Plans	N/A	Not applicable.
<b>6.0 Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	The Planning Proposal is consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	Consistent. This Planning Proposal will not affect any land reserved for public purposes.
6.3 Site Specific Provisions	Yes	Consistent. This Planning Proposal does not introduce unnecessarily restrictive site

**SJB Planning**

SJB Planning (NSW) Pty Ltd ACN 112 509 501

S117 Direction Title	Consistency	Comment
		specific controls and instead offers greater flexibility to achieve an alternative development outcome on the site.  The Planning Proposal does not seek to impose any development standards or requirements in addition to those already contained in the WLEP 2014.
<b>7.0 Metropolitan Plan Making</b>		
7.1 Implementation of A Plan for Growing Sydney	Yes	Consistent. This Planning Proposal is consistent with this direction and does not hinder implementation of A Plan for Growing Sydney.
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	Not applicable.

SJB Planning

SJB Planning (NSW) Pty Ltd ACN 112 509 501

# Statement of Heritage Impact

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**190-200 Boundary Street  
Paddington**

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## Planning Proposal




**CRACKNELL  
&  
LONERGAN**  
ARCHITECTS PTY LTD

Prepared on 03 November 2016  
Prepared for St. Vincent's Hospital

**CRACKNELL**  
**&**  
**LONERGAN**  
**ARCHITECTS PTY LTD**

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## 1.0 Project Details

### Prepared On:

16 August 2016 [DRAFT]  
03 November 2016 [FINAL]

### Project Address:

190-200 Boundary Street  
Paddington

### Prepared For:

St. Vincent's Hospital

### Prepared By:

Cracknell & Lonergan  
Architects Pty Ltd

### Statement of Authorship & Research Methodology

This Statement of Heritage Impact has been prepared to assist the Council of Woollahra in assessing a planning proposal which seeks to allow for the development of the site for the purposes of an office premises at 190-200 Boundary Street, Paddington. This document has been prepared in accordance with Part 5.10 Heritage Conservation of the Woollahra LEP 2014, which states that the Council must consider the impact of the proposed works on a conservation area and on any heritage items in the vicinity of the site.

This report has been prepared in accordance with the NSW Heritage Manual and in particular, guidelines for the preparation of "Statement of Heritage Impact" (available for access via this link: [www.heritage.nsw.gov.au/docs/hm\\_statementsofhi.pdf](http://www.heritage.nsw.gov.au/docs/hm_statementsofhi.pdf)). A detailed history of the site using secondary sources, particularly reference books and other literary works were relied upon to provide a historical overview for assessment.

In preparation for this report, consultation was made with the applicant and a site visit has been conducted to ascertain the significance of the site today and its relationship to the contemporary urban context. The supplement to legislation, specifically the Woollahra Development Control Plan C2 - Woollahra Heritage Conservation Area document has also been considered as part the responses for this report. This Statement of Heritage Impact accompanying the planning proposal has been considered only after having closely reviewed the proposed design by SJB Planning, the following heritage issues are to be considered:

1. Significance of the Conservation Area
2. Significance of the Subject Site/Item
3. The effect of the proposed development on the heritage significance of the conservation area, the items in the vicinity and the site.
4. The way in which adverse impacts could be mitigated.

This Statement of Heritage Impacts has been prepared by Peter Lonergan, Director of Cracknell and Lonergan Architects Pty Ltd, heritage architect and consultant (Architect's Registration No. 5983). Supplementary research has been undertaken by Julie Cracknell (Director) and Hugo Chan (Graduate of Architecture), both also from the office of Cracknell & Lonergan Architects Pty Ltd. The Curriculum Vitae of Peter Lonergan's expertise in the field of Heritage documentation and architecture is attached as an appendix to this document. A select bibliography of sources referenced in this report is also provided as an appendix to this document.



### Peter Lonergan

Director  
Cracknell Lonergan Architects Pty Limited  
NSW Architects Registration No. 5983

## 2.0 Introduction

### 2.1 Preamble

The following Statement of Heritage Impacts has been written to supplement a detailed built form and urban study of the site 190-200 Boundary Street Paddington prepared by SJB for St. Vincent's Private Hospital. As the subject site is situated within Heritage Conservation Area C8 of the Woollahra LEP, the proposed built form options provided by SJB have been significantly scrutinised in terms of their curtilage and ability to respond to the historical context as an urban infill and adaptive reuse proposal. The proposed demolition of severely dilapidated and structurally unsound fabric at 196-198 Boundary Street Paddington and the subsequent proposed built form along with the adaptive reuse of terraces 190-194 Boundary Street are considered appropriate. The proposal is fully supported in principle as it is believed that the integrity of the streetscape as well as the community outcomes achieved by the proposal will be a significant improvement.



## 2.0 Introduction

### 2.2 Site Context & Locality

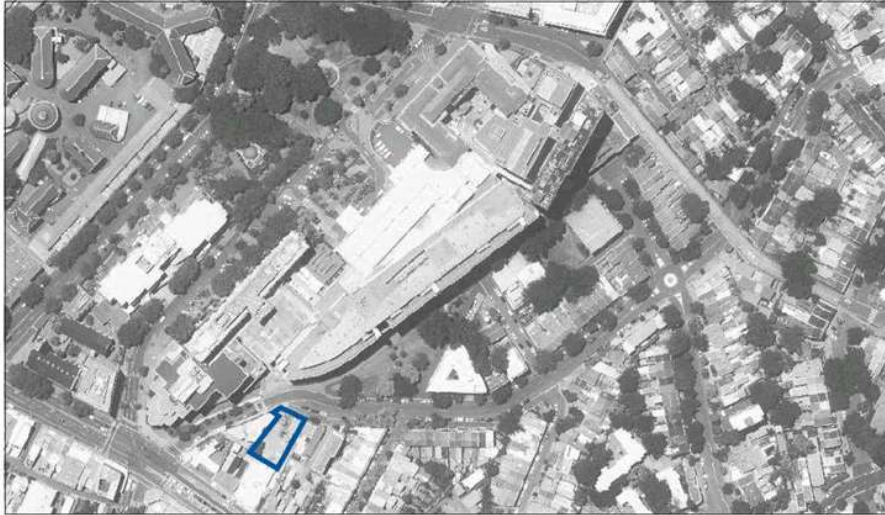
The subject site is No. 190-200 Boundary Street Paddington, consisting of five terrace houses and an empty block of land. The terraces vary between single storey (No. 190 – 194) and two storey (No. 196-198) typologies but date from the Victorian Filigree – Early Federation period of terrace housing. The subdivision pattern of these terraces is generally in keeping with the wider subdivision patterns of the area and is typical of the historical period they represent. Consideration of the LEP Maps of Woollahra Council indicates that there are no heritage items immediately adjacent to the site, but it is noted as being of contributory status to Heritage Conservation Area C8, Paddington.

A series of relevant maps have been included in the following pages to identify the site and its immediate context.

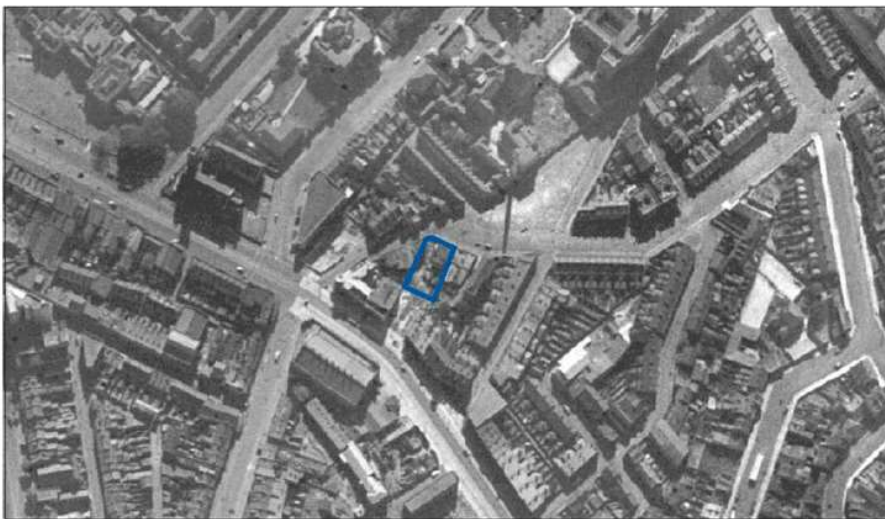


Subject site 190-200 Boundary Street Paddington (Blue)

2.0 Introduction

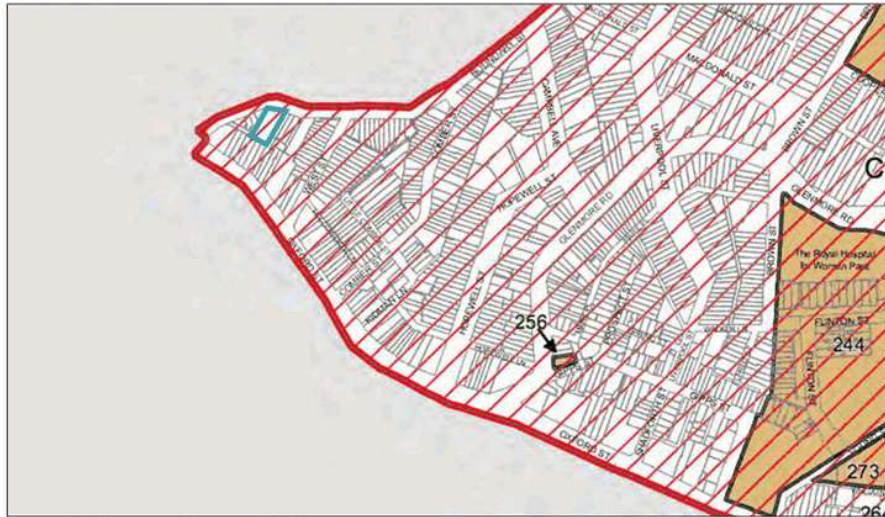


SIX Maps Contemporary - Aerial Image (Site in Blue)

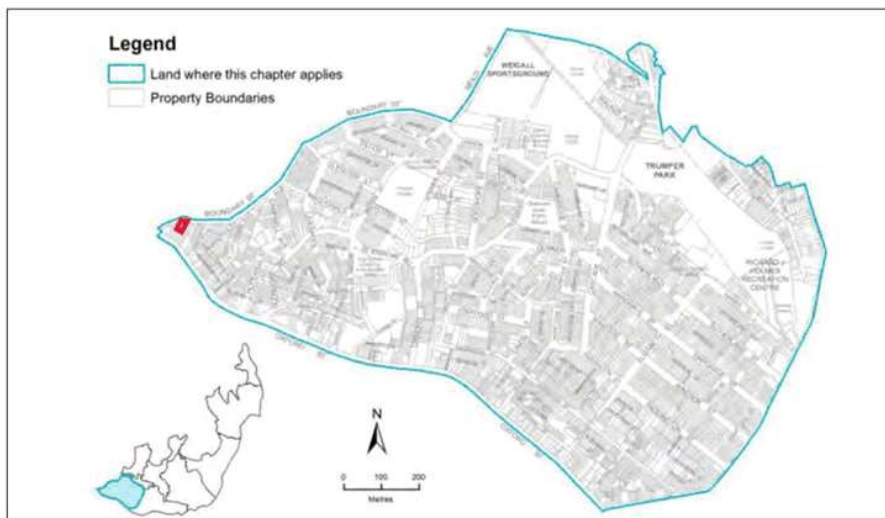


SIX Maps 1943 - Aerial Image (Site in Blue)

2.0 Introduction



Woollahra Heritage Conservation Area - LEP Map Site in Blue



Woollahra Development Control Plan Map - Site in Red

### 3.0 Socio-Cultural & Historical Significance

#### 3.1 Indigenous History - Traditional Custodians of the Land

Prior to colonisation, the area known as Paddington was home to the Wangal and Cadgil people, with the former considered to be the traditional owners of the larger Sydney area and the later occupying the area westward from the city. The larger Paddington area falls within the area which is often referred to as 'Eora Country' – a reference to the coastal Aboriginal people in Sydney. It is believed that the word Eora means 'here' or 'from this place', although it has been suggested recently, that the term was the word for 'person'. The first point of contact between the Wangal and Gadigal people and European settlers was as early as 1788, and it has been noted that the Gadigal people were perhaps amongst the worst hit by smallpox epidemic, and as the Wangal were frequently in contact with the Gadigal people the impact of the epidemic would have also been felt by them. It is noted that the Gadigal were nearly "completely wiped out by the epidemic". This report thus acknowledges the Gadigal people as the traditional custodians of the land on which the subject item is located.

#### 3.2 Post-1788 Settlement - Historical Summary

Early developments in the Paddington, Darlinghurst began primarily in 1811, when Governor Macquarie dedicated 490 acres to the south of South Head Road for public use. This included all land south of Oxford Street from South Dowling Street to Centennial Park and Moore Park. The area was swampy and unattractive for residential settlement. South Head Road (now Oxford Street) was built in 1803 to access a Pilot and Signal Station at South Head. The first toll bar in Paddington was at the intersection of Darlinghurst and Oxford Streets. By 1841 it was relocated near Victoria Barracks (cnr Oxford and Glenmore Road).

The growth of Paddington gained momentum in 1838 when it was decided to build the new military barracks at Paddington Hill. The site chosen was located on part of the Sydney Common adjoining the road to South head. At this time the land was described as being remote from the town centre with a terrain unsuitable for agriculture and covered with stunted trees, sand, and scattered outcrops of

stone. Its advantages as a location for a Military Barracks included its proximity to good drinking water at Busby's Bore, the bounteous quantity sandstone available plus the high ground which was very suitable for defence purposes. The barracks fronted the South Head Road and for its first 30 years were surrounded only by the crown lands of the Sydney Common.

Land Grants for Roman Catholic Church, St Mathias School, Wesleyan Church at Newcombe and Oxford, State School and land for Reservoir on Oxford Street were also made. The extensive areas devoted to public purposes reflects the intentions of the 1811 dedication of the Sydney Common for public use.

By 1851 Paddington had a population of 1,389 inhabitants, making it the third largest village in Sydney after Glebe and Balmain. The first state school was opened in 1856 and called the Paddington School. In 1857 St Mathias Samoan Church was opened in Oxford Street. By 1859 there were 1000 houses in Paddington with 3,100 inhabitants. In 1860 the municipality of Paddington was proclaimed and 6 years later the first Paddington Town Hall was built. The council set itself a task of laying water and gas pipes, constructing streets and gutters and generally bringing 'order out of chaos'.

From 1861-1871 Paddington's population rose by 60% to 4,250, a higher growth rate than for the whole of Sydney in the same period. The first Catholic mass was celebrated in Underwood Street and by 1866 a wooden structure was built in Gordon Street for Catholic services. This building was later closed and then re-opened in 1873. By 1870 there were 52 shops in Paddington, 37 of them being located on Old South Head Road( Oxford Street). The shops picked up trade from those travelling from the city to Bellevue Hill and Bondi.

The Depression in 1890s brought building activity in Paddington to a halt. By 1895 the depression was receding , but from that time on buildings were less ambitious and smaller in size. The area of land left in Paddington on which to speculate was not large and the market was more cautious due to the economic climate.

<sup>1</sup>Although the term Cadgil is now commonly used it needs to be pointed out that this is the Anglicised version of the Aboriginal terms Gadigal or Kadigal. As noted by Val Attenbrow "...in the First Fleet journals and reports, k/g was often written as 'c', as in Cadgil, rather than Kadigal or Gadigal, and there are also various spellings for the same words and names" (2002, p.3).

<sup>2</sup>City of Sydney, 2010, 'Aboriginal People and Place', Barani: Indigenous History of Sydney City, available at <<http://www.cityofsydney.nsw.gov.au/barani/themes/theme1.htm>>; Attenbrow, V. 2002, 'The People and their country: numbers, names and languages' in Sydney's Aboriginal Past: Investigating the archeological and historical records

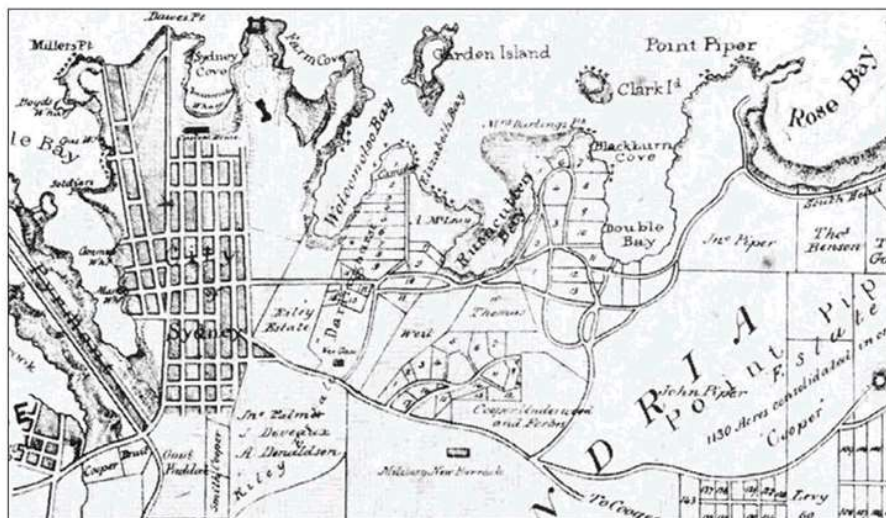
<sup>3</sup>Coupe, S. and Coupe, R. 1988, Speed the plough: Ashfield 1788-1988, p. 19

### 3.0 Socio-Cultural & Historical Significance

New transport, in the introduction of trams and buses, made the concept of living in a healthy detached house on a half acre block in the suburbs entirely possible. There was no longer a need to live near one's work now that people could commute on public transport to and from work. The change in landlord ownership began as the middle class owners and tenants slowly moved out of the suburb. There was consequently less of an interest in well maintained properties. By 1930 Paddington was a slum. Tenants could not pay rent, and the landlords could not afford to maintain the buildings. Streets fell into disrepair. Many terraces became rooming houses, and balconies were boarded up to accommodate more people per house.

Under its own local government from 1860 to 1948, Paddington extended from New South Head Road to Moore Park Road on the north south axis and from Dowling Street to Jersey Road on the west east axis. In 1948 a rationalisation of local government areas added Paddington to the City of Sydney but twenty years later, the area north of New South Head Road was moved into the Municipality of Woollahra leaving the southern part with the city

During the 1960s there was pressure from developers on the local authorities to demolish much of the suburb for high-rise development. As a result the Paddington Society was formed in 1964. The aims of the Society were to conserve the suburb as important to Australia's heritage, to increase and improve its amenities, and to research and publish its history. Paddington was listed as the first ever conservation area by the National Trust (NSW) in 1979. Today, multiple heritage listings exist for the area, indicating its relationship with the earliest development of colonial settlement in Australia.



Parish of Alexandria c. 1890s

**3.0** Socio-Cultural & Historical Significance

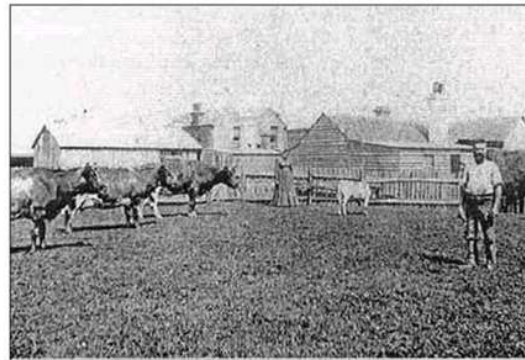
Darlinghurst Goal, closed in 1912 and in 1921, converted to a Technical College. Today it is the main campus of the National College of Art.



St Vincent's Hospital as seen from Victoria Street (c. 1925). The hospital was started by the Sisters of Charity in 1857.



A dairy on Burton Street, adjacent to the Darlinghurst Goal. Noting that in as late as 1900 the Paddington/Darlinghurst area still had hints of bushland and areas of pasture.



### 3.0 Socio-Cultural & Historical Significance

#### 3.3 Heritage Conservation Area - Statement of Significance

Whilst the NSW State Heritage Office Inventory does not provide a detailed Statement of Significance for the Heritage Conservation Area, the statement which accompanies the Woollahra DCP provides a comprehensive summary, detailing the key subdivision and architectural patterns of the precinct. An extract from the DCP has been included here:

*Paddington is a unique urban area which possesses historical, aesthetic, technical and social significance at a National and State level. An important factor in the significance of Paddington is its exceptional unity, encompassing scale, character, history, architecture and urban form.*

*The built environment of Paddington is an excellent example of the process of 19th century inner city urbanisation of Sydney which was largely completed by 1890. The predominant Victorian built form is an excellent representative example of the phenomena of land speculation and a 'boom' building period between 1870 and 1895.*

*The terraces of Paddington clearly trace the evolution of the imported English Georgian and Regency terrace models into the distinct Australian style evident in the Victorian era terraces.*

*Paddington retains many significant types of buildings that represent all phases of the suburb's historical development. These building types range from modest, small-scale, single storey timber and masonry cottages, to remnant examples of former gentry mansions, boom style middle-class terrace houses, apartment blocks and contemporary infill development, all of which are set in a varied network of streets, lanes and pedestrian accessways which reflect the phases of subdivision and development.*

*Paddington has a multitude of important historical and social associations. It is linked with the early transport routes along South Head Road (Oxford Street) and Point Piper Road (Jersey Road), the construction of Victoria Barracks in the 1840s, the gentry estates, prominent figures of the early colony, the speculative building boom between 1870 and 1890, and the development of Australian tennis at the White City site. Its historical and social associations extend to the periods of occupancy by immigrant groups and minority groups including the Chinese market gardeners, the Jewish community around*

*the turn of the century, the European immigrants in the 1950s and an alternative artistic and intellectual population in the 1960s and 1970s. Today Paddington has a high level of social esteem and is regarded as one of Sydney's most desirable inner-city urban areas. The changing sociology of Paddington demonstrates phenomenal variations in status and changes in community attitudes to the 19th century suburb.*

*Paddington has important associations with the evolution of the conservation movement in Australia, in particular with the actions by the National Trust and the Paddington Society, which ensured its conservation at a time of redevelopment threat in the 1960s. It is significant as the first suburb classified by the National Trust, a community based, non-government organisation committed to promoting and conserving Australia's heritage.*

*Paddington has a unique aesthetic significance due to the superimposition of the built form on a sloping topography which overlooks Sydney Harbour and its foreshores. The coherent and extensive Victorian built form comprising groups of terrace buildings on narrow allotments which step down hills, turn corners or sit in ranks along tree lined streets produces a singularly recognisable image.*

*Paddington provides vast opportunity for research, education and interpretation through the physical layout of its road network, its subdivision pattern and the varied form of buildings.*

*These buildings provide an excellent record of past technologies and domestic lifestyles through features such as original external and internal building fabric, detailing and room layouts. Terrace houses, semi-detached dwellings, flat buildings and freestanding houses all show the evolving attitudes towards families and the home from the early 19th to the late 20th century.*

This Statement of Heritage Impact accepts the statement of significance and does not propose any alterations or amendments to the statement. The historical and typological characteristics identified in this statement will be used in assessing the merits of the proposed development on Boundary Street and where necessary, be used in guiding proposed recommendations in a later section of this report.

### 3.0 Socio-Cultural & Historical Significance

#### 3.4 Subject Site Historical Uses

Whilst it is accurate to assume that the historical use for the terraces has been for residential uses, it is noted that there were also present throughout the history of 190-200 Boundary Street, other uses suggesting a mixed live-work style of inhabitation. A historical archive obtained from the City of Sydney shows that the terraces at 190-200 Boundary Street have in fact undergone changes from single dwellings to subdivided flats to offices, warehouses and proposals for construction of a small manufactory and warehouse. Coupled with different alterations for fire egress, roofing and changes to the balcony, some of these have unfortunately led to detrimental changes, particularly to the pair of terraces which forms 196-200 Boundary Street. The scope of these alterations were such that by the 1990s, additional structural props had to be added as a temporary stabilisation measure to ensure the imminent collapse of these terraces did not occur. Nevertheless, these changes illustrate the diverse uses and changes over the years, showing that the terrace houses were not always merely 'low-density residential houses' as suggested by the LEP Land Zone Map allocation.

The scans of these previous development application approvals, dating back to the 1950s obtained from the City of Sydney, are shown in the following pages, illustrating multiple changes by different inhabitants throughout the decades.



3.0 Socio-Cultural & Historical Significance

LOCATION <u>196/198 January Street Paddington</u>		
NOTICES - DEVELOPMENT APPLICATIONS - CORRESPONDENCE		
REFERENCE	DATE	SUBJECT
211 1/57	11.3 .57	Report on erection of new building on vacant land at N° 200 and area of 196/198 to be used for office & storage purposes for late Mr. H. Matthews
252 1/57	28. 3.57	D.P. - erection of two story warehouse & factory at rear site at N° 200 of lot late H.A. Matthews
827 1/59	5. 4.59	Dilapidated dividing fence between nos 198 and 200. Inspection, report, correspondence, etc.

LOCATION <u>200 Boundary St, Paddington</u>		
NOTICES - DEVELOPMENT APPLICATIONS - CORRESPONDENCE		
REFERENCE	DATE	SUBJECT
43/ 1/62	10. 1.62	Unauthorized skillion - roof shelter at rear. .. .. Alfred Haywood
49/ 1/62	24. 1.62	Use of premises for storage of second hand building materials. Good. include question of skillion shelter .. .. H. Haywood
82nd 1/62	10. 10.62	Enquiry as to whether any request made by Haywood for erection of domes on land .. .. letters taken on 10/10/62 for Bill Hill's inspection
24/ 1/64	14 1.64	Proposed re-pave yard. Work completed at the end of 1963 and on and Boundary St Paddington .. .. cars in front of local residents
18/ 1/65	20 JAN 1965	Unauthorized storage racks. .. .. D. Sands

3.0 Socio-Cultural & Historical Significance

LOCATION			200 Boundary Street Paddington		
NOTICES - DEVELOPMENT APPLICATIONS - CORRESPONDENCE					
REFERENCE	DATE	SUBJECT			
571/53	23.5.53	Warehouse and section of shed to be used for panel beating John Francis O'Halloran			
211/57	11.3.57	Proposed erection of modern building on site for use as an office and storage premises, in connection with building on adjoining property (198/198) - H. J. Matthews			
253/57	28.3.57	DA. Erection of two storey warehouse and factory at site of late H. J. Matthews			
978/57	18.11.57	DK - use premises for the storing & selling of 2nd hand building materials per Haywood			
196/59	25.5.59	Warehouse and section of skillion roof shed. at Haywood			
747/59	18.9.59	Complaint re fire hazard T. Con			
827/58	1.11.58	Dilapidated dividing fence between nos 198 and 200. Instructed rehat independence.			

LOCATION			200 Boundary St, Paddington		
BUILDING APPLICATIONS					
NO.	DATE	APPLICANT	SUBJECT		
156/62	24.1.52	A. Haywood	Temporary structure L50		
229/64	28/9/64	do	Temporary office L50		
152/65	14/2/65	do	Storage Racks L120		

## 4.0 Contemporary Fabric Analysis

### 4.1 Existing Building Condition & Relationship to Surroundings

The collections of terraces which run along 190-200 Boundary Street consist of a variety of different terraces which date from the Victorian Filigree and Early Federation Period. Adjacent to this site are a wide and diverse mix of residential apartments and town houses, with styles ranging from the Art-Deco to Post-War period. Across the street along Barcom Avenue are significant modern buildings which are unsympathetic to the heritage subdivision patterns. These structures belong to the main medical centre of St. Vincent's Private Hospital.

Despite taking obvious reference from the dominant subdivision pattern of Paddington, the subject site's terraces are peculiarly sited along the streetscape. This results from its independence from surrounding buildings, resulting from historical subdivision patterns and the significant development of St. Vincent's Hospital. It should be noted as well that the subject site is situated along the boundary of not only the Heritage Conservation Area, but the local government boundaries between Woollahra and the City of Sydney.



St. Vincent's Hospital along Boundary Street



St. Vincent's Hospital along Boundary Street

4.0 Contemporary Fabric Analysis



Subject Site 190-200 Boundary Street, Paddington



Adjoining residential buildings along Boundary St.



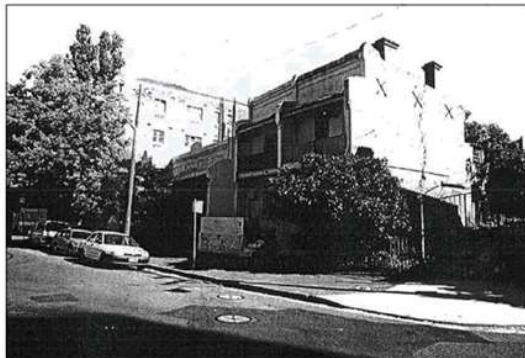
Subject Site and Structural Props

## 4.0 Contemporary Fabric Analysis

### 4.2 Dilapidation and Temporary Structural Stabilization Works [No. 196 & 198]

In as early as August 1992, over two decades ago, significant longitudinal and lateral stability issues were identified, indicating that the building has been in a poor level of structural stability for an extended period of time. A series of reports commissioned by St. Vincent's Hospital between the years 1992-1996 (see appendix for copies of engineer's reports and statements) and a heritage study undertaken by this office, Cracknell & Lonergan Architects in 1997 all suggested that the integrity of the terraces had been affected beyond repair. A more detailed historical study as indicated in Section 3.4 of this report suggests that multiple changes occurring in the early post-war era, involving significant internal alterations, addition of temporary warehouse structures and garages, may have affected the integrity of the two storey terraces.

Comparison between the imagery of 1997 and 2016 shows clear structural cracks between portions of the building and the significant lateral steel support required are indicative of the poorly dilapidated state of the terraces. Note in particular, the addition of structural props and the removal of trees in an attempt to stabilise the footings and surroundings of the terrace house. A preliminary site investigation conducted recently shows that there are few opportunities for retaining this structure in a safe and secure manner whilst new construction works for the infill project to take place, making proposed demolition the only and the safest option.



Historical Image of the Subject Site (c. 1990s)

## 5.0 The Proposal

As the proposal submitted by SJB is a urban planning and bulk form analysis, it does not yet propose specific design details or a particular materiality. Rather, the aim of the SJB report is to outline the potential of the site for Adaptive Re-use and provide two options for the future redevelopment of the site. Both options have been scrutinised and are in compliance with the WLEP and WDCP built form controls. The report examines the potential for the site to be used as office premises by St. Vincent's Private Hospital.

It is noted in this report that the proposal will involve the demolition of a pair of Victorian Filigree terraces, No. 196-198 Boundary Street, with the proposed retention, restoration and adaptive reuse of three single storey terraces. As detailed in Section 4.0 of this report, the demolition of two contributory items is considered appropriate as multiple structural reports and clear photographic evidence indicates that restoration and structural stabilisation is neither a safe nor feasible option. As such, it is believed that the adaptive reuse of three terraces alongside a contemporary urban infill will strike an appropriate balance and improve the street curtilage of the Paddington Heritage Conservation Area.

In considering the form and scale of the building, it is noted that both options outlined in the proposal by SJB have clear respect for the curtilage, scale and proportions of the buildings it surrounds. The propositions are clear in their intent to provide a suitable form which will provide a decorous contemporary addition upon the streetscape, removing what are currently rundown and derelict buildings with a mix of adaptive reuse and contemporary infill architecture.

In principle, the proposal presented by SJB is supported as it provides a suitable and viable community oriented architecture, catering for the needs of the growing local population whilst also respecting historic subdivision patterns and the architecture. Consideration of specific architectural form and detailing at a later stage of this proposal by the design architect should therefore take into consideration not only the formal bulk and spatial organisation outlined by SJB but the specific future character of the precinct. The Woollahra DCP provides extensive commentary on urban infill architecture and reads as follows:

*Contemporary design provides the basis for the continuing enrichment of the historic interpretation of Paddington by adding to our understanding of*

*contemporary life as expressed in the built environment. Issues of contemporary design are relevant to new development of a minor and major nature in the both the public and private domains. Quality architectural design must form the basis of any proposed new works. Contemporary design must be respectful of the HCA.*

*Paddington is characterised by rows of 19th century buildings. Paddington has a number of significant buildings and building elements that represent the changing character of design from the 19th century-21st century. The presence of buildings and building elements representing the various design elements of the 20th and 21st centuries enrich the character of Paddington and the interpretative aspects of its history.*

*A range of contemporary design approaches, philosophies and techniques can be employed in Paddington. These are encouraged in appropriate locations and circumstances.*

*Council does not advocate replication of previous architectural styles in cases of infill development. However, infill development should be based on a contemporary design approach which respects the context, especially the predominant scale, form and articulation of buildings that characterise an area. New contemporary design should respect the historic built form of the Paddington HCA.*

*Certain types of new work require a traditional design approach. Such an approach may be appropriate where alterations and additions are proposed for those areas of a building which have original significant fabric.*

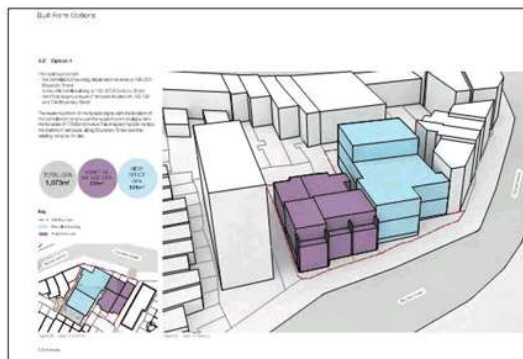
*A thorough understanding of the physical and historical aspects of the site and its context will act as a guide to the appropriateness of the design approaches. Applicants must demonstrate that contemporary design techniques, materials or idioms provide an appropriate response to relevant aspects of the physical and historical context. Applications are required to demonstrate that contemporary design techniques, materials and design elements provide an appropriate response to the relevant aspects of the historical and physical context.*

*The use of contemporary design approaches, particularly to infill development, work to an intrusive building, work to the public domain, and work to buildings or building elements of heritage significance,*

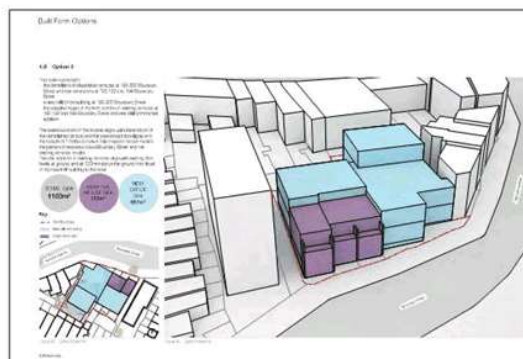
## 5.0 The Proposal

*must achieve a cohesive relationship between new and existing urban fabric, and respect and respond to the context of the HCA.*

*The form and bulk of the proposal by SJB, along with its proposed change of use and proposed urban infill and heritage adaptive reuse components are all supported by this Statement of Heritage Impact as it is believed that new amenity and an improved streetscape condition for the HCA will ultimately be achieved. Supported in principle, the next section of this report will further assess this proposal against the specific legislative frameworks to further ascertain its suitability and appropriateness.*



Built form Option 1 for the subject site



Built form Option 2 for the subject site.

## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
<b>Demolition of a Building or Structure</b>		
Have all options for retention and adaptive re-use been explored?	YES	All possible alternatives for retention of the terraces have been considered. It has been concluded based on structural investigations and available information that only the single storey terraces between 190-194 Boundary Street will be retained, whilst the two structurally unsound two storey terraces (No. 196-198) will need to be demolished.
Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?	YES	Where possible and deemed appropriate, all of the contributory fabric, namely, the facades of No. 190-194 Boundary Street have been retained. As part of the urban infill strategy as required within the DCP however, new fabric is proposed adjacent to the item to maintain streetscape curtilage between No. 196 – 200 Boundary Street.
Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible?	YES	The demolition is essential and in fact, as detailed documentation shows, the demolition has already been on delay and multiple considerations for its retention made in the years 1992-2016.  Regular structural stabilisation works, including the demolition of unsympathetic and structurally unsound fabric, as well as the propping of the building using significant steel structures have failed to improve the building's stability and indicates that demolition of the terraces at 196-198 is the only appropriate course of action to permit any future development of the subject site. Furthermore, there is evidence to suggest that further delays in the demolition of these terraces could jeopardise the stability of surrounding contributory items.
Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not	YES	This report satisfies the need for a heritage consultant's advice to be sought. It is the opinion of this report that partial demolition of the terraces (No. 196 & No. 198) is required, whilst it is possible to retain the remaining terraces (No. 190, No. 192 & No. 194). As indicated in the submitted planning documents, this advice has been wholly respected, with the retention of significant contributory fabric proposed.



## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
<b>Minor Partial Demolition (including Internal Elements)</b>		
Is the demolition essential for the heritage item to function?	YES	The partial demolition of rear portions of terraces as well as the demolition of structurally unsound fabric is absolutely essential to maintain the overall integrity of the streetscape and the remaining terraces. The conversion of these terraces from a residential into a public use also means internal changes to ensure that the proposed future building adheres to current safety standards as well as universal access requirements.  The partial demolition of structurally unsound fabric will also help to ensure that remaining fabric and terraces which are in a good condition are not adversely affected these severely dilapidated buildings.
Are important features of the item affected by the demolition (eg. fireplaces in buildings)?	YES (PARTIAL)	<b>190 – 194 Boundary Street</b> In accordance with the provisions of the DCP and based on the initial built form and urban study proposal, no particular features of significance will be affected. Where possible, existing street frontages, existing access and existing bulk and form will be respected and maintained. It is recognised however that the change of use will result in minor modifications to entries for fire egress and universal access purposes. <b>196 – 200 Boundary Street</b> The proposed demolition of the entire building is necessary but will affect the features of the item. As noted in the fabric analysis enclosed in this report however, whilst the style and architecture of these terraces contribute to the streetscape, their severely dilapidated and clearly structurally unsound state means that they have deteriorated beyond repair and their contribution to the streetscape is negligible.
Is the resolution to partially demolish sympathetic to the heritage significance of the item?	YES	The proposed partial demolition is sympathetic to the heritage significance of the buildings and their contribution to the HCA in that it retains where possible, significant features and period elements, including notably, the street façade.  Demolition is restricted where possible to the rear portions of the site and to fabric which are considered intrusive upon the HCA and are structurally to unsound to be repaired in any meaningful or substantial manner.

## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?	YES	Multiple structural investigations conducted over a period exceeding twenty years (1992 – 2016) have concluded on multiple occasions that the significance and structural stability of the terraces at No. 196-198 is in clear question. Major steel props were added to ensure an imminent collapse of the building did not occur and some fabric, including a garage and other ancillary structures were demolished as a precaution. It can therefore be safely concluded that the stability of this portion of the amalgamated site is in question and demolition is the safest and only possible solution.
<b>Major Partial Demolition (including Internal Elements)</b>		
Is the demolition essential for the heritage item to function?	N/A	
Are particular features of the item affected by the demolition (e.g. fireplaces in buildings?)	N/A	
Is the detailing of the partial demolition sympathetic to the heritage significance of the item (e.g. creating large square openings in internal walls rather than removing the wall altogether)?	N/A	
If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?	N/A	
<b>Change of Use</b>		
Has the advice of a heritage consultant or structural engineer been sought? Has the consultant's advice been implemented? If not, why?	YES	This report satisfies the need for heritage advice to be sought. Given the proposal will include new structures adjacent to and/or above existing older structures, it has been recommended that prior to the issuance of a Construction Certificate, that a structural engineer's advice be sought. Refer to the recommendations section of this report for more information.
Does the existing use contribute to the significance of the heritage item?	NO	The historic uses of these terraces have been residential, but the two dilapidated terraces have been unoccupied for many years. The final portion of this site is in fact empty. Overall therefore, the current mix of uses and its dilapidated state does not in any way contribute to the significance of the heritage conservation area or the buildings themselves.

## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
Why does the use need to be changed?	-	The proposed conversion of the buildings and site into an office premises associated with St. Vincent's Hospital is considered an appropriate change as the subdivision pattern and the needs of the community continues to change. The change of use is the result of these factors, allowing for better communal facilities to be provided in the region.
What changes to the fabric are required as a result of the change of use?	-	The proposed conversion of the buildings and site into a community medical centre is considered an appropriate change as the subdivision pattern and the needs of the community continues to change. The change of use is the result of these factors, allowing for better communal facilities to be provided in the region.
What changes to the site are required as a result of the change of use?	-	Whilst this is only a general bulk and urban strategy analysis, it is believed that specific changes to the site will include new pedestrian entries to conform with current universal access design principles as well as the design and construction of an infill building between 196-200 Boundary Street.
<b>Minor Additions</b>		
How is the impact of the addition on the heritage significance of the item to be minimised?	N/A	
Can the additional area be located within an existing structure? If no, why not?	N/A	
Will the additions visually dominate the heritage item?	N/A	
Is the addition sited on any known, or potentially significant archaeological deposits? if so, have alternative positions for the additions been considered?	N/A	
Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?	N/A	
<b>Major Additions</b>		
How is the impact of the addition of the heritage significance of the item to be minimised?	-	The proposed bulk, form and scale of the proposed additions have all been set back such that they respect the existing and dominant street curtilage of the precinct and responds to the subdivision patterns of the area. Furthermore, where new fabric is proposed, its bulk has been fragmented and articulated such that it is seen to be subservient to existing historical buildings and does not dominate the streetscape context.

## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
Can the additional area be located within an existing structure? If not, why?	NO	The proposed change of use from a residential to office premises means that new floor space is required to accommodate the additional functions of the site.
Will the additions tend to visually dominate the heritage item?	NO	As addressed previously, the proposed additions have been articulated to emphasise a strong relationship to the surrounding bulk and form as well as respecting the existing subdivision patterns of the site. As a result, it is believed that the proposed urban strategy will not result in architecture which visually dominates the surrounding historical contributory items.
Are the additions sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered?	NO	There are no known archaeological deposits located in the area.
Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?	YES	The proposed bulk and form is sympathetic to the surrounding contributory items, as discussed. Through an emphasis on appropriate setbacks and careful incisions, it is believed that this urban infill project will successfully maintain the streetscape curtilage and the significance of surrounding historic buildings without appearing visually dominant or out of context.
<b>New Development adjacent to a heritage item (including additional buildings and dual occupancies)</b>		
How is the impact of the new development on the heritage significance of the item or area to be minimised?	-	As previously discussed, the impact of the proposal upon the surrounding heritage significance is minimal. As a contemporary infill addition, it will be appropriately set back and articulated such that it does not dominate or contrast significantly with surrounding contributory items.
Why is the new development required to be adjacent to a heritage item?	-	The proposed development is required to be adjacent to contributory items as it is making use of demolished buildings and an empty lot as an urban infill project. As such, it is attempting to create an appropriate design solution which will enhance and maintain the streetscape pattern.
How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?	-	The proposed building form will maintain existing subdivision and setback patterns, successfully contributing to the overall heritage significance of the HCA.

## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
How does the new development affect views to, and from, the heritage item? what has been done to minimise negative effects?	-	The proposed building will maintain and enhance existing view corridors within the HCA.
Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?	NO	As previously discussed, the bulk, height, form and proportions of the proposal are all in keeping with the subdivision and building patterns of the area, meaning that the design will be in keeping with the wider streetscape condition.
Is the new development sympathetic to the heritage item? How has this been minimised?	YES	As discussed above, the design's respect for its surroundings and curtilage ensures that the contemporary additions will not visually dominate the heritage conservation area.
Will the public, and users of the item, still be able to view and appreciate its significance?	YES	The public will be able to enjoy improved amenity and a better streetscape condition as a result of the proposal.
<b>Subdivision</b>		
How is the proposed curtilage allowed around the heritage item appropriate?	N/A	
Could future development that results from this subdivision compromise the significance of the heritage item? How has this been minimised?	N/A	
Could future development that results from this subdivision affect views to, and from, the heritage item? How are negative impacts to be minimised?	N/A	
<b>Repainting</b>		
Have previous (including original) colour schemes been investigated? Are previous schemes being reinstated?	YES	The existing colour schemes implemented for the terraces at 190-194 Boundary Street are appropriate and in accordance with <i>Colours for Old Australian Houses</i> by Clive Lucas, Ian Stapleton and Ian Evans. No changes to this approved colour scheme have been proposed by this proposal.
Will the repainting effect the conservation of the fabric of the heritage item?	NO	There is no repainting of contributory fabric currently proposed. It is recognised however that future proposed building form will need to respect the heritage colour scheme of the subject site and seek an appropriate and complementary materiality.

## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
<b>Re-roofing/re-cladding</b>		
Have previous (including original) roofing/cladding colour schemes been investigated ( through archival and physical research)?	YES	The existing materiality of roofing at No. 190-194 Boundary Street is proposed to be maintained. Where upgrade works for fire protection, water damage repair and other remedial works are required, it is proposed that like-for-like replacement of roof cladding will take place.
Is a previous material being reinstated?	NO	No new roofing is proposed. The existing materiality is maintained.
Will the re-cladding effect the conservation of the fabric of the heritage item?	NO	The proposed new infill will use roofing which is complementary to the roofing of the surrounding contributory items.
Are the details in keeping with the heritage significance of the item (e.g. guttering, cladding profiles)?	YES	The maintaining of the terraces at 190-194 Boundary Street will include (where necessary), conservation works to ensure all appropriate details are maintained to preserve its heritage significance and contribution to the streetscape at large.
Has the advice of a heritage consultant of skilled tradesperson (e.g. slate roofer) been sought?	YES	This report satisfies this requirement.
<b>New Services</b>		
How has the impact of the new services on the heritage significance of the item been minimised?	-	Proposed significant new services will be located within the new infill development, but it is recognised that the adaptive reuse will involve upgrade works to the existing terraces. It is believed however that significant new services will not adversely impact the streetscape as they will be set back from the street frontage and be integrated within the new proposed infill development.
Are any of the existing services of a heritage significance? In what way? Are they affected by the new work?	NO	There are no identified services of heritage significance identified. It is noted however that existing fireplaces and chimneys will be conserved as appropriate.
Has the advice of a conservation consultant (e.g. architect) been sought? Has the consultant's advice been implemented?	YES	This report satisfies the requirement for heritage advice to be sought.
Are any known or potential archaeological deposits (underground and under floor) affected by the proposed new services?	NO	Initial investigations do not indicate any archaeological deposits on site.

## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
<b>Fire Upgrading</b>		
How has the impact of the upgrading on the heritage significance of the item been minimised?	-	This will involve more detailed analysis of the interiors. Initial study suggests however that most new fire upgrade services can be accommodated with ease and will not impact upon the curtilage or significant fabric of the site.
Are any of the existing services of heritage significance? In what way? Are they affected by the new work?	NO	There are no existing services which are considered significant.
Has the advice of a conservation consultant? e.g. architect) been sought? Has their advice been implemented?	YES	This report satisfies the need for conservation consultancy.
Are any known or potential archaeological deposits (underground or under floor) affected by the proposed new services?	NO	There are no known archaeological deposits
Has the advice of a fire consultant been sought to look for options that would have less impact on the heritage item? Will this advice be implemented? How?	YES	Upgrade works for the terraces will in future, require the advice of a fire consultant in coordination with a heritage consultant to advise on a solution which fulfils the relevant standards but which does not adversely impact the significant street facing fabric of the retained terrace homes.
<b>New Landscape Works and Features</b>		
How has the impact of the new work on the heritage significance of the existing landscape been minimised?	N/A	
Has evidence (archival and physical) of previous landscape work been investigated? Are previous works been reinstated?	N/A	
Has the advice of a consultant skilled in the conservation of heritage landscape works? If so, what alternatives have been considered?	N/A	
How does the work impact on views to, and from, adjacent heritage items?	N/A	

## 6.0 Environmental and Heritage Impact Assessment

### 6.1 New South Wales Heritage Office Questions (Extracts of Relevant Clauses)

Proposed Change to Heritage Item	[Y/N]	Response
<b>Tree Removal or Replacement</b>		
Does the tree contribute to the heritage significance of the item or landscape?	N/A	
Why is the tree being removed?	N/A	
Has the advice of a tree surgeon or horticultural specialist been obtained?	N/A	
Is the tree being replaced? Why? With the same or a different species?	N/A	
<b>New Signage</b>		
How has the impact of the new signage on the heritage significance of the item been minimised?	N/A	
Have alternative signage forms been considered (e.g. free standing or shingle signs). Why were they rejected?	N/A	
Is the signage in accordance with section 6, 'Areas of Heritage Significance', in <i>Outdoor Advertising: An Urban Design-Based Approach</i> ? How?	N/A	
Will the signage visually dominate the heritage item/ heritage conservation area or heritage streetscape?	N/A	
Can the sign be remotely illuminated rather than internally illuminated?	N/A	



**6.0 Environmental and Heritage Impact Assessment**

**6.2 Local Government Area - Local Environmental Plan  
Clause 5.10 Heritage**

Objectives / Provision	Compliance	Response
<b>(4) Effect of the Proposal on Heritage Significance</b>		
The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This sub clause applies regardless of whether a heritage management document is prepared under sub clause (5) or a heritage conservation management plan is submitted under sub clause (6).	Yes	This document provides necessary documentation into the potential of the impacts of the proposed development on the subject site and adjacent heritage items in question.
<b>(5) Heritage Assessment</b>		
The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b). Require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	Yes	This document provides necessary documentation into the potential impacts of the item upon the heritage item in question and falls under the category (a) and (c). The proposed development will not have any negative impacts upon the heritage significance of the item, but rather, given its materiality and bulk, will serve to enhance and enliven the item, protecting it from potential future damage.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
<b>C1.1.4 Objectives</b>		
O1 To facilitate the implementation of the objectives and provisions relating to heritage conservation contained in Woollahra LEP 2014.	COMPLIES	The proposal is in accordance with the objectives of the LEP pertaining to conservation of historical buildings.
O2 To acknowledge and conserve the unique National heritage significance of Paddington.	COMPLIES	The proposal seeks to retain and restore three Victorian terraces, acknowledging the significant contribution they make to the heritage of Paddington HCA.
O3 To conserve the significant types of buildings within the Paddington Heritage Conservation Area	COMPLIES	As discussed previously.
O4 To provide guidelines and controls which seek to protect the significant character of Paddington and which encourage contemporary design which responds appropriately to that character.	COMPLIES	The proposal adheres to many of the guidelines and controls, with proposed infill of a currently severely dilapidated and structurally unsound site, as well as the refurbishment of terraces for adaptive reuse.
O5 To encourage and promote public awareness, appreciation and knowledge of heritage conservation	COMPLIES	The proposal will provide an appropriate response to site, acknowledging the locality's history and allowing more community engagement through the conversion of the site into a community medical building.
O6 To enhance amenity and heritage values within Paddington.	COMPLIES	The amenity and heritage of the restored terraces and the urban infill will enhance the definition of the streetscape and the heritage value of the area at large.
O7 To ensure that development is consistent with the heritage significance of the Paddington Heritage Conservation Area.	COMPLIES	The proposal is consistent with the aims and objectives of protecting heritage within the Paddington HCA.
<b>C1.2.4 Desired Future Character</b>		
a) retains the unique national heritage significance of Paddington and recognises it as a rare and distinctive urban area;	COMPLIES	Where appropriate and as discussed throughout this report, three of five terraces are to be restored and refurbished, with only two severely structurally unsound buildings to be demolished.
b) reinforces the area as a special residential precinct;	COMPLIES	The provision of office premises as part of St. Vincent's Private Hospital will continue to enhance and improve upon amenity for residents of the area.
c) retains and promotes evidence of the historical development of the area and enables interpretation of that historical development;	COMPLIES	As discussed, the proposal enables interpretation of the different uses of terrace housing in the area, noting that they were not always confined to residential dwellings. This proposal builds on the rich and diverse history with an appropriate urban infill project which will continue to promote the juxtaposition of new development alongside historical preservation.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
d) retains the cohesive character evident in the low scale, high density built form;	COMPLIES	The proposed form, bulk and scale have been appropriately proportioned and scaled such that it maintains and re-establishes the cohesive character of the streetscape along Boundary Street and Barcom Avenue.
e) retains distinctive features such as parapets, chimneys, mixture of roofs, complex of roads, laneways and alleyways, consistency of colours, subdivision patterns and buildings which follow the landform and the distinctive patterns of terrace house groups;	COMPLIES	The proposed adaptive reuse of terraces will involve the retention of distinctive features.
f) continues to cater for varied uses and building types within the residential area;	COMPLIES	The proposal will provide a negotiation between the terraces and its surrounding two and three storey structures, maintaining the different scales, uses and subdivision patterns of the area.
g) retains the diversity of building types including multi-storey and single-storey terrace house rows, modest scale timber and masonry cottages, semi-detached dwellings, dwelling houses, commercial buildings, pubs, former industrial buildings, places of public worship and public buildings;	COMPLIES	The proposal will add to the diversity of building types seen in the locality and also ensure an appropriate and decorous transition between the modern buildings of St. Vincent's Private Hospital and the much older one storey terraces on site. A clear formal response to the surrounding two and three storey developments adjacent to the site will also contribute to the cohesion of the locality.
h) enables people to walk or cycle to shops, public transport, schools, parks and entertainment facilities in a safe, pleasant and healthy environment;	COMPLIES	The proposal will maintain existing subdivision and street edge patterns and as the site analysis research shows, will ensure that existing public amenity is maintained.
i) provides attractive and vibrant shopping areas for locals and tourists;	COMPLIES	The proposal provides a non-residential land use with a strong nexus to an important and well established hospital.
j) and provides for sharing of views and vistas;	COMPLIES	The view analysis and analysis of bulk shows that views and vistas will be successfully maintained.
k) exhibits contemporary design excellence.	COMPLIES FUTURE	Based on the existing bulk, the proposed contemporary urban infill will hopefully showcase contemporary design excellence. This objective will be assessed when a developed architectural solution is analysed in greater detail at a later stage.
<b>C1.3.4 Multi-Storey Terrace Style Housing</b>		
O1 To retain and conserve the principal building forms of rows and groups of terraces.	COMPLIES	The principal building forms groups of terraces at 190-194 have been wholly preserved. As noted on multiple occasions, the terraces in 196-198 cannot be retained for reasons of public safety and structural instability.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
O2 To retain significant rear and side forms.	COMPLIES	There are no significant rear and side forms which should be retained. Preliminary investigations of the terraces suggest rear additions were made in the post-War period, meaning that they do not contribute to the significance or integrity of the terrace houses.
O3 To retain the rear forms of unaltered pairs and groups of terraces.	COMPLIES	The general bulk and form of the terraces have been retained where appropriate. As stated above however, the rear is not considered significant as they are part of post-War alterations.
O4 To retain the shared distinctive characteristics of groups of buildings.	COMPLIES	The characteristics, such as parapets and other details have been preserved in this proposal.
O5 To retain, restore and promote the significance, contribution and relationship of a building within the context of a group of buildings.	COMPLIES	The restoration and conversion of the terraces into community and public buildings will help to improve the significance and contribute to the building's relationship with the wider public domain.
C1 Refer to objectives and controls in Section C1.4 General controls for all development and Section C1.5 Specific policy for building and site elements.	COMPLIES	Addressed in a subsequent section of this report in relation to C1.4 and C1.5.
<b>C1.3.13 Infill Development (New Development)</b>		
O1 To encourage development on infill sites which reflects contemporary values and employs contemporary design, and through a design idiom, materials and construction technique provides an appropriate response to relevant aspects of the historical context of Paddington.	COMPLIES FUTURE	The proposal is supported in principle as it provides a suitable form in its goal of providing a successful community infill building. Further design resolution in future is however required to fully address this objective in terms of materiality and construction relationship between retained historic fabric and new interventions into the site.
O2 To ensure new development in infill sites is designed and located to achieve a cohesive relationship between new and existing urban fabric, and which retains and enhances the cultural significance of the area.	COMPLIES	The proposed forms all serve to achieve a cohesive and successful relationship between new and existing urban fabric, retaining and enhancing the cultural significance of the streetscape and reinforcing the values of the HCA.
O3 To ensure infill development respects the scale and setting of adjacent contributory buildings.	COMPLIES	The proposed forms are all respectful of the subdivision patterns and the scale of adjacent buildings.
O4 To protect the amenity of adjoining or adjacent residential uses.	COMPLIES	The amenity of adjoining residential buildings will not be adversely impacted by the development.
C1 Infill development is to comply with all relevant objectives and controls listed elsewhere in this chapter of the DCP. These objectives and controls are contained in sections (but not limited to) C1.4 and C1.5	COMPLIES	The following section addresses these and it is believed that the proposal is compliant with the aims of C1.4 and C1.5 of the DCP.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
C2 If development is for a dual occupancy; the additional controls for dual occupancies in Part B, Chapter B3 General Development Controls of this DCP also apply (refer to Section B3.8 Additional Controls).	N/A	No dual occupancy is proposed.
Character C3 Infill Development Must: • Maintain the significant features and qualities that combine to represent the character of the neighbourhood and area; and • Make a positive contribution to the character of the neighbourhood and area.	COMPLIES FUTURE	The proposal is supported in principle as it provides a suitable form in its goal of providing a successful community infill building. The proposal also seeks to refurbish and restore three existing single storey terraces, improving upon the streetscape condition as a whole.  Further design resolution in future is however required to fully address this objective in terms of materiality and construction relationship between retained historic fabric and new interventions into the site.
Scale C4 Infill development must not overwhelm its context and should be consistent with the predominant scale of significant development adjoining the site and in its immediate area in terms of aspects including but not limited to: a. Height; b. Dominant Ridge Line; and c. Massing (Building volume and size). Refer to Section 1.4.5 Building height bulk, form and scale.	COMPLIES	The proposal is in keeping with the dominant ridge line, the massing and the height constraints of the precinct and will result in an appropriate infill development which improves upon the curtilage of the streetscape and reinforces the view corridors and subdivision patterns of the area.
Form C5 Infill development must be consistent with the predominant built form (volume and configuration) of significant development adjoining the site and in its immediate area in terms of aspects including, but not limited to: a. Roof forms; b. Three dimensional modelling of neighbouring buildings. c. Relationship of solids and voids; d. Fenestration patterns; and e. Relationship of floor to ceiling heights (especially ground and first floor levels of existing buildings on sloping sites and streets).	COMPLIES	The proposal's bulk and form is consistent with the forms of its neighbours, making reference to existing parapet and roof ridge lines. The proposal has addressed all of the aspects listed in this control and it is believed that the contemporary infill will be articulated in a decorous manner which successfully negotiates between the one, two and three storey buildings of the locality.
Siting C6 Infill Development must adopt the established orientation pattern of the streetscape.	COMPLIES	The proposal maintains the existing main façade opening locations and established orientation and subdivision patterns of the streetscape.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
C7 Where neighbouring buildings are orientated to face the street, infill development is to adopt the existing pattern of orientation.	COMPLIES	The proposal is in keeping with the existing pattern of orientation.
C8 Orientation across the site is not permitted unless there is a dominant pre-existing pattern in the street.	COMPLIES	The proposal does not alter the pattern of openings along the street.
C9 Where there is a uniform building front setback, the infill development must align with the existing setbacks of adjoining buildings.	COMPLIES	The proposal maintains the building setbacks but transitions between the two and three storey buildings, which have no setback, and the adjoining terraces which have small ironwork fences and front gardens.
C10 Where building front setbacks vary, the following apply: a. If there is a dominant pattern and the infill development adjoins that pattern, the infill development must align with that pattern. b. If there is no dominant pattern, the infill development must align with the existing adjoining development whose scale is more compatible with the proposed infill development. c. If there is an existing stepped pattern, the infill development must be consistent with the pattern and proportion of the step. d. If the infill development occurs on a corner site, the infill development must be sited on the street property boundaries to define the corner.	COMPLIES	The proposal is able to strike a successful balance between the significant subdivision patterns of the streetscape, whilst aligning itself with the subdivision of the adjoining terraces. The proposed building has been appropriately stepped to respond to the subdivision patterns of the area. The subject site is located on a corner site (an angular corner between Barcom and Boundary) and thus, seeks to propose an entry form which will define the street corner.
C11 Rear and side setbacks must align with existing patterns, where visible from the public domain.	COMPLIES	The proposal will retain and re-establish the rear and side setback patterns of the area, but these sides will not be immediately visible from the public domain.
C12 Infill development must be sited to: a. Include sufficient deep soil landscaped area; and b. Have no adverse impact on significant trees on the site or adjoining land including public land.	COMPLIES	The proposal includes appropriate rear setbacks which respect the existing subdivision patterns of the site. It will also ensure that there are new communal open spaces provided and will not adversely impact surrounding public open spaces. There are no significant trees on site.
Materials, finishes, textures and colours C13 Materials, finishes, textures and colours must be appropriate to the historic context. They must be similar to the characteristic materials, finishes, textures and colours of the original contributory buildings within the streetscape.	FUTURE	As the project is only a bulk form and urban strategy study, this provision is to be addressed when a detailed architectural solution is being developed.
C14 Contemporary materials are permitted where their proportions, detailing and quantities are in keeping with the desired future character of the area.	FUTURE	To be addressed.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
<p>C15 Infill development must:</p> <ol style="list-style-type: none"> <li>1. Use render, masonry and/or timber;</li> <li>2. Avoid large expanses of glass and reflective wall cladding;</li> <li>3. Use roof cladding which conforms with contributing neighbouring development;</li> <li>4. Not have solid masonry front boundary walls; and</li> <li>5. Use colour schemes which respect the character of the neighbourhood.</li> </ol> <p>The Applicant must demonstrate to Council that materials which diverge from traditional materials are an appropriate response to the historic context.</p>	FUTURE	To be addressed.
<b>C1.4 General Controls for All Development</b>		
<b>C1.4.1 Principal Building Form and Street Front Zone of Contributory Buildings</b>		
O1 To retain and conserve the principal building forms and street front zones.	COMPLIES	The proposal successfully conserves the principal building forms and street frontage zones.
O2 To restore or reconstruct missing elements of the principal building forms and within the street front zone.	COMPLIES FUTURE	Preliminary investigation suggests that the terraces at 190-194 Boundary Street are in a good condition and so do not require any reconstruction works. It is noted however that future building works may reveal missing heritage details which would need to be reconstructed and restored.
O3 To encourage the removal of uncharacteristic elements or structures.	COMPLIES	The proposal removes two severely dilapidated terraces as well as structural props currently used to prevent the imminent collapse of these buildings. The proposed subsequent infill will result in a more cohesive streetscape pattern.
O4 To promote design that conforms to the existing character of the area.	COMPLIES FUTURE	The proposal will result in the retention of terraces as well as an appropriate bulk for urban infill which will enhance the architecture of the precinct whilst also conforming to the precinct's character.
O5 To reverse inappropriate reconstruction work.	COMPLIES	The proposal will involve the removal of temporary structural stability measures.
O6 To retain the distinctive shared characteristics of groups of buildings.	COMPLIES	The proposal will retain distinctive shared characteristics of terrace houses along Boundary Street.
O7 To retain, restore and promote the significance, contribution and relationship of a building within the context of a group of buildings.	COMPLIES	As discussed above, the proposal will maintain and enhance the relationship of the buildings and the site to its context.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
O8 To conserve the significant original fabric of terrace houses, terrace groups and free standing buildings of similar age and character.	COMPLIES	As discussed above, the proposal will aim to conserve where possible, the terraces 190-194 Boundary. It is however concluded that two terraces will be demolished. This demolition is unavoidable if the safety and integrity of the area is to be maintained.
O9 To ensure the structural integrity of individual buildings and groups.	COMPLIES	Where possible, the structural integrity of terraces not affected by the damage of 196-198 is being maintained.
O10 To retain and conserve external original fabric and features characteristic to a traditional terrace semi-detached dwellings or dwelling house.	COMPLIES	The conservation of external original fabric and features have been adhered to in full as the proposal successfully proposes the adaptive reuse of three single storey terraces for community uses in future.
O11 To retain and conserve internal significant original fabric and features characteristic to a traditional terrace house.	COMPLIES	The proposal's conservation of existing terraces will involve interior works.
O12 To retain the historic framework of the building both as essential structure and as evidence of original patterns of construction and use.	COMPLIES	The proposal has retained where appropriate, essential structure and successfully ensures that existing street grain patterns and subdivisions are evident in future infill development.
O13 To provide protection for potential heritage artefacts.	N/A	No heritage artefacts have been discovered during preliminary site investigations.
<b>Exterior Controls</b>		
C1 The significant external elements of a principal building form are to be retained and conserved, that is: a) significant external fabric is to be retained and conserved; b) characteristic elements such as roof pitches, eave heights and chimneys are to be retained and conserved; c) no external alterations or additions are to be made to the significant elevations, details, materials or finishes of the principal building form except to allow for restoration or reconstruction; d) the main rear wall to the principal building form should be left largely intact; and e) significant verandahs and balconies are not to be infilled or enclosed.	COMPLIES	The proposal addresses the control in the following manners: a) Significant fabric of 190-194 Boundary Street has been wholly conserved. Rear portions which are part of unsympathetic later additions and alterations are removed. This is not considered damaging to the overall integrity of the building and site in question. b) The significant roof fabric of the terraces are conserved. The characteristic elements of the terraces such as parapets have been conserved. c) No significant alterations to street facing frontages are proposed. d) The main rear walls to principal building forms are left largely intact. Proposed infill only occurs with the demolition of unsympathetic later additions to the terraces. e) No significant verandahs and balconies are being infilled or enclosed.



## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
<p>C2 When works are proposed to the principal building form or original significant elevations visible from the street, Council encourages, and may require, reconstruction or restoration of missing elements (where physical or documentary evidence of an earlier state exists) or reversal of uncharacteristic elements where:</p> <p>a) original render has been stripped from an external wall surface;</p> <p>b) balconies or verandahs have been enclosed and details such as balustrade panels, rails, columns, friezes and fringes have been removed;</p> <p>c) original door or window types and patterns have been removed;</p> <p>d) roof cladding is in a unsympathetic material;</p> <p>e) details are missing from chimneys; and</p> <p>f) inappropriate reconstruction of period detail and elements has occurred.</p>	<p>COMPLIES FUTURE</p>	<p>The proposal will involve the following works in order to address this control:</p> <p>a) Original render or painting schemes will be maintained and if appropriate, restored and conserved;</p> <p>b) Balconies and verandahs are not currently enclosed. This will be maintained.</p> <p>c) Original door and window types are to be maintained. It is noted however that alterations may be required to ensure the building meets current BCA and Fire Egress standards.</p> <p>d) Roof cladding is considered sympathetic and will be either maintained or replaced with like for like;</p> <p>e) Existing parapet details are to be maintained.</p> <p>f) No inappropriate details are currently identified.</p>
<p>C3 Where a building forms part of a group, any work to the principal building form must be designed to retain the contribution and relationship of that building to the other buildings or building which comprise the group.</p>	<p>COMPLIES</p>	<p>The proposed form is wholly in keeping with this control, with the principal building frontages and main terrace portions retained as appropriate, whilst the other buildings have been articulated as appropriate urban infills.</p>
<p>C4 Where the building contains an existing basement level at the street front, no alterations or additions are to be made to the street front basement elevation or external staircase, except for the purposes of restoration or reconstruction of missing elements.</p>	<p>N/A</p>	<p>No existing basements.</p>
<p>C5 Where structural stabilisation is required, a sympathetic structural solution that retains original external fabric is required.</p>	<p>FUTURE</p>	<p>As the project is only a bulk form and urban strategy study, this provision is to be addressed when a detailed architectural solution is being developed.</p>
<p>C6 Where alterations are required to meet the Building Code of Australia, materials must be consistent with traditional material and finishes.</p>	<p>FUTURE</p>	<p>To be addressed.</p>
<b>Interior Controls</b>		
<p>C7 The significant original internal elements of the principal building form, in particular distinctive joinery, fireplaces and decorative plasterwork, are generally to be retained.</p>	<p>FUTURE</p>	<p>As the project is only a bulk form and urban strategy study, this provision is to be addressed when a detailed architectural solution is being developed.</p>

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
C8 New openings in internal walls and floors and ceiling structures lateral to party walls must retain the structural integrity of the building and its neighbours, and should retain the significant original ceilings and cornices. Interpretation of original wall positions and room proportions should be provided. The revised structure may incorporate suitable portal frames.	FUTURE	To be addressed.
C9 Where structural stabilisation is required, a sympathetic structural solution that retains original internal fabric is required.	FUTURE	To be addressed.
<b>Street Front Zone</b>		
C10 The location, form and materials of original stairs must be retained. Risers and treads may be reconfigured to conform with BCA requirements.	FUTURE	As the project is only a bulk form and urban strategy study, this provision is to be addressed when a detailed architectural solution is being developed.
C11 All original windows and doors including those to basement levels are to be retained.	COMPLIES	Original door and window types are to be maintained. It is noted however that alterations may be required to ensure the building meets current BCA and Fire Egress standards.
C12 Non-original doors and windows shall be reconfigured to a traditional type consistent with the architectural style of the building and, where evidence exists of the original doors and windows, they are to be replicated.	FUTURE	To be addressed.
C13 Original fences that have been replaced by intrusive fences should be replaced.	COMPLIES	Original fences are to be conserved as appropriate.
C14 When works are proposed in the street front zone Council encourages, and may require reconstruction or restoration of missing elements or reversal of uncharacteristic elements.	COMPLIES	Original fences and other street front zone elements are to be restored as appropriate. The condition of the terraces at 190-194 however suggests that no significant conservation works will be required as prima facie evidence suggests that they are in a stable and good condition.
C15 Where a building forms part of a group, any work in the street front zone must be designed to retain the contribution and relationship of that building to the other buildings or building which comprise the group.	COMPLIES	The proposal successfully maintains the relationship of the street frontage of the group of terraces.
<b>C1.4.1 Roofs and Roof Forms</b>		
O1 To retain and conserve the character of the original roofscape of Paddington.	COMPLIES	The future proposed bulk is capable of complying with this objective.
O2 To restore or reconstruct missing roof elements.	COMPLIES	As above, any restoration works will be capable of complying.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
C3 To ensure that contemporary roof forms are consistent with the historic roofscape character of Paddington.	FUTURE	As the project is only a bulk form and urban strategy study, this provision is to be addressed when a detailed architectural solution is being developed.
C1 The removal of original roofing materials and their details is not permitted unless deteriorated materials are replaced by the same or similar materials and details.	FUTURE	As the project is only a bulk form and urban strategy study, this provision is to be addressed when a detailed architectural solution is being developed.
C2 Existing patterns of roof forms within groups of unaltered buildings must be retained.	COMPLIES	The proposal will retain the significant roof forms of the terraces at 190-194 Boundary St. and the proposed infill will have roof forms which complement the historical buildings of the area.
C3 The roof-scape of the principal building form of contributory buildings is to be retained.	COMPLIES	As above. The roofscape is maintained.
C4 Missing roof elements must be reinstated when unsympathetic roofs are replaced.	COMPLIES	The proposal will seek to reinstate any missing roof elements or components.
C5 Secondary or rear roof forms must not be raised or altered if the rear skillion forms part of a group of similar roof forms. The possible exception is a dormer and a skylight to the rear roof slope. Refer to Section 1.5.1 Dormers and skylights.	N/A	No dormers or rear skillion proposed.
C6 Roof forms are to be consistent with appropriate traditional roof forms, which reflect the diminishing scale of roofscapes towards the rear of buildings.	COMPLIES	The roof forms are consistent with the locality.
C7 Reverse skillion roof forms are not permitted to contributory buildings.	COMPLIES	None proposed.
C8 Roofs are to be clad in materials with profiles that are appropriate to the architectural style of the building. Appropriate materials are described in Section 1.5.8 Materials, finishes and details.	FUTURE	To be addressed.
C9 Unsympathetic roofing materials must only be replaced by roof cladding in either traditional materials or in contemporary materials, which are similar in appearance and profile to traditional materials.	FUTURE	To be addressed.
C10 Rear roof planes are not to incorporate more than 25% transparent material. This includes the area of skylights and dormer windows.	FUTURE	To be addressed.
<b>C1.4.5 Building height, bulk, form and scale</b>		
O1 To retain the distinctive height, bulk, form and scale of particular building types.	COMPLIES	The proposal's bulk and form are wholly in keeping with the area and provide an appropriate and much needed transition between the two and three storey buildings adjacent the subject site and the terrace houses.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
O2 To retain the existing heights of single storey buildings.	COMPLIES	The existing heights are maintained for the significant portions of retained terraces.
O3 To maintain the visual consistency of established heights in historically significant streetscapes.	COMPLIES	The visual consistency of the established heights along this section of Boundary street are maintained and enhanced by the urban infill development, which will provide a much needed transition from one to three storey buildings.
O4 To ensure that the height of new development conforms to the appropriate heights in the street or lane and the historic character of the street or lane.	COMPLIES	The infill development conforms to the appropriate height in the streetscape.
O5 To minimise the impact of new development on the access to sunlight for private properties and public places such as neighbourhood parks.	COMPLIES	The proposal study clearly indicates that the impacts to adjoining properties have been kept at a minimum. No public places including adjacent greens are impacted by the proposed development in terms of solar access.
O6 To protect the amenity of adjoining or adjacent residential uses.	COMPLIES	The setbacks of forms ensure that the amenity of adjoining residential buildings will be maintained.
C1 The height of existing buildings on street frontages must not be increased.	COMPLIES	The height of existing buildings (front portions) is not increased.
C2 Upper floor additions to significant single storey buildings, which will result in an increased building height, are not permitted. This will apply irrespective of whether the single storey building adjoins or is located between higher buildings.	COMPLIES	The infill additions are considered appropriate as they will be well set back from the streetscape and are not immediately visible from the front of 190-196 Boundary Street. The new infill additions also respond to neighbouring terraces which are of a two storey type.
C3 The height, bulk, form and scale of infill and new development must be consistent with the predominant height, bulk, form and scale of appropriate adjoining buildings. Conformity with adjoining buildings is not appropriate in circumstances where the development site adjoins a building, which is a substantially taller landmark building, or is a building considered to be intrusive due to its excessive height and incompatible design.	COMPLIES	The proposal is in keeping with the surrounding buildings and is not considered to be an inappropriate infill. The proposed bulk is not considered to be intrusive as its height and design (preliminary) are appropriate and in keeping with the building height plane of the streetscape.
C4 Infill development and alterations and additions must be designed and sited so that sunlight is provided to at least 50% or 35m <sup>2</sup> with minimum dimensions of 2.5m, whichever is the lesser, of the main ground level private open space of adjoining properties for a minimum of two hours between 9am and 3pm on 21 June. Where existing overshadowing is greater than this, sunlight is not to be further reduced.	COMPLIES	The proposal will allow for this objective to be achieved as evidenced in preliminary analysis.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
C5 Where adjoining dwellings have greater than three hours of sunlight to a habitable room, the north facing windows to the habitable room are not to have sunlight reduced to less than three hours between 9am and 3pm on 21 June.	COMPLIES	The proposal does not impact upon the amenity of neighbours.
C6 New dwelling houses are to have at least one habitable room with windows which receive at least three hours of sun over a portion of their surface between 9am and 3pm on 21 June.	N/A	Not new dwelling houses.
C7 Storey heights must conform to those of appropriate adjacent buildings.	COMPLIES	The proposal conforms and is appropriate to its surroundings.
<b>C1.4.6 Site Coverage, Setbacks and Levels</b>		
O1 To maintain setbacks along the street frontage.	COMPLIES	As previously discussed, the setbacks along the street are maintained by the proposal.
O2 To retain established building alignments, setbacks and levels.	COMPLIES	As previously discussed, the established building alignments and setbacks are maintained by the proposal.
O3 To ensure that new development continues the established alignments and setbacks of the established historic development in the streetscape.	COMPLIES	As previously discussed, the infill development maintains and enhances established historic subdivision patterns and streetscape patterns along Boundary Street.
O4 To ensure that the siting of new development responds appropriately to levels established by relevant historic development in the streetscape.	COMPLIES	As previously discussed.
O5 To retain and protect front yards and their significant fabric.	COMPLIES	The retention and adaptive reuse of terraces satisfies this objective.
O6 To encourage the retention or creation of useable open space at the rear of sites.	COMPLIES	The proposal creates new landscaped areas to the rear of the site which will become communal and usable open spaces.
Site cover C1 The proportion of building footprint is to be consistent with similar properties in the immediate vicinity.	COMPLIES	The building footprint proposed is consistent with the subdivision patterns and bulk required by the other sections of the DCP.
Setbacks C2 Existing setbacks on street frontages are to be maintained.	COMPLIES	As previously discussed.
C3 Siting and setbacks of all structures are to continue the immediate established patterns.	COMPLIES	As previously discussed.
C4 New development outside a commercial area is not to be built forward of existing building alignments.	COMPLIES	As previously discussed.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
C5 The existing siting pattern within the commercial area is to be maintained.	N/A	N/A
C6 Additions at the rear of buildings in the commercial areas must not extend beyond the rear setbacks of adjacent contributory buildings. In such cases, balconies may project beyond the rear setback.	N/A	N/A
Levels C7 New development is to be consistent with ground and first floor levels established by existing buildings and topography in the context of a sloping site.	COMPLIES	The proposal maintains existing ground and first floor levels, and ensures that the streetscape condition is maintained successfully.
<b>C1.4.9 Views</b>		
O1 To minimise the impact of new development on views from existing development.	COMPLIES	The proposal successfully ensures existing view corridors are maintained.
O2 To promote the concept of view sharing from private properties as a means of ensuring equitable access to views.	COMPLIES	The principles of view sharing toward the streetscape are protected by the proposal. These are maintained successfully.
O3 To protect and enhance views from streets and other public spaces.	COMPLIES	The proposal will enhance views toward neighbouring public spaces and improve the street curtilage of the locality.
O4 To provide additional views from streets and other public spaces where opportunities arise.	COMPLIES	The proposal provides new and reinforced street corridors.
C1 New development must enable view sharing with surrounding development, particularly from main habitable rooms of that development.	COMPLIES	The proposal encourages and maintains the principles of shared views to neighbouring buildings.
C2 Views from public open spaces to the harbour, foreshore areas and city skyline are to be preserved.	N/A	
C3 Location of new trees should enable views to be framed and protected when the trees reach maturity.	COMPLIES FUTURE	Concept landscape strategy shows that future location of deep soil areas is appropriate but a detailed landscape plan will be required in future to accurately assess the merits of the proposal against this control.
<b>C1.4.11 Land Subdivision and Site Amalgamations</b>		
O1 To retain existing subdivision and building patterns.	COMPLIES	The existing subdivision pattern is maintained by the proposal.
O2 To retain public lanes and public passageways which service Paddington's pedestrian network.	COMPLIES	No public lanes are to be privatised or amalgamated as part of the proposal.

## 6.0 Environmental and Heritage Impact Assessment

### 6.3 Local Government Area - Development Control Plan Part C: Heritage - Woollahra C2 Heritage Conservation Area

Provisions/Objectives/Controls	Compliance	Response
O3 To ensure that subdivision or amalgamation of sites provides an appropriate response to the relevant historic character of Paddington and the relevant aspects of its historical pattern of development.	COMPLIES	Whilst the sites are to be amalgamated for the new proposal, the subdivision pattern is maintained in terms of the articulation of form and bulk.
C1 A proposed subdivision of an existing lot to create a new lot or an amalgamation of a number of lots must be of a size in area and dimensions which reflects the characteristics of historically relevant allotments adjoining and in the vicinity of the site.	COMPLIES	The proposal amalgamates the lots but is of an appropriate size and bulk in comparison to surrounding development in the heritage conservation area. The proposed setbacks and articulation of bulk is similarly appropriate.
C2 Subdivision or site amalgamation must not compromise: a) the significant features of the existing building on the site including outbuildings; b) the setting of the existing site including significant fences and landscape elements; or c) the setting of the building on adjoining sites.	COMPLIES	The subdivision will not affect the features of the surrounding terraces and ensures that the setting of the building maintains the streetscape subdivision patterns.
C3 Public lanes and public pedestrian passageways are not to be amalgamated with private land.	COMPLIES	None Proposed.
<b>C1.6 Public Domain</b>		
<b>C1.6.2 Views and Vistas</b>		
O1 To retain existing vistas and create opportunities for new views where possible.	COMPLIES	The proposal will enhance public domain vistas and views.
O2 To ensure street tree planting enhances views both to and from Paddington.	COMPLIES	The streetscape is maintained and enhanced by the infill development.
C1 New development and street tree planting should respect existing view corridors.	COMPLIES	The new development will serve to maintain and enhance view corridors by continuing the existing streetscape edge and emphasising the continuity of building patterns.
C2 New development in the public and private domain should be designed and located to minimise the impact on existing vistas or improve existing vistas where possible.	COMPLIES	Impacts upon neighbour public spaces are minimised by the proposed.
C3 Removal of trees and demolition of contributory buildings, in whole or part, for the sole reason of creating or improving views and vistas will not be supported.	COMPLIES	The proposed demolition of buildings on site is not the result of improving views and vistas but as discussed extensively in this report, is the result of structural instability.

## 7.0 Recommendations

The Statement of Heritage Impacts would like to highlight the merits of the planning proposal, which are in keeping with the general form and bulk of what is currently on site. The proposal successfully maintains and adequately restores the two period façade styles, whilst altering only unsympathetic fabric for the purposes of urban development. Commendations should also be given for the attempts made to adaptively reuse the terraces 190-194 Boundary Street. In light of the merits of the proposal and in noting that it has few detrimental impacts to the heritage conservation area, the following recommendations are proposed:

- The construction of future buildings on the site should respect the bulk and setback form as outlined in the urban study report. It should however also be articulated such that it respects the formal subdivision pattern of the area. Any proposed future infill building should be designed such that it provides adequate transition between the neighbouring two storey parapet and chimney heights, as well as the retained single storey terrace houses.
- Further consideration of heritage and urban infill considerations will need to be made during the detailed development application stage, in accordance with the DCP objectives and controls highlighted as "To be addressed in future" in this report.
- The proposed materiality and colour scheme of any future building should seek to be contemporary, in line with Woollahra DCP's contemporary design outcomes referenced in this report. As the proposal is an urban infill project, any future building should not merely mimic or copy traditional details or forms but should be expressive and contemporary, whilst maintaining a clear and strong relationship to the existing contributory buildings in the locality.
- In accordance with the provisions of the NSW Office of Heritage, the proposed addition of new structures near to the retained terraces will likely require a structural certificate and/or a structural report. This structural report/certificate must demonstrate (prior to the issuance of a Construction Certificate) that the retained terraces are structurally stable and that any new structures adjacent to or above the retained portions can withstand the additional structural loading of the proposed bulk.



## 8.0 Conclusion

Having taken into consideration the significance of local subdivision patterns, the potential impacts the development may have on the heritage conservation area and the view corridors to and from the site, it is believed that the proposal will not have any significant adverse effect on the conservation and heritage significance of the Paddington Heritage Conservation Area. The decision to restore and refurbish the terraces along 190-194 Boundary Street shows initiative which are supported by DCP and LEP restrictions within the precinct, allowing the maintenance of proportion and bulk in terms of subdivision patterns and streetscape views. The proposal successfully recognises that the site has not always been confined exclusively for single-family residential use, despite its apparent terrace house subdivision pattern, its history has been one of diversity and multiplicity of uses, reflecting the unique historical development of Paddington at large. The use of the site as an office premises associated with St Vincent's Private Hospital is therefore, extremely appropriate, assuming that the future contemporary addition adheres to the design principles set out by the SJB report.

Whilst the demolition of the two terraces at 196-198 Boundary Street is regrettable, multiple changes since the 1950s, multiple structural investigations conducted in the 1990s and an investigation conducted recently all show that the integrity of these terraces has been damaged beyond repair. It is therefore believed that the demolition of these two terraces, coupled with a responsive and decorous contemporary infill building alongside the restoration and adaptive reuse of three terraces is considered appropriate.

With the assumption that any future architectural development of the proposal will take careful note of the recommendations of this report and implement them as appropriate, it is fully believed that the overall integrity and significance of the heritage conservation area will be preserved. It is also believed that the proposed restoration and adaptive reuse will serve to improve and enhance the streetscape, ensuring that the fine urban street grain along Boundary Street is preserved. Overall therefore, this report supports the planning proposal for No. 190-200 Boundary Street, Paddington because it is wholly in accordance and in adherence to the provisions and aims of heritage conservation stipulated under the assessment framework of the Heritage Council of New South Wales and the Woollahra LEP and DCP.



**Peter Lonergan**

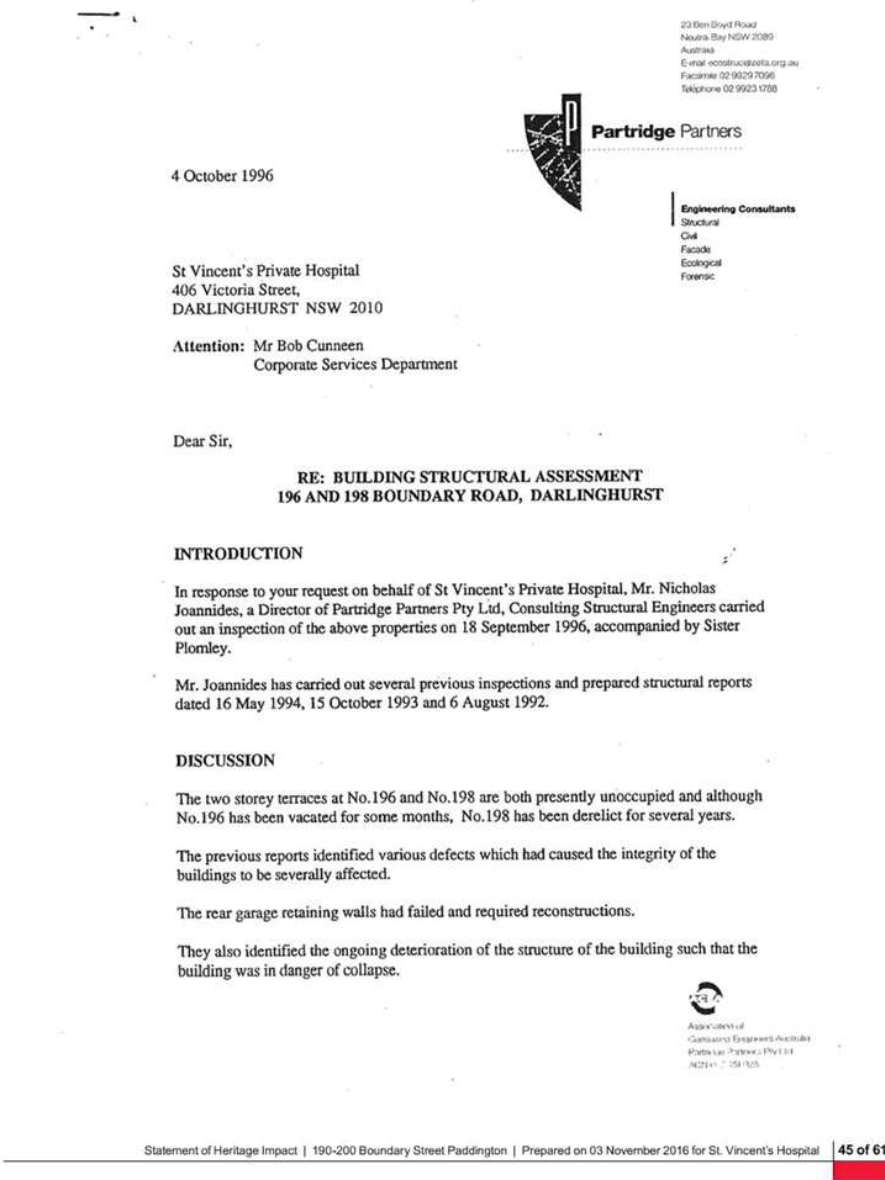
Director  
Cracknell Lonergan Architects Pty Limited  
NSW Architects Registration No. 5983

## 9.0 Appendix A: Select Bibliography of Sources

The following list provides details to some of the resources used in the investigation into the Aboriginal and the history of the locality.

- Colonial history of Sydney, as well as specific details regarding the development of the area.
- Apperly, R, Irving, R, Reynolds, P. 1989, A Pictorial Guide to Identifying Australian Architecture – Styles and Terms from 1788 to the Present.
- Attenbrow, V. 2002, 'The People and their country: numbers, names and languages' in Sydney's
- Aboriginal Past: Investigating the archaeological and historical records
- Attenbrow, V. 2003, Sydney's Aboriginal Past, University of New South Wales Press, Kensington NSW.
- The Dictionary of Sydney
- The Australian Dictionary of Biography

**10.0 Appendix B: Previous Structural Reports**



23 Ben Boyd Road  
Nouira Bay NSW 2089  
Australia  
E: info@constructivestarts.org.au  
Facsimile: 02 9620 7056  
Telephone: 02 9923 1788



**Engineering Consultants**  
Structural  
Civil  
Facade  
Ecological  
Forensic

4 October 1996

St Vincent's Private Hospital  
406 Victoria Street,  
DARLINGHURST NSW 2010

Attention: Mr Bob Cunneen  
Corporate Services Department

Dear Sir,

**RE: BUILDING STRUCTURAL ASSESSMENT  
196 AND 198 BOUNDARY ROAD, DARLINGHURST**

**INTRODUCTION**

In response to your request on behalf of St Vincent's Private Hospital, Mr. Nicholas Joannides, a Director of Partridge Partners Pty Ltd, Consulting Structural Engineers carried out an inspection of the above properties on 18 September 1996, accompanied by Sister Plomley.

Mr. Joannides has carried out several previous inspections and prepared structural reports dated 16 May 1994, 15 October 1993 and 6 August 1992.

**DISCUSSION**

The two storey terraces at No.196 and No.198 are both presently unoccupied and although No.196 has been vacated for some months, No.198 has been derelict for several years.

The previous reports identified various defects which had caused the integrity of the buildings to be severally affected.

The rear garage retaining walls had failed and required reconstructions.

They also identified the ongoing deterioration of the structure of the building such that the building was in danger of collapse.

  
ASSOCIATION OF  
CONSULTING ENGINEERS AUSTRALIA  
Partridge Partners Pty Ltd  
NSW 1577 3541/35

**10.0 Appendix B: Previous Structural Reports**

The following summarises findings of the recent inspection:

a) **No. 196 Terrace**

- **East external wall** has had further water penetration causing further opening of existing cracking and further localised bulging of the brickwork.
- **First Floor internal** - further settlement in the front room.
  - water penetration cracks opening in the east and west walls.
  - cornice separation at the wall /ceiling junction.
- **Front wall** - parapet cracking opened.

b) **No. 198 Terrace**

- **Roof sheeting** removed allowing total water penetration internally, causing water saturation and decay of timber framing, ceiling and flooring. There is rotting and collapse of the ceilings and dislocation of the timber framing which stabilise the east and west walls.
- **Front wall** - continued opening up of cracks.
- **West Wall** - further bulging and further opening of wall dislocation now up to 50 mm wide.
- **External tie rods** between terraces rusting.

**RECOMMENDATIONS**

The two terraces at No.196 and No.198 Boundary Street are continuing to deteriorate rapidly and in our opinion are structurally unsound and in danger of collapse.

Any strutting to stabilise the building could only be considered as a short term measure. The damaged structure would need to be demolished to alleviate any continuing danger of collapse.

The rear garage eastern retaining wall has failed and requires reconstruction and immediate stabilising.

**Signed:**

For and on behalf of:  
Partridge Partners Pty Ltd




Nicholas Jannides  
BE(Hons) MEngSc FE(Aust) CPEng  
Director

File : G96262.NMF  
Page : 1

10.0 Appendix B: Previous Structural Reports

10:43 PARTRIDGE PARTNERS 02 9297096 P.2



**PARTRIDGE PARTNERS**  
Consulting Structural and Civil Engineers  
Henry Partridge BSc M Eng Sc MIE Aust MIE Struct E  
Nick Joannides BSc Hons M Eng Sc MIE Aust  
Paul Hancock BSc BE Hons MIE Aust  
Dick Starke

Job Ref: 92151

17th July 1992

Mr Paul Cook  
Lend Lease Design Group Ltd  
Level 3  
Plaza Building  
Australia Square  
SYDNEY NSW 2000

Dear Sir,

STRUCTURAL REPORT  
196-200 BOUNDARY STREET, DARLINGHURST

INTRODUCTION

We were requested by Mr Paul Cook, of the Lend Lease Design Group Limited, on behalf of the St Vincents Hospital to inspect the above properties. Mr N. Joannides, a director of Partridge Partners Pty Ltd, inspected the above properties with Mr Paul Cook and Sister Plomley, of St Vincents Hospital on Friday, 17th July 1992.

A previous inspection and report had been carried out by Partridge Partners Pty Ltd dated 6th October 1988.

DESCRIPTION

There is a line of five terraces from No.190 to 198 Boundary Street, with a vacant block at No.200.

All properties are about 80 to 100 years old and the footings appear to be either brick or stone resting in the sandy clay layer about 1½ to 2 metres in depth overlying solid sandstone bedrock. The location of the properties is near the crest of the Oxford Street ridge, and natural drainage and seepage would pass through this layer over the bedrock. This could result in softening of the soil and settlement of the buildings.

10.0 Appendix B: Previous Structural Reports

5 10:43 PARTRIDGE PARTNERS 02 9297096

P.3.

(97151)

PARTRIDGE PARTNERS  
Consulting Structural and Civil Engineers

2/4

Nos 190, 192 and 194 Boundary Street are single storey brick dwellings separated by 230mm thick party walls. On the western side of No.194 are two properties at No.196 and No.198. They consist of two storey brick terraces with 230mm thick external and party walls. The wall of No.194 that abuts No.196 is a 110mm single skin wall. The external walls are face brickwork.

No.198 is derelict and has had the carpet stripped out exposing, a concrete ground floor slab and timber upper floors. The walls have been patched and partially re-rendered. The roof is corrugated metal sheeting with several sheets ripped up and the flashings dislocated. The downpipes and guttering are broken or have been removed.

To the rear of No.198 there is a dilapidated garage with a timber roofing and 2.50 metre high retaining walls along the southern and eastern walls. The rear southern wall is a reinforced concrete wall which extends the width of No.198 and No.200. The eastern wall is a mass brickwork wall which has previously failed and a remedial, brick pier has been built in the middle of the wall.

No.196 has been recently renovated. The interior is similar to as described for No.198, but the roofing, gutters and downpipes have been replaced.

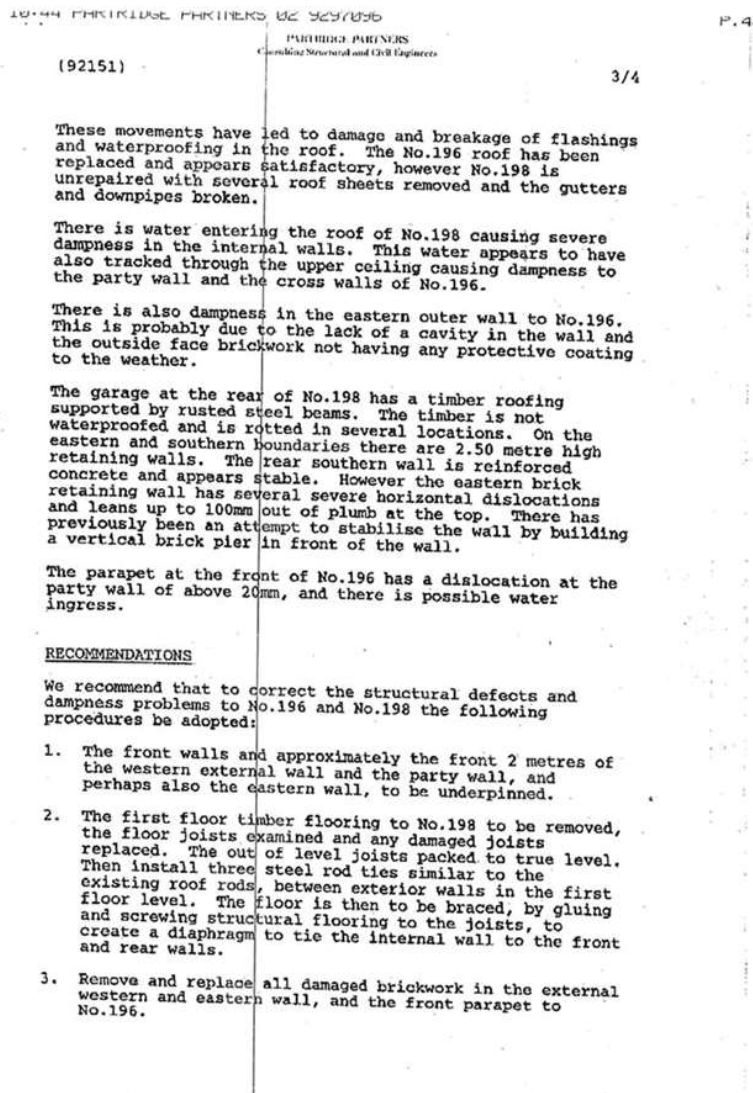
DISCUSSION

The two storey terraces at No.196 and No.198 show signs of very considerable movement which was reported to have occurred generally throughout the life of the building. This movement consists of a substantial settlement of the front of the buildings resulting in large cracks up to about 40mm wide in the two external walls. The first floor to the front bedroom of No.198 falls considerably to the front outer corners and the walls are out of plumb by up to 40mm. The same fall is mirrored in No.196 flooring.

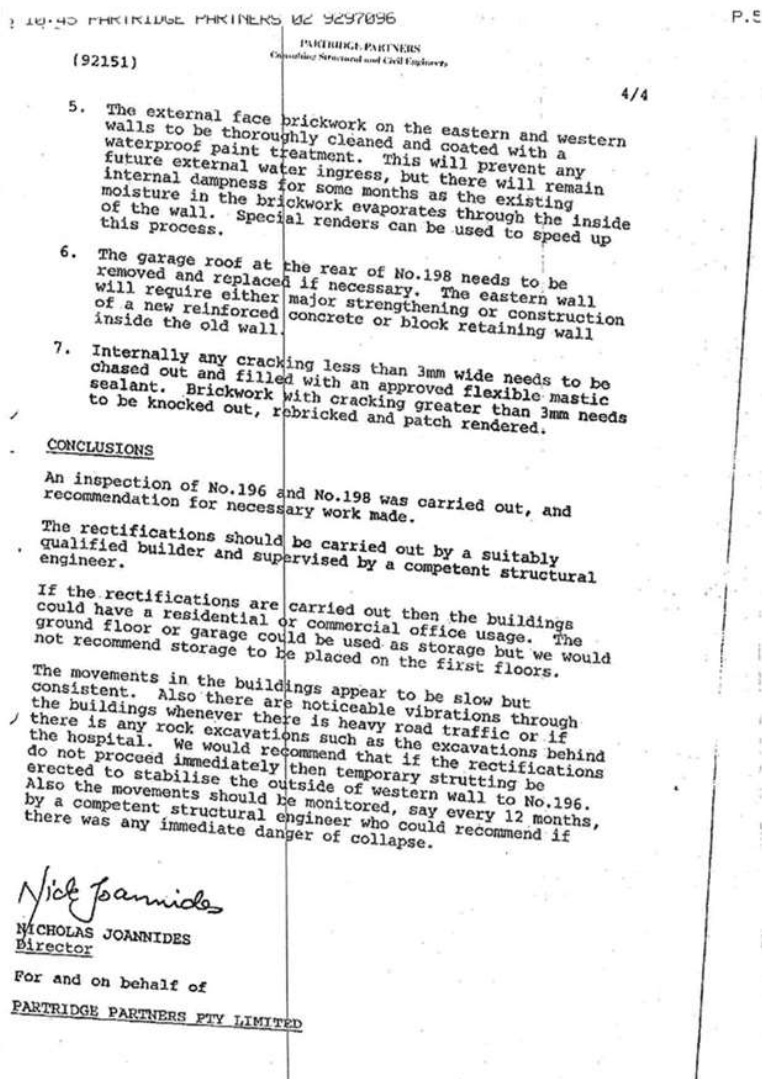
In addition, the outer wall to No.198 and the party walls have tilted in a westerly direction by approximately 20mm, with a full height bulge at the middle of the wall of about 40mm where the internal walls between the front rooms have been removed. There are brick dislocations and cracks up to 40mm wide at the bulge. Some time in the past attempts have been made to rectify the tilting of the walls by placing three steel rods above the first floor ceiling level, between external walls, with large steel crosses to tie the buildings together. These rods have not prevented the bulging in the western wall.

The eastern wall to No.196, however, has stayed largely plumb and vertically true. Adjacent to the central steel cross on the outside of the eastern wall, several bricks have bulged locally and need to be replaced. There is also bulging to a lesser extent either side of the crack in this wall.

10.0 Appendix B: Previous Structural Reports

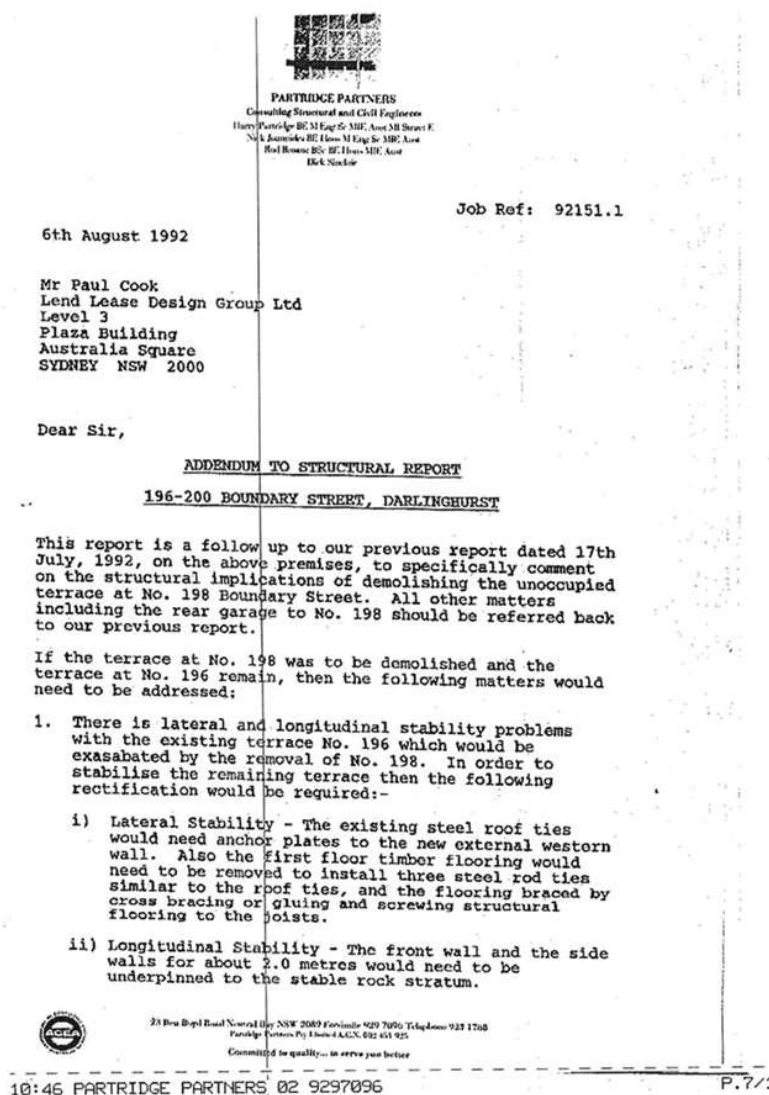


10.0 Appendix B: Previous Structural Reports

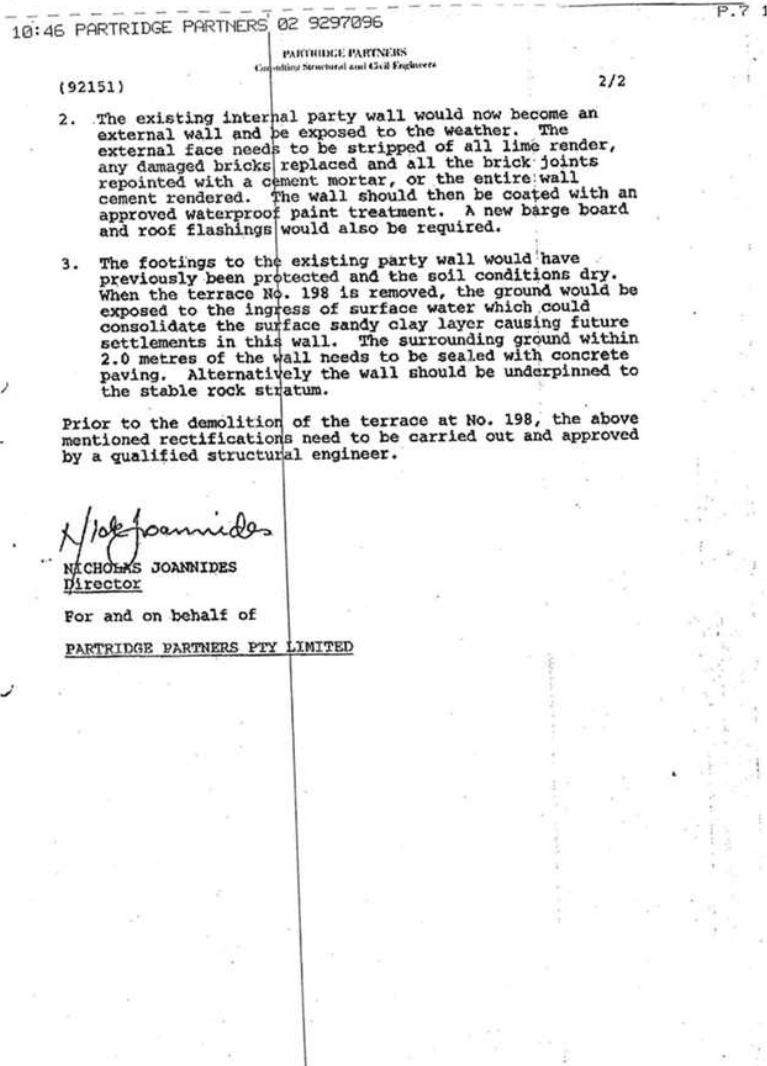




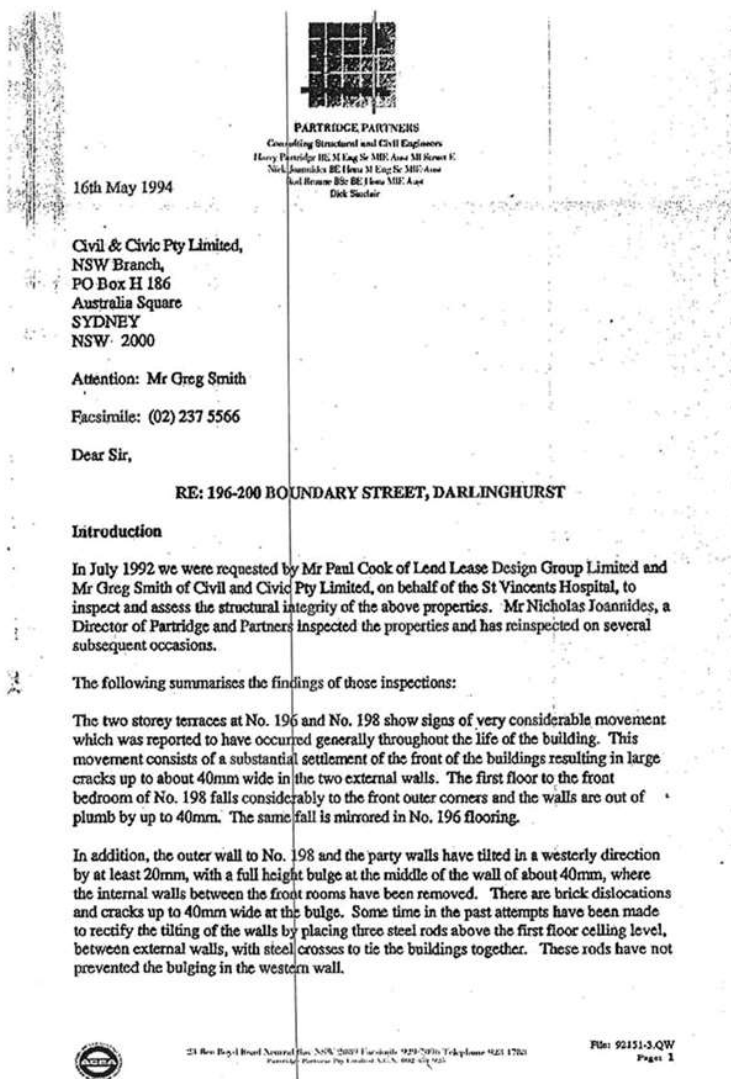
10.0 Appendix B: Previous Structural Reports



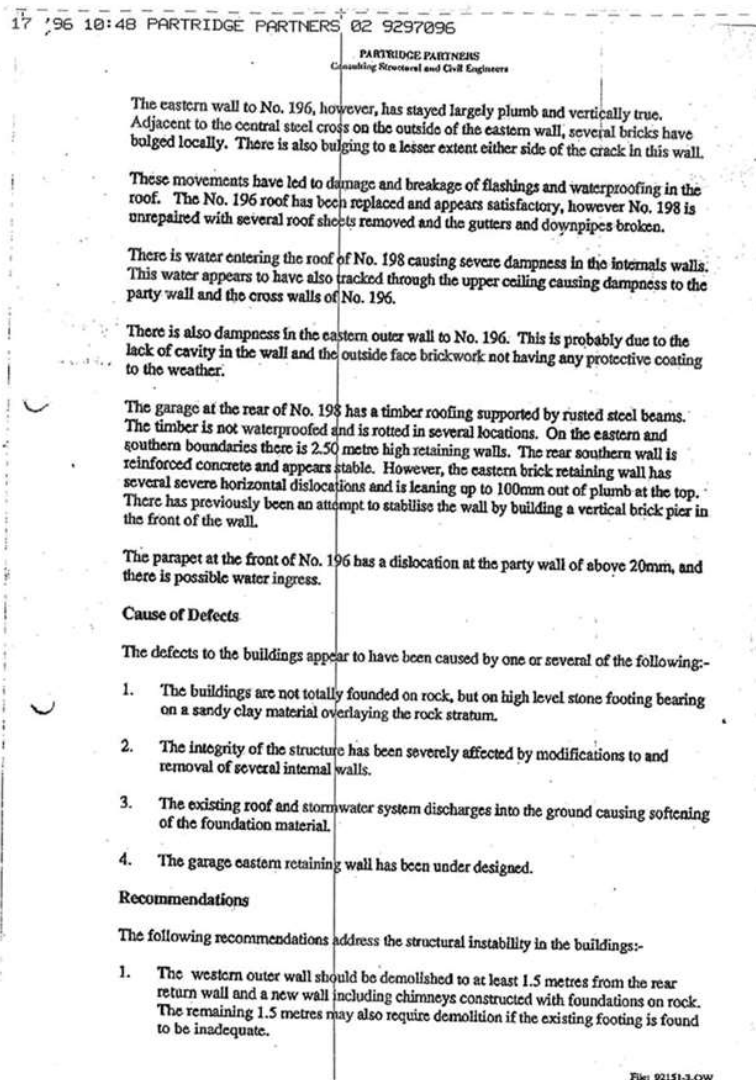
10.0 Appendix B: Previous Structural Reports



10.0 Appendix B: Previous Structural Reports



10.0 Appendix B: Previous Structural Reports



**10.0 Appendix B: Previous Structural Reports**

PARTRIDGE PARTNERS  
Consulting Structural and Civil Engineers

2. The roof and ceiling purlins have deteriorated to a state where they have rotted out and require replacing.
3. The first floor framing is most probably rotted and needs to be replaced.
4. The existing front parapet brickwork requires demolition and reconstruction.
5. The existing first floor balcony requires rectification.
6. The front wall at the ground floor requires demolition where it has cracked.
7. The front porch slab and front brick balustrade require demolition.
8. The existing rear garage timber roof structure should be demolished.
9. The eastern brick retaining wall has failed and needs to be supported by a new structure.
10. All roof and stormwater is to be connected to a suitably designed stormwater system which discharges directly to the street.

**Conclusion**

The two terraces at No. 196 and No. 198 Boundary Street are deteriorating rapidly and in their present condition are in danger of collapse and present a safety risk to the public.

The previously recommended temporary strutting to the western wall of No. 198 has not been erected and is required urgently. This strutting would be only a short term measure.

The increased deterioration means we cannot guarantee the long term stability of the buildings. The damaged structure would need to be demolished to alleviate any continuing danger of collapse.

The rear garage eastern retaining wall has failed and requires construction of a new retaining wall or a stabilising batter placed in front of the wall.

Yours faithfully,

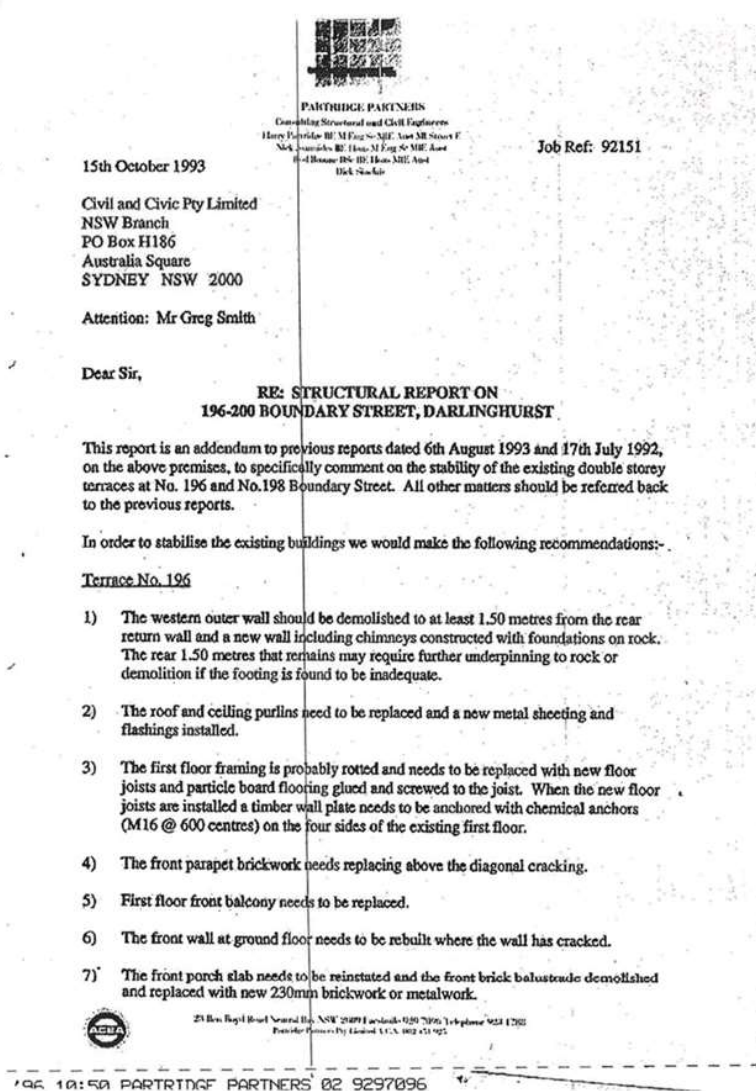


Nicholas Joannides  
Director

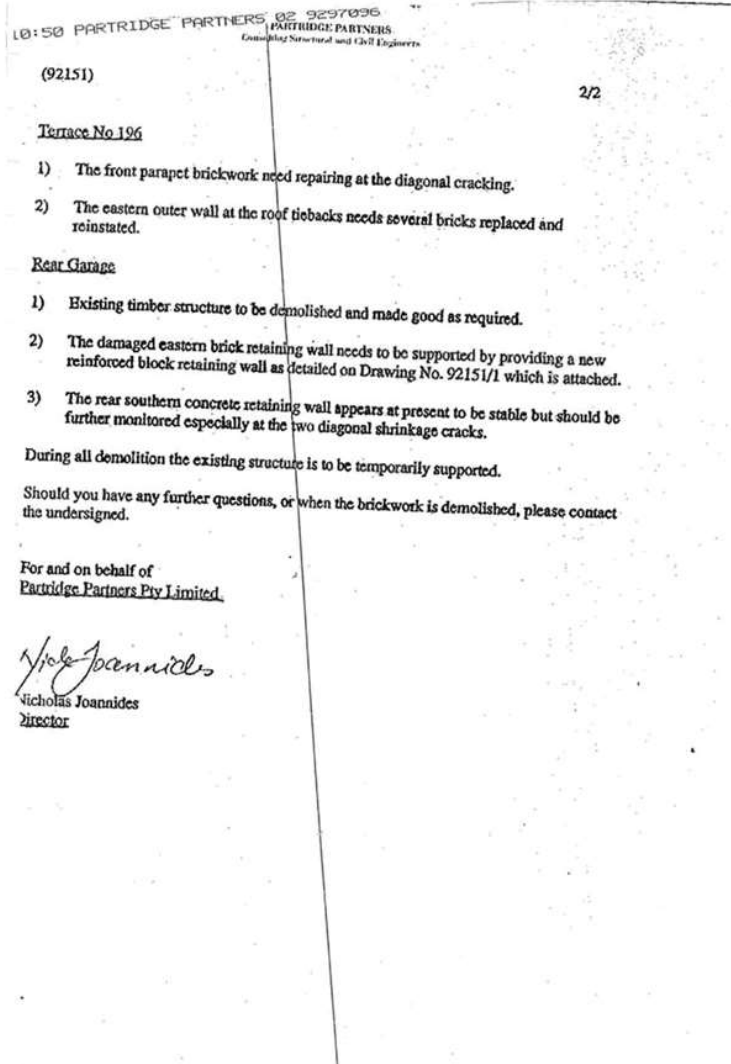
for and on behalf of  
Partridge Partners Pty Limited

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10.0 Appendix B: Previous Structural Reports



10.0 Appendix B: Previous Structural Reports



## 11.0 Appendix C: Curriculum Vitae of Peter Lonigan

### Curriculum Vitae

#### Peter Lonigan

Cracknell & Lonergan Architects Pty Ltd  
156a Church Street, Newtown, 2042

#### Formal Qualifications

BArchitecture	University of New South Wales (UNSW)
BScArchitecture (Hons)	UNSW
MBAEnv (Building Conservation)	UNSW
Certificate Sustainable Design	University of Sydney (USYD)

#### Industry Affiliations

Corporate member	Royal Australian Institute of Architects
Member	Royal Australian Institute of Architects, Heritage Committee
Member	Board of Architects
Life Member	Eco Design Foundation
Listed Heritage Architect	Heritage Office NSW

#### Professional Practice

Principal and Nominated Responsible Architect for Cracknell & Lonergan Architects Pty Ltd, private practice established in 1984. Cracknell & Lonergan Architects services include: Architecture, Interior Architecture, Heritage Conservation, Exhibition Design, and Town Planning.



## 11.0 Appendix C: Curriculum Vitae of Peter Lonagan

### Architecture – Key Examples

- Dutruc Street, Randwick, Conservation works to the existing heritage listed house 'Earlwood'
- Parramatta Road, Camperdown, Boarding House
- Avoca Street, Randwick, Boarding House
- Restoration of Jarjum College, Redfern, Sydney, for the Jesuit Fathers, St. Aloysius College
- Houston Road, Kingsford, Boarding House
- Goulburn Street Car Parking Station – refurbishment of Goulburn Street façade with sculptural artwork
- Strachan Street, Kingsford, Boarding House
- See Street, Kingsford, Boarding House
- The Pemulwuy Project. Redevelopment of "The Block", Redfern, Sydney, for the Aboriginal Housing Company
- Redevelopment of the Sydney University Settlement, Redfern, Sydney
- Redevelopment of the College of Fine Arts UNSW and Ivan Dougherty Gallery, Paddington, Sydney
- Ray Road, Epping. 51 dwellings (residential flat buildings and townhouses) and restoration of a Heritage Item
- Wutuma Aboriginal Keeping Place Corporation, Kempsey. Includes Museum, Arts Centre, Theatre, Administration and Visitor's Centre

### Heritage Conservation – Key Examples

- Heritage Supervision and Heritage Architect, St. Clements Church, Marrickville
- Heritage Advisor (preparation of Heritage Management Plan), RAAF Base, McNamara Avenue, Richmond
- Heritage Advisor (preparation of Statement of Heritage Impact, Stage 1 & 2, Hangar A (Building 6), Bankstown Airport
- Heritage advisor, Rosebank College, Five Dock
- Heritage Supervision and Heritage Architect, 'Earlwood', Dutruc Street, Randwick
- Heritage Supervision, Reserve Bank of Australia, No. 1 Martin Place (Multiplex)
- Heritage Supervision and Heritage Architect, School of Arts, Pitt St. Sydney (Art House Hotel).
- Conservation, Masonic Temple, Regent St. Chippendale.
- Oxford Hotel, Oxford Street, Darlinghurst
- Kinselas, Darlinghurst
- Beauchamp Hotel, Oxford Street, Darlinghurst
- Palace Hotel, Surry Hills
- Maddison Hotel, Surry Hills
- Union Hotel, North Sydney
- Columbian Hotel, Oxford Street, Darlinghurst
- Conservation/adaptive reuse of some substantial private homes
- Heritage impact assessments and Statements of Significance a range of residential, hospitality and commercial projects

## 11.0 Appendix C: Curriculum Vitae of Peter Lonigan

### Expert Evidence – Key Examples

Prepared and given evidence to the Land and Environment Court, Supreme Court of NSW and others since 1992 in the fields of:

- Heritage
- Design
- SEPP 63
- Environmental degradation
- History
- Building technologies

### Town Planning – Key Examples

Have advised, prepared and assisted in the preparation of:

- Environmental Impact Statements
- Statements of Environmental Effects
- Drafted LEP amendments
- Design Statements
- Site Specific DCP's and SEPP 1 objections.

### Public Art and Exhibition Design – Key Examples

- Papunya Tula, Central Termini , Rome, for the Art Gallery of NSW
- Gabriel Pizzi, Australian Embassy, Paris
- Muse du quai Branly at the Australian Embassy, Paris, for the Australia Council for the Arts
- Design and project management of Indigenous Art Commission at Muse du quai Branly (2500m2 of permanent public art in the current Presidential Project, Paris (with Ateliers Jean Nouvel)
- Australian exhibition at the Benaki, Athens. 2004 Athens Olympics, with Alison Page, for the Sydney Powerhouse Museum and Museum Victoria
- Australian Exhibition, Olympic Federation Headquarters, Lausanne Switzerland.

### Awards

The practice has won a number of awards notably the following:

Winner	College of Fine Arts, Ivan Dougherty Gallery and Campus redevelopment
Winner	Traveller's Rest (1830s), Parramatta Heritage redevelopment
Commendation	Sow and Pigs Reef, monument
Commendation	Green Square (Southern Industrial), Sydney
Commendation	Transition, Urban Renewal
Published	Circular Quay East

## 11.0 Appendix C: Curriculum Vitae of Peter Lonergan

### Teaching (Part-time)

Undertaken part-time teaching at the three architectural schools in Sydney – fostering and nurturing a culture of professionalism, integrity, collegiality and respect

1982 – 2005 Faculty of Built Environment, UNSW	1st Year to Final Year Design , Visual Communication, Architectural Science, Design Theory
1986 – 2005 Faculty of Architecture, USYD	1st Year Final Year Design
1985 – 1990 School of Interior Design, University of Technology Sydney (UTS)	1st Year to Final Year Design and Communication

### Lecturing

Lectured in Professional Practice to professional bodies and public at various conferences throughout Australia

### Publications

The work of Cracknell & Lonergan Architects has been published broadly, including professional text magazines, newspapers, product promotion. Some notable publications include: Art Gallery of NSW Newsletter LOOK, Australia Foundation for the Arts, GEO (Europe), La Figaro, Poi Oxygen, InStyle.



## Annexure 3

### Gateway Determination

**Planning proposal (Department Ref: PP\_2017\_WOOLL\_004\_00):** to amend "Schedule 1 – Additional Permitted Uses" to allow office premises but only if they are ancillary to and associated with St Vincent's Private Hospital as a permissible use at 190-200 Boundary Street, Paddington.

I, the Director, Sydney Region East at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Woollahra Local Environmental Plan 2014 to amend "Schedule 1 – Additional Permitted Uses" to allow office premises but only if they are ancillary to and associated with St Vincent's Private Hospital as a permissible use at 190-200 Boundary Street, Paddington should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)* and must be made publicly available for a minimum of **14 days**; and
  - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Environment 2016)*.
2. No consultation is required with public authorities under section 56(2)(d) of the Act
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 5<sup>th</sup> day of June 2017

A handwritten signature in blue ink that reads "Sandy Chappel".

**Sandy Chappel**  
Director, Sydney Region East  
Planning Services  
Department of Planning and Environment

**Delegate of the Greater Sydney Commission**

PP\_2107\_WOOLL\_004\_00 (17/06453)



**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Woollahra Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_WOOLL_004_00	Planning proposal to 2014 to amend "Schedule 1 – Additional Permitted Uses" to allow office premises but only if they are ancillary to and associated with St Vincent's Private Hospital as a permissible use at 190-200 Boundary Street, Paddington.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

Dated 5 June 2017.

A handwritten signature in blue ink that reads 'S Chappel'.

**Sandy Chappel**  
**Director, Sydney Region East**  
**Planning Services**  
**Department of Planning and Environment**  
  
**Delegate of the Greater Sydney Commission**

PP\_2017\_WOOLL\_004\_00 (17/06453)

## Annexure 4

**From:** [Christine Hill](#)  
**To:** [Records](#); [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#); [Records](#); [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#)  
**Cc:** ["Sacha Marie Legru"](#)  
**Subject:** Planning Proposal - Council Ref SC3651  
**Date:** Monday, 10 July 2017 10:17:45 PM

---

Subject: Planning Proposal - Council Ref SC3651

Dear Sir/Madam,

I write regarding SC3651 Submissions. This email is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a resident of Woollahra Council I have concerns that our neighbourhood (Paddington Ward) will be negatively affected by the proposed activities, Further, in this case, the beneficiary, St Vincent's Private Hospital, is not actually in Woollahra Council, so primacy for Woollahra residents in Council's decisions is even more critical.

My specific concerns relate to Section 2 – Planning Report include:

- We lose more residential with conversion to commercial use, and our streetscape changes, and this is not a good outcome to our social amenity. Specifically at Part1.2 Design concept:
    - *"An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:
      - adaptive re-use of the terraces at 190-194 for offices; and
      - demolition and redevelopment of the existing terraces at 196-200 for offices."*
- 3 existing residential properties become commercial and (at face value) the reward for allowing the terraces at 196 -200 to become dilapidated is to allow for new offices to be built. Councillors, please help ensure this does not happen.
- More traffic and particularly parking impacts are inevitable and we need Councillors to proactively to protect us from this.
    - The applicant has stated in their request that *"the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access"*.
      - However a potential outcome is that the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital. If that were the case the impact on residents from increased traffic and parking for people attending appointments would occur. We ask Councillors to help ensure this potential outcome doesn't happen, by rejecting the Hospital's proposal.

o The applicant has also stated *“Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building.”* However, they also state that *“there is capacity to accommodate car parking onsite with any future development if it is deemed necessary”*.

- This is another case of a future potential negative consequence for residents, if, for example, a driveway was put across the footpath to service this future *“car parking onsite”* then residents (who in this area are dependent on street parking) would be significantly impacted through loss of parking and we seek Councillor’s support to reject the proposal.

█

We rely on our Councillors to protect Woollahra residents and seek your confirmation that you will not support this planning proceeding.

Yours  
Christine Hill  
█/186-188 Boundary Street,  
Paddington NSW 2021

**From:** [Amy Schubert](#)  
**To:** [Records](#); [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#)  
**Subject:** Subject: Planning Proposal - Council Ref SC3651  
**Date:** Tuesday, 11 July 2017 11:17:21 AM

---

Dear Sir/Madam,

I write regarding SC3651 Submissions. This email is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a resident of Woollahra Council I have concerns that our neighbourhood (Paddington Ward) will be negatively affected by the proposed activities, Further, in this case, the beneficiary, St Vincent's Private Hospital, is not actually in Woollahra Council, so primacy for Woollahra residents in Council's decisions is even more critical.

My specific concerns relate to Section 2 – Planning Report include:

- We lose more residential with conversion to commercial use, and our streetscape changes, and this is not a good outcome to our social amenity. Specifically at Part1.2 Design concept:
  - o *"An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:*
    - *adaptive re-use of the terraces at 190-194 for offices; and*
    - *demolition and redevelopment of the existing terraces at 196-200 for offices."*

3 existing residential properties become commercial and (at face value) the reward for allowing the terraces at 196 -200 to become dilapidated is to allow for new offices to be built. Councillors, please help ensure this does not happen.

- More traffic and particularly parking impacts are inevitable and we need Councillors to proactively to protect us from this.
  - o The applicant has stated in their request that *"the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access"*.
    - § However a potential outcome is that the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital. If that were the case the impact on residents from increased traffic and



parking for people attending appointments would occur. We ask Councillors to help ensure this potential outcome doesn't happen, by rejecting the Hospital's proposal.

o The applicant has also stated "*Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building.*" However, they also state that "*there is capacity to accommodate car parking onsite with any future development if it is deemed necessary*".

§ This is another case of a future potential negative consequence for residents, if, for example, a driveway was put across the footpath to service this future "*car parking onsite*" then residents (who in this area are dependent on street parking) would be significantly impacted through loss of parking and we seek Councillor's support to reject the proposal.

We rely on our Councillors to protect Woollahra residents and seek your confirmation that you will not support this planning proceeding.

Yours,

Amy Schubert

---

**From:** [Iain A Banks](#)  
**To:** [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#)  
**Subject:** 196-200 Boundary St Paddington - Proposal  
**Date:** Tuesday, 11 July 2017 2:25:17 PM

---

Dear Sir/Madam,

I write regarding SC3651 Submissions. This email is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a resident of Woollahra Council I have concerns that our neighbourhood (Paddington Ward) will be negatively affected by the proposed activities, Further, in this case, the beneficiary, St Vincent's Private Hospital, is not actually in Woollahra Council, so primacy for Woollahra residents in Council's decisions is even more critical.

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  - *"An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:*
    - *adaptive re-use of the terraces at 190-194 for offices; and*
    - *demolition and redevelopment of the existing terraces at 196-200 for offices."*

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  - The applicant has stated in their request that *"the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access"*.
    - However a potential outcome is that the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital. If that were the case the impact on residents from increased traffic and parking for people attending appointments would occur. We ask Councillors to help ensure this potential outcome doesn't happen, by rejecting the Hospital's proposal.

- The applicant has also stated *“Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building.”* However, they also state that *“there is capacity to accommodate car parking onsite with any future development if it is deemed necessary”*.
  - This is another case of a future potential negative consequence for residents, if, for example, a driveway was put across the footpath to service this future *“car parking onsite”* then residents (who in this area are dependent on street parking) would be significantly impacted through loss of parking and we seek Councillor’s support to reject the proposal.

|

We rely on our Councillors to protect Woollahra residents and seek your confirmation that you will not support this planning proceeding.

Yours

Iain Banks

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American Express made the following annotations

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"This message and any attachments are solely for the intended recipient and may contain confidential or privileged information. If you are not the intended recipient, any disclosure, copying, use, or distribution of the information included in this message and any attachments is prohibited. If you have received this communication in error, please notify us by reply e-mail and immediately and permanently delete this message and any attachments. Thank you."

American Express a ajouté le commentaire suivant le  
Ce courrier et toute pièce jointe qu'il contient sont réservés au seul destinataire indiqué et peuvent renfermer des renseignements confidentiels et privilégiés. Si vous n'êtes pas le destinataire prévu, toute divulgation, duplication, utilisation ou distribution du courrier ou de toute pièce jointe est interdite. Si vous avez reçu cette communication par erreur, veuillez nous en aviser par courrier et détruire immédiatement le courrier et les pièces jointes. Merci.

---

Subject: Planning Proposal - Council Ref SC3651

To Various  
Woollahra Council

12/07/2017

Dear Sir/Madam,

I am writing regarding SC3651 Submissions.

This submission is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a long-term owner of a property next door to the properties under review I would like to express some concerns. I own [REDACTED]/186 Boundary Street Paddington and I bought in in 1989. I have lived for many years in the Woollahra council region but at the moment I rent out the property.

My concern is that the Paddington Ward will be negatively affected by the proposed activities, The beneficiary of the development, St Vincent's Private Hospital, is not actually in Woollahra Council, so primacy for Woollahra residents in Council's decisions is even more critical.

My specific concerns relate to Section 2 – Planning Report include:

- We lose more residential with conversion to commercial use, and our streetscape changes, and this is not a good outcome to our social amenity. Specifically at Part1.2 Design concept:
  - *“An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:*
    - *adaptive re-use of the terraces at 190-194 for offices; and*
    - *demolition and redevelopment of the existing terraces at 196-200 for offices.”*

This proposal will change the heritage street scape forever. This street scape faces on to a park and once demolished for new offices can not be restored. 3 existing residential properties become commercial and (at face value) the reward for allowing the terraces at 196 -200 to become dilapidated is to allow for new offices to be built. Councillors, please help ensure this does not happen.

- More traffic and particularly parking impacts are inevitable and we need Councillors to proactively to protect us from this.



From: [P I Z Z I I T O Sioja-Rose Vella](#)  
To: [Records](#)  
Cc: [Redacted]  
Subject: reference SL3651  
Date: Wednesday, 12 July 2017 11:32:49 PM  
Attachments: [image010.png](#)  
[image011.png](#)  
[image009.png](#)  
[image006.png](#)  
[image007.png](#)  
Importance: High

John & Susan Vella  
Oxford Street Paddington  
Boundary Street Paddington  
John Vella [Redacted] or Susan Vella [Redacted]

To The General Manager at Woollahra Council

We are the owners of [Redacted] and 1/2 owners of Property [Redacted] John & Susan Vella.

As residence and business owner of a directly impacted property, we would like to raise some concerns regarding the Planning proposal for property 190-200 Boundary Street Paddington.

1. We have noted that you have stated that the proposed plan is to build offices under R2 Low Density and will abide by the FSR but we have noticed that in the attached image of floor levels that a basement is proposed. We cannot comprehend that this vision will abide to the FSR.

"Part 1.1 Objective The objective of the planning proposal is to facilitate the use of the site at 190-200 Boundary Street, Paddington for the purpose of an office premises, but only if they are ancillary to and associated with St Vincent's Private Hospital. It is intended that the site will remain zoned as R2 Low Density Residential and the proposed office premises use will be in addition to the current permissible uses. It is intended that the existing built form controls applicable to the site will remain in place; no changes are proposed to those controls (including the maximum height of buildings, floor space ratio (FSR) and setback controls)."

2. Concern being that we have allot invested in our current DA and seeing the proposed extra-large 'services core' is located right near our fence which is our approved outdoor entertaining area (Terrace) (Image attached of our terrace/residence)
3. Visual privacy is a major concern, being that it is 'so close' in direct vision to our main living area in our residential home.
4. Emissions, fumes and noise that may arise from service core and basement parking or Office/lab testing.
5. Structural concerns as currently large structural steel beams are supporting lot [Redacted] and Property [Redacted] Plans to excavate to accommodate a basement level will have major repercussion to these properties.

6. We are predicting that future plans of the Hospital will be to change the zoning of this site and this concerns us as in future the development will swamp the area. We are already facing a mass in scale regarding the current status of the hospital and it current extensions/development.
7. The area is already faced with allot of theft and drug addicted people that leave local injection clinic's, my concerns lie that being that the area will be changed from residential to commercial means that less people will be around at night and this will encourage more dark areas for these groups to reside in. We speak first hand having had four issues rise within 6 months.
8. The loss of Residential Family homes in the area is a disappointment.

4.4 Option 1 - Indicative Floor Plans





***The Lomond Pty Ltd***

**A Proprietary Home Unit Company**

**ABN 73 000 281 050**

**Registered office: [REDACTED] /186 Boundary Street, Paddington NSW 2021**

**Telephone: [REDACTED]**

11 June 2017

General Manager  
Woollahra Council  
PO Box 61  
Double Bay NSW 1360

Dear General Manager

**Reference: SC3561 Submissions  
Planning Proposal – 190-200 Boundary Street, Paddington NSW 2021**

**Overview**

The residents of 186-188 Boundary Street Paddington (known as The Lomond P/L), which is adjacent to the site affected by the above proposal, are concerned the strategic planning dimensions of this proposal have not adequately considered the site, constraints and potential impacts of the proposal. Key objections relate to:

- A) *By proposing a use-nexus with the existing private hospital, assessment and consideration of intensification of uses across both sites is required, By proposing requirements for the uses to be 'ancillary and associated with St Vincent's Private Hospital', i.e. requiring a specific nexus, there is a requirement, at this strategic planning stage, to assess intensification of uses across both sites and condition mitigation measures to manage this intensification. These include existing impacts of the existing hospital uses and operation that will be intensified by enabling functions to be expanded onto the proposed site.*
- B) *Inconsistent with land use objectives of the R2 zone, Varying the permissible uses on this lot is inconsistent with the objectives of the R2 zone, "To enable other land uses that provide facilities or services to meet the day to day needs of residents". A hospital, and associated office uses is best classified as an item of state or regional infrastructure (as is classified under the Sydney LEP) is not able to be classified as a facility to meet the 'day to day needs of residents'.*
- C) *Supplementary impacts to be matters for consideration at the stage 2 DA stage. There are several impacts that should be considered at this planning proposal stage to be factored into assessment requirements for a stage 2 DA.*

We note that in principle there is general consistency with the strategic objectives of a Plan for Growing Sydney and that the general expansion and intensification of hospital and associated uses in the vicinity has both been occurring for many years and will likely continue in different forms. Importantly however, at this strategic planning phase there is a need to holistically consider measures to manage impacts of incremental development of the private hospital to ensure it is compatible as possible with the adjacent development in the R2 zone.

*The Lomond Pty Ltd* ABN 73 000 281 050

[REDACTED] 186 Boundary Street, Paddington NSW 2021

1



**Specific objections and recommendations.**

A) *By proposing a nexus to the existing private hospital, assessment and consideration of intensification of uses across both sites is required.* The existing hospital is on land zoned SP2 Infrastructure and thus is not typically required to have regard to amenity impacts of adjacent development. However, by enabling the expansion of uses into the R2 zone, there is a requirement to consider the overall intensification of operational uses of the private hospital site and measures to promote compatibility with adjacent residential development. Specific impacts and proposed mitigation measures include:

1. **Impact:** *Noise from air conditioning ducting and units in the existing loading dock.*  
We note that current high levels of noise from the air conditioning plant in the existing loading dock. Compliance with noise standards has at no point been demonstrated.

**Recommendations:**

- Requirement for acoustic insulation to the relevant Australian Standards of existing air conditioning plant within the loading dock to reduce noise impacts on adjacent properties.
- A completion certificate for acoustic insulation works on air conditioning plant in the existing loading dock should accompany the proposed stage 2 development application.

Figure 1) Location of un-insulated air conditioning plant.



The Lomond Pty Ltd ABN 73 000 281 050

2

186 Boundary Street, Paddington NSW 2021

2. **Impact.** *Operation of existing loading dock.* By requiring a nexus to the uses of the St Vincent's Private Hospital, the proposal will result in intensification of uses on the existing hospital site and associated noise impacts from the existing loading dock. These issues have been well documented in previous submissions, to the hospital itself and this intensification is a key matter for consideration at this strategic planning phase and effective measures to manage ongoing impacts should be conditioned on approvals.

**Recommendations:**

- A Loading Dock Plan of Management (LDPoM) for St Vincent's Private Hospital covering overall for loading and unloading operations for the overall private hospital should limit operations to reasonable times, e.g. 7am to 10pm. This LDPoM should be submitted with the Stage 1 DA and be included as a condition of consent. Public consultation should inform the development of the LDPoM.
- A use sharing agreement with St Vincent's Public Hospital loading dock to enable shared use of the public hospital's existing facility. This loading dock is also on Barcom Avenue but has no residential interfaces and a design that minimises noise by providing an internal loading areas. Consolidation of loading uses into the one facility should accompany a proposal to intensify uses in the private hospital site (that this proposal provides for). We note that this may include internal works to facilitate access to the existing private hospital's lift core.

- B) *Inconsistent with land use objectives of the R2 zone.* We note that private hospital uses are **not** considered to "...provide facilities or services to meet the day to day needs of residents". By definition, the SP2 zoning the private hospital currently enjoys, defines it as infrastructure, which is not considered an item catering to day-to-day needs of residents, but is rather a facility of regional or state significance. Thus, it is inconsistent to permit uses associated with an SP2 Infrastructure land use in an R2 zone.
- C) *Supplementary impacts to be matters for consideration at the stage 2 DA stage.* There are several impacts that should be considered at this planning proposal stage to be factored into assessment requirements for a stage 2 DA.

Our specific concerns relate to Section 2 – Planning Report including:

Our local area loses more residential housing with conversion to commercial use, and our streetscape changes. This is not a good outcome to our social amenity.

- Specifically at Part1.2 Design concept:  
*"An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:*
  - *adaptive re-use of the terraces at 190-194 for offices; and*
  - *demolition and redevelopment of the existing terraces at 196-200 for offices."*

Three existing residential properties become commercial and (at face value) the reward for allowing the terraces at 196 -200 to become dilapidated is to allow for new offices to be built.

The Directors of The Lomond have notified Woollahra Council several times in the past of the neglect of the terrace houses in question but have never received a satisfactory reason why the neglect of the terraces was tolerated.

- More traffic and particularly parking impacts are inevitable and we need Councillors to proactively to protect us from this.

The Lomond Pty Ltd ABN 73 000 281 050

186 Boundary Street, Paddington NSW 2021

3

The applicant has stated in their request that *"the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access"*.

However, a potential outcome is that the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital. If that were the case, the impact on residents from increased traffic and parking for people attending appointments would occur. We ask Council to help ensure this potential outcome doesn't happen, by rejecting the Hospital's proposal.

The applicant has also stated

*"Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building."* However, they also state that *"there is capacity to accommodate car parking onsite with any future development if it is deemed necessary"*.

This is another case of a future potential negative consequence for residents if, for example, a driveway was put across the footpath to service this future *"car parking onsite"* then residents (who in this area are dependent on street parking) would be significantly impacted through loss of parking.

The day to day parking situation in the immediate area of the hospital is in crisis – although we acknowledge that only some of the streets are in the Woollahra precinct. Already hundreds of hospital staff and visitors have no other parking options but on the residential streets of the area.

The beneficiary of the proposal, St Vincent's Private Hospital, is not actually in the Woollahra Council area – so primacy for Woollahra residents in the decisions of Council is critical.

We seek Council's support to reject the proposal.

We request that we are kept informed of the progress of the submission and any further developments that may arise.

Yours faithfully

Sacha Marie Legru  
Director  
The Lomond Pty Ltd  
186-188 Boundary Street, Paddington NSW 2021

Stephanie Coory  
Director and Company Secretary  
The Lomond Pty Ltd  
186-188 Boundary Street, Paddington NSW 2021

*The Lomond Pty Ltd* ABN 73 000 281 050

186 Boundary Street, Paddington NSW 2021

4

13 July 2017

General Manager  
Woollahra Council  
PO Box 61  
Double Bay NSW 1360

Dear General Manager

**Reference: SC3561 Submissions  
Planning Proposal – 190-200 Boundary Street, Paddington NSW 2021**

**Overview**

The residents of 186-188 Boundary Street Paddington (known as The Lomond P/L), which is adjacent to the site affected by the above proposal, are concerned the strategic planning dimensions of this proposal have not adequately considered the site, constraints and potential impacts of the proposal. Key objections relate to:

- A) *By proposing a use-nexus with the existing private hospital, assessment and consideration of intensification of uses across both sites is required*, By proposing requirements for the uses to be 'ancillary and associated with St Vincent's Private Hospital', i.e. requiring a specific nexus, there is a requirement, at this strategic planning stage, to assess intensification of uses across both sites and condition mitigation measures to manage this intensification. These include existing impacts of the existing hospital uses and operation that will be intensified by enabling functions to be expanded onto the proposed site.
- B) *Inconsistent with land use objectives of the R2 zone*, Varying the permissible uses on this lot is inconsistent with the objectives of the R2 zone, "To enable other land uses that provide facilities or services to meet the day to day needs of residents". A hospital, and associated office uses is best classified as an item of state or regional infrastructure (as is classified under the Sydney LEP) is not able to be classified as a facility to meet the 'day to day needs of residents'.
- C) *Supplementary impacts to be matters for consideration at the stage 2 DA stage*. There are several impacts that should be considered at this planning proposal stage to be factored into assessment requirements for a stage 2 DA.

We note that in principle there is general consistency with the strategic objectives of a Plan for Growing Sydney and that the general expansion and intensification of hospital and associated uses in the vicinity has both been occurring for many years and will likely continue in different forms. Importantly however, at this strategic planning phase there is a need to holistically consider measures to manage impacts of incremental development of the private hospital to ensure it is compatible as possible with the adjacent development in the R2 zone.

**Specific objections and recommendations.**

- A) *By proposing a nexus to the existing private hospital, assessment and consideration of intensification of uses across both sites is required*. The existing hospital is on land zoned SP2 Infrastructure and thus is not typically required to have regard to amenity impacts of adjacent development. However, by enabling the expansion of uses into the R2 zone, there is a requirement to consider the overall intensification of operational uses

of the private hospital site and measures to promote compatibility with adjacent residential development. Specific impacts and proposed mitigation measures include:

1. **Impact:** *Noise from air conditioning ducting and units in the existing loading dock.* We note that current high levels of noise from the air conditioning plant in the existing loading dock. Compliance with noise standards has at no point been demonstrated.

**Recommendations:**

- Requirement for acoustic insulation to the relevant Australian Standards of existing air conditioning plant within the loading dock to reduce noise impacts on adjacent properties.
- A completion certificate for acoustic insulation works on air conditioning plant in the existing loading dock should accompany the proposed stage 2 development application.

Figure 1) Location of un-insulated air conditioning plant.



2. **Impact.** *Operation of existing loading dock.* By requiring a nexus to the uses of the St Vincent's Private Hospital, the proposal will result in intensification of uses on the existing hospital site and associated noise impacts from the existing loading dock. These issues have been well documented in previous submissions, to the hospital itself and this intensification is a key matter for consideration at this

strategic planning phase and effective measures to manage ongoing impacts should be conditioned on approvals.

**Recommendations:**

- A Loading Dock Plan of Management (LDPoM) for St Vincent's Private Hospital covering overall for loading and unloading operations for the overall private hospital should limit operations to reasonable times, e.g. 7am to 10pm. This LDPoM should be submitted with the Stage 1 DA and be included as a condition of consent. Public consultation should inform the development of the LDPoM.
- A use sharing agreement with St Vincent's Public Hospital loading dock to enable shared use of the public hospital's existing facility. This loading dock is also on Barcom Avenue but has no residential interfaces and a design that minimises noise by providing an internal loading areas. Consolidation of loading uses into the one facility should accompany a proposal to intensify uses in the private hospital site (that this proposal provides for). We note that this may include internal works to facilitate access to the existing private hospital's lift core.

- B) *Inconsistent with land use objectives of the R2 zone.* We note that private hospital uses are **not** considered to "...provide facilities or services to meet the day to day needs of residents". By definition, the SP2 zoning the private hospital currently enjoys, defines it as infrastructure, which is not considered an item catering to day-to-day needs of residents, but is rather a facility of regional or state significance. Thus, it is inconsistent to permit uses associated with an SP2 Infrastructure land use in an R2 zone.
- C) *Supplementary impacts to be matters for consideration at the stage 2 DA stage.* There are several impacts that should be considered at this planning proposal stage to be factored into assessment requirements for a stage 2 DA.

Our specific concerns relate to Section 2 – Planning Report including:

Our local area loses more residential housing with conversion to commercial use, and our streetscape changes. This is not a good outcome to our social amenity.

- Specifically at Part1.2 Design concept:  
*"An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:*
  - *adaptive re-use of the terraces at 190-194 for offices; and*
  - *demolition and redevelopment of the existing terraces at 196-200 for offices."*

Three existing residential properties become commercial and (at face value) the reward for allowing the terraces at 196 -200 to become dilapidated is to allow for new offices to be built.

The Directors of The Lomond have notified Woollahra Council several times in the past of the neglect of the terrace houses in question but have never received a satisfactory reason why the neglect of the terraces was tolerated.

- More traffic and particularly parking impacts are inevitable and we need Councillors to proactively to protect us from this.

The applicant has stated in their request that *"the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access"*.

However, a potential outcome is that the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital. If that were the case, the impact on residents from increased traffic and parking for people attending appointments would occur. We ask Council to help ensure this potential outcome doesn't happen, by rejecting the Hospital's proposal.

The applicant has also stated

*"Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building."* However, they also state that *"there is capacity to accommodate car parking onsite with any future development if it is deemed necessary"*.

This is another case of a future potential negative consequence for residents if, for example, a driveway was put across the footpath to service this future *"car parking onsite"* then residents (who in this area are dependent on street parking) would be significantly impacted through loss of parking.

The day to day parking situation in the immediate area of the hospital is in crisis – although we acknowledge that only some of the streets are in the Woollahra precinct. Already hundreds of hospital staff and visitors have no other parking options but on the residential streets of the area.

The beneficiary of the proposal, St Vincent's Private Hospital, is not actually in the Woollahra Council area – so primacy for Woollahra residents in the decisions of Council is critical.

We seek Council's support to reject the proposal.

We request that we are kept informed of the progress of the submission and any further developments that may arise.

Yours faithfully

Simon Legru  
186-188 Boundary Street, Paddington NSW 2021

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**From:** [CJ Branch](#)  
**To:** [Records](#)  
**Cc:** [Alasdair McKenna](#); [Clare Branch](#)  
**Subject:** Planning proposal for 190-200 Boundary Street, Paddington SC 3651  
**Date:** Thursday, 13 July 2017 3:38:49 PM

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Dear Colleagues

I write in respect of the planning proposal submitted by St Vincents Hospital for 190-200 Boundary Street, Paddington. The purpose of this email is to notify the council of our concerns with the submission and engage our Councillors to support their residents' concern.

As a resident of [REDACTED] Barcom Avenue, the development will affect us intimately: the property adjoins ours. We set out concerns regarding the development below in terms of the personal impacts on us and the impacts more widely felt by the Paddington community.

#### **Impact on the residents of 278-284 Barcom Avenue**

The development will affect us profoundly. Leaving aside the considerable noise and unpleasantness of the construction generally, it will undermine the foundations of our house and all houses in the row. A large, old avocado tree in our yard will have to be removed to facilitate the development. That tree is protected by the Council. The light to our house will be dramatically and permanently minimised by the proposed development. Our childrens' bedrooms will directly face the proposed office building with only metres' space between the two. There will be no air flow and light to our childrens' bedrooms. The value of our house will be substantially diminished.

More significantly, the houses in 278-282 Barcom Avenue will effectively become a small island of residential housing in a sea of private hospital administration, with accompanying noise and inconvenience. The four houses will literally surrounded on all four sides by hospital administration, as the hospital has already secured sites on Oxford Street. We will effectively be alienated from our residential property, which we assume is the private hospital's intention. One can only assume that private hospital intends to make it so unpleasant to live in the four houses that they will eventually be placed on the open market, relieving the private hospital of the cost of acquiring the houses now and including them in the development. The hospital appears to have foreseen this eventuality, as it refers to 'future development if it is deemed necessary'. This can only be a reference to the four houses in Barcom Avenue. It is telling that no-one from the private hospital has approached us to discuss the issue or provide us with the opportunity to raise our concerns.

In your note regarding comments or objections, you ask us to make suggestions as to how the development could be improved. I submit that an obvious point is that the private hospital could make a fair offer to the owners of the four houses to acquire the houses and leave us free to move elsewhere, rather than leaving us literally stranded in the middle of the hospital administrative offices.

#### **Impact on the residents of Paddington generally**

As more of the land in Property is converted to hospital use, the area will invariably become more commercial, with the accompanying noise and human traffic associated with hospitals. The impact on vehicular traffic and parking will also be commensurate with increased commercial use of the area. An influx of doctors to the Street will invariably



result in increased pressure on parking to accommodate patients. The private hospital carpark is already at capacity.

The junction of Barcom Avenue and Boundary Street is already traffic heavy. The influx of more traffic to the area will cause chaos at this intersection.

We ask the Council to consider the rights of its residents to quiet enjoyment of their houses and suburb. We ask the Councillors to support the residents and reject the proposal in its current form.

Kind regards

Clare Branch & Alasdair McKenna

█ Barcom Avenue  
Paddington NSW 2021  
Clare-█  
Alasdair-█

Thursday, 13 July 2017

Dear Councillor's and fellow Residence,

As a property owner,

I formally reject the application by St Vincent's hospital regarding SC3651 submissions development application of 196 – 200 Boundary Street Paddington. On the following points

That the complete nature and premise of their proposal is misleading and deceptive to the needs of the area (PADDINGTON WARD) of impacts to Parking, Street Scape appearance and ambience pertaining to light and air flows to my property and particularly between Terraces 278-284 Barcom Ave Paddington.

We are now surrounded by Hospital, across the road is example of high rise development within existing structure. So be it in front but not behind us, - NO, this will not be tolerated. We will be isolated cut off from structural appearance social interaction, with existing neighbours sunshine and most importantly, natural sea breezes during summer.

The original application should read that the existing structures be maintained and refurbished to their original format and occupied by the hospital as with other properties in the area owned by the hospital and not altered unless you buy out complete areas not impacting residences directly affected by the development.

But No we need to play games, so to submit on merit application with minimum impact and then rearrange the furniture to suit ones original needs, as with the following example:

SECTION 2 – PART 1.2 DESIGN CONCEPT of saying that staff will only occupy the proposal and no new surgeries or treatment rooms will be established to application SC3651. This will be granted unless staff from the original building still remain, as a function of staff facilities and that this structure will not be altered into treatment rooms and surgeries, increasing the impact as if deceptively established within this proposal.

The question begs why council can't formulate these restrictions to the original building if this new development takes place. Originate covenants to all aspects of new development and incorporating existing structure and monitor any changes to systems granted and stamped.

Look hospital need to grow and develop properly. But this requires careful planning not scrap proposals, scattered within residential communities.

As stated I reject this application SC3651 and request councillors to assist in this matter.

Regards

Anthony Frank Vitellaro

Erica Anne Mison

Barcom Avenue Paddington

---

**From:** [Gwen](#)  
**To:** [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#)  
**Subject:** SC3651 Submission  
**Date:** Thursday, 13 July 2017 3:11:39 PM

---

Dear Sir/Madam,

I write regarding SC3651 Submissions. This email is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a resident of Woollahra Council I have concerns that our neighbourhood (Paddington Ward) will be negatively affected by the proposed activities. Further, in this case, the beneficiary, St Vincent's Private Hospital, is not actually in Woollahra Council, so primacy for Woollahra residents in Council's decisions is even more critical.

My specific concerns relate to Section 2 – Planning Report include:

We lose more residential with conversion to commercial use, and our streetscape changes, and this is not a good outcome to our social amenity. Specifically at Part 1.2 Design concept: *"An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:*

- *adaptive re-use of the terraces at 190-194 for offices; and*
- *demolition and redevelopment of the existing terraces at 196-200 for offices."*

3 existing residential properties become commercial and (at face value) the reward for allowing the terraces at 196 -200 to become dilapidated is to allow for new offices to be built. Councillors, please help ensure this does not happen.

More traffic and particularly parking impacts are inevitable and we need Councillors to proactively to protect us from this. The applicant has stated in their request that *"the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access"*. However a potential outcome is that the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital. If that were the case the impact on residents from increased traffic and

parking for people attending appointments would occur. We ask Councillors to help ensure this potential outcome doesn't happen, by rejecting the Hospital's proposal.

The applicant has also stated "*Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building.*" However, they also state that "*there is capacity to accommodate car parking onsite with any future development if it is deemed necessary*". This is another case of a future potential negative consequence for residents, if, for example, a driveway was put across the footpath to service this future "*car parking onsite*" then residents (who in this area are dependent on street parking) would be significantly impacted through loss of parking and we seek Councillor's support to reject the proposal.

We rely on our Councillors to protect Woollahra residents and seek your confirmation that you will not support this planning proceeding.

Regards

Gwen Logan

---

**From:** [James Sinclair](#)  
**To:** [Records](#); [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#)  
**Subject:** Planning Proposal - Council Ref SC3651  
**Date:** Friday, 14 July 2017 4:26:51 PM

---

Dear Sir/Madam,

I write regarding SC3651 Submissions. This email is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a ratepayer to Woollahra Council I have concerns that our neighbourhood (Paddington Ward) will be negatively affected by the proposed activities. I would like to acknowledge that it my 20 years ownership of a property on Boundary Street we have not automatically objected to proposals by St Vincent's Hospital. In fact, in the mid nineties residents engaged with and supported the hospital's continuing operation.

My concerns relate specifically tot he planning report as follows:

Specifically at Part 1.2 Design - demolition and redevelopment of the existing terraces at 196-200 for offices."

St Vincent's Hospital has left these buildings at 196-200 Boundary Street fall into disrepair over many many years. Approval of this planning proposal would reward the property owner for allowing property to become uninhabitable. Demolition inevitably change the historic nature of the streetscape by taking away these character terraces for a commercial development.

The concept submitted states that it "will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access". I acknowledge that the applicant submits that a potential outcome of the development is that "the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital." However, general office facilities this could be serviced by accessing existing vacant office space. There is enough commercial real estate turning over in the precinct for the needs to be taken up by existing commercial property for rent or for sale.

The proposal also states that "there is capacity to accommodate car parking onsite with any future development if it is deemed necessary". This indicates that this proposal is just the tip of an iceberg, and its approval would be the just the start of a larger plan. There are no concept drawings within the application to give confidence to the residence that this will not seriously impact access to light, parking and the heritage value of the streetscape.

With the inner city of Sydney buckling under the pressure of residential real estate and in addition to the demolition of the two dilapidated terraces a further three residential terraces would be lost. We need to retain residential use wherever possible or at minimum maintain the character terraces and insist of their refurbishment for offices within the existing low rise design.

The streetscape has not changed since the 1930s, and I stress that to approve this proposal and allow the transfer to commercial use would be to reward the owners for actively allowing the buildings into disrepair. If there was a serious need for commercial space, the Hospital would have either divested from these zoned residential properties and invested in office space. An

alternative for the hospital would be to sell these five buildings and rent or purchase existing commercial property in the zone. I strongly believe that this is a profit making endeavour where the hospital will sublet the office space (or the office space freed up) .

Once again, I stress that the need to retain the residential zone and the heritage value of the terrace houses is greater than the need for commercial space in the precinct.

I gratefully thank you for your consideration of my concerns and seek your confirmation that you will not support this planning proceeding.

Yours sincerely,  
James Sinclair

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**From:** [michelle wade](#)  
**To:** [Records](#); [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#)  
**Subject:** OBJECTION: Planning Proposal - Council Ref SC3651  
**Date:** Friday, 14 July 2017 4:31:26 PM

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Dear Sir/Madam,

I write regarding SC3651 Submissions. This email is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a ratepayer to Woollahra Council I have concerns that our neighbourhood (Paddington Ward) will be negatively affected by the proposed activities. I would like to acknowledge that it my 20 years ownership of a property on Boundary Street we have not automatically objected to proposals by St Vincent's Hospital. In fact, in the mid nineties residents engaged with and supported the hospital's continuing operation.

My concerns relate specifically to the planning report as follows:

Specifically at Part 1.2 Design - demolition and redevelopment of the existing terraces at 196-200 for offices."

St Vincent's Hospital has left these buildings at 196-200 Boundary Street fall into disrepair over many many years. Approval of this planning proposal would reward the property owner for allowing property to become uninhabitable. Demolition inevitably change the historic nature of the streetscape by taking away these character terraces for a commercial development.

The concept submitted states that it "will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access". I acknowledge that the applicant submits that a potential outcome of the development is that "the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital." However, general office facilities could be serviced by accessing existing vacant office space. There is enough commercial real estate turning over in the precinct for the needs to be taken up by existing commercial property for rent or for sale in the area.

The proposal also states that "there is capacity to accommodate car parking onsite with any future development if it is deemed necessary". This indicates that this proposal is just the tip of an iceberg, and its approval would be the just the start of a larger plan. There are no concept drawings within the application to give confidence to the residents that this will not seriously impact access to light, parking and the heritage value of the streetscape.

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Once again, I stress that the need to retain the residential zone and the heritage value of the terrace houses is greater than the need for commercial space in the precinct.

I gratefully thank you for your consideration of my concerns and seek your confirmation that you will not support this planning proceeding.

Yours sincerely,

Michelle Wade



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**From:** [David Fabri](#)  
**To:** [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#)  
**Subject:** regarding SC3651 Submissions  
**Date:** Friday, 14 July 2017 4:14:06 PM

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To whom it may concern,

I write regarding SC3651 Submissions. This email is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a resident of Woollahra Council I have concerns that our neighbourhood (Paddington Ward) will be negatively affected by the proposed activities, Further, in this case, the beneficiary, St Vincent's Private Hospital, is not actually in Woollahra Council, so primacy for Woollahra residents in Council's decisions is even more critical.

I demand that more resident involvement MUST be sort for this development and the change of the LEPP OR SEPP for our area as residence in this small section {*Top part of Boundary street, West St, Top of Barcom St and little/Comber St and Campbell st*} have been totally ignored due to lack of notification and time given and the fact that there are many houses being rented out by unconcerned or ill-informed owners.

This section of Paddington has been abused for many years and we as residence have to deal with huge amounts of traffic starting at 4am due to redirection of south Dowling street into Boundary, the hospital loading dock is also a major contributor to the traffic with trucks backing up at all hours beeping the reversing alarms, garbage lids slamming at all hours as this dock is in use 24hrs a day, then we have all the staff and orderlies slamming car doors all night fighting for parking using disability stickers to park here all day and night as they all have access to disability stickers, not to mention the hair nets and rubbish in the gutters.

We also have a local mechanic Andrew Brundu at 152 Boundary St, Paddington who takes up **All** the parking around him on both sides in two different councils {*Boundary st*} by way of moving cars around and directly swapping them and the use of fake residence stickers and disability stickers, he has 4 or 5 disability stickers, then we have to deal with Verona patrons at night. I have asked for assistance from council many times before with no avail and pretending nothing can

be done. We are tired of this and need Woollahra residence to be the main focus as this area has truly become unbearable and I am considering a residence class action against council for lack of responsibly to rate payers in this area and the fact that this area has now almost become unliveable with the amounts of noise, lack of parking and lack of sun and free air due to being overrun and over taken and over built by St Vincent Hospital.

SOME concerns relate to Section 2 – Planning Report include:

- We lose more residential with conversion to commercial use, and our streetscape changes, and this is not a good outcome to our social amenity. Specifically at Part1.2 Design concept:
    - *“An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:
      - adaptive re-use of the terraces at 190-194 for offices; and
      - demolition and redevelopment of the existing terraces at 196-200 for offices.”*
- 3 existing residential properties become commercial and (at face value) the reward for allowing the terraces at 196 -200 to become dilapidated is to allow for new offices to be built. Councillors, please help ensure this does not happen.
- More traffic and particularly parking impacts are inevitable and we need Councillors to proactively to protect us from this.
    - The applicant has stated in their request that *“the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access”*.
      - However a potential outcome is that the movement of staff to the proposed facilities will allow the Hospital to increase medical facilities, treatment rooms or clinical facilities in the vacated area within the Hospital. If that were the case the impact on residents from increased traffic and parking for people attending appointments would occur. We ask Councillors to help ensure this potential outcome doesn't happen, by rejecting the Hospital's proposal.
    - The applicant has also stated *“Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building.”* However, they also state that *“there is capacity to accommodate car parking onsite with any future development if it is deemed necessary”*.
      - This is another case of a future potential negative consequence for residents, if, for example, a driveway was put across the footpath to service this future *“car parking onsite”* then residents (who in this area

are dependent on street parking) would be significantly impacted through loss of parking and we seek Councillor's support to reject the proposal.

|

We rely on our Councillors to protect Woollahra residents and seek your confirmation that you will not support this planning proceeding AND starting making good on your lack of services and management of this small area that has been forgotten about.

Thank you

Alf Fabri

Boundary street Paddington

Resident of over 60 years



This email has been checked for viruses by AVG antivirus software.  
[www.avg.com](http://www.avg.com)

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**From:** [David Fabri](#) on behalf of [REDACTED]  
**To:** [Greg Levenston](#); [Andrew Petrie](#); [Luise Elsing](#); [Anthony Marano](#); [Katherine O'Regan](#); [Deborah Thomas](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Matthew Robertson](#); [Ted Bennett](#); [Susan Wynne](#)  
**Subject:** regarding SC3651 Submissions  
**Date:** Friday, 14 July 2017 4:19:20 PM

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To whom it may concern,

I write regarding SC3651 Submissions. This email is to both provide my concerns with the Submission and engage our Councillors to support their residents' concern.

As a resident of Woollahra Council I have concerns that our neighbourhood (Paddington Ward) will be negatively affected by the proposed activities. Further, in this case, the beneficiary, St Vincent's Private Hospital, is not actually in Woollahra Council, so primacy for Woollahra residents in Council's decisions is even more critical.

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      - *demolition and redevelopment of the existing terraces at 196-200 for offices.”*
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█

We rely on our Councillors to protect Woollahra residents and seek your confirmation that you will not support this planning proceeding AND starting making good on your lack of services and management of this small area that has been forgotten about.

Thank you

Tess Fabri and David Fabri.  
█ Boundary St Paddington  
Residences for over 50 years



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[www.avg.com](http://www.avg.com)



19 July 2017

The General Manager  
Woollahra Council  
PO Box 61,  
Double Bay  
NSW 1360

By email: records@woollahra.nsw.gov.au

**Attention:** Jorge Alvarez and Anna White  
**Council Reference:** SC3651 Submissions

Dear Sir,

**RE: OBJECTION LETTER**  
**Planning Proposal: 190-200 Boundary Street, Paddington**

This letter has been written in response to the Planning Proposal prepared by SJB Planning for St Vincent's Private Hospital, the owners of the land at 190-200 Boundary Street, Paddington. It has been written on behalf of our client Karlene Cass, the owner of 278 Barcom Avenue, Paddington, which is located immediately west of the subject site.

The subject Planning Proposal seeks to amend Schedule 1 of the Woollahra Local Environmental Plan 2014 (WLEP 2014) to allow an additional permitted use at the site for the purpose of office premises ancillary to and associated with St Vincent's Hospital. This would permit the future submission of a detailed development application (DA) for a specific office development on the site.

As outlined in this submission, the Planning Proposal is strongly opposed as it would broaden land use permissibility, resulting in further intensification of the site than would be feasible under the existing R2 Low Density Residential zone.

An office premises facilitated by the Planning Proposal would create unacceptable amenity impacts on our client's property and the surrounding area by way of increased traffic generation, on-street parking, visual bulk, and reduced privacy and solar access. The associated demolition of contributory buildings (as indicated in the supporting



documents) would have an adverse impact on the heritage values and streetscape character of the Paddington Heritage Conservation Area.

The Planning Proposal should be refused on the basis of these issues as further discussed as follows.

#### 1. Site Context

The site to which the Planning Proposal applies to is located at 190-200 Boundary Street, Paddington and legally identified as:

- Lot 3 (DP 223679) (190 Boundary Street);
- Lot 2 DP223679 (192 Boundary Street);
- Lot 1 DP 223679 (194 Boundary Street); and
- Lot 3 DP 84504 (196-200 Boundary Street).

The site has a total area of around 889m<sup>2</sup> and is zoned R2 Low Density under the WLEP 2014. The site accommodates five Victorian era terrace houses and some vacant land. It is located within the Paddington Heritage Conservation Area but does not accommodate any heritage items.

To the west of the site is the main St Vincent's Private Hospital which has an eight storey building envelope. To the north of the site lie Barcom Avenue Park, the St Vincent's Public Hospital and St Vincent's Medical Research buildings which range between two to ten storeys in scale.

Our client's property at 278 Barcom Avenue is located immediately west of the subject site and comprises a terrace style dwelling house (refer to **Figure 1** to **Figure 3** below).

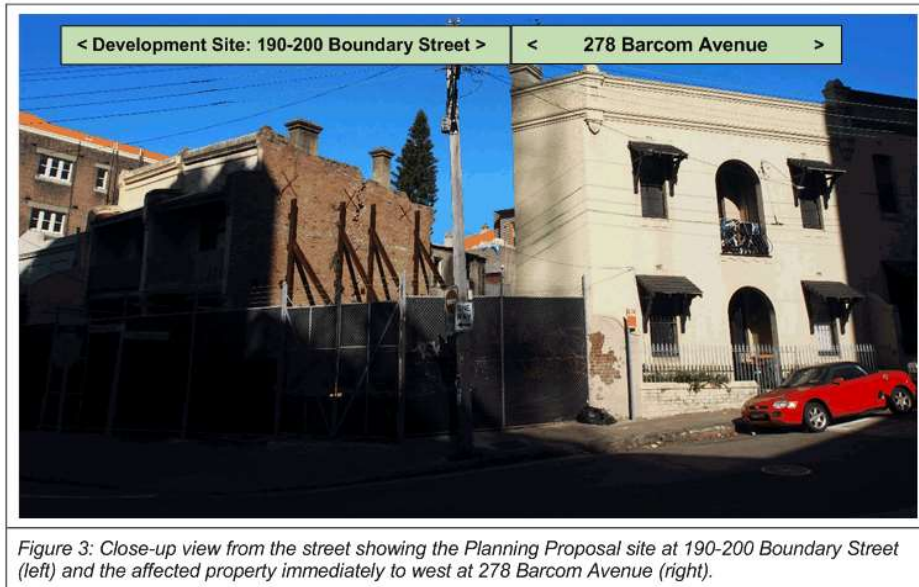




Figure 1: Aerial photo of the Planning Proposal site at 190-200 Boundary Street and the affected property immediately to west at 278 Barcom Avenue. (Source: Six Maps, 2017)



Figure 2: View from the street showing the Planning Proposal site at 190-200 Boundary Street (centre) and the affected property immediately to west at 278 Barcom Avenue (right).



## 2. Planning Context

The subject site is zoned R2 Low Density Residential under the WLEP 2014 with an applicable maximum height limit of 9.5m but no FSR control.

The R2 Low Density Residential zone permits a range of low density related land uses with development consent such as dwelling houses, attached dwellings, dual occupancies and semi-detached dwellings.

Office premises are only permitted in the R2 Low Density Residential zone where the site has a lawful historical approval, the use is carried out in a purpose designed non-residential building and the consent authority is satisfied that there will be no adverse amenity impacts to neighbouring properties or on heritage significance (Clause 6.6 of WLEP 2014).

## 3. The Planning Proposal

As noted earlier, the Planning Proposal is seeking to amend Schedule 1 of the WLEP 2014 to allow an additional permitted use on the site for the purpose of office premises ancillary to and associated with St Vincent's Hospital.



The proposed amendment is necessary as the subject site does not have a historical approval for an office premises and a purpose built building does not exist to accommodate such a use.

#### **4. Implications of the Planning Proposal**

##### **4.1 Density and Intensification**

The site is not currently subject to an FSR control and notionally any amount of floor area would be possible on the site subject to the height limit of 9.5m. Nevertheless, under the current zoning, only low density residential uses are permissible and, given the location of the site in a conservation area and the requirements for sensitive development, the most likely use for the site is for six individual terrace houses on lots each of about 148m<sup>2</sup> each. Assuming a typical occupancy rate of 2.4 people for each attached dwelling, this would give a total occupancy for the site of around 14 people under current circumstances.

If the Planning Proposal is approved and office premises subsequently developed, it would result in substantial intensification of the site.

The Planning Proposal suggests a likely outcome of a two to three storey structure containing around 1073m<sup>2</sup> of floor space. At typical standard commercial occupancy rates of about one person per ten square metres, this would yield an occupancy for the site of 107 people.

This is a significant increase in the potential population of the site from 14 to 107 (93 additional people) - over seven times the present potential population density.

These increased numbers of people would be associated with additional vehicular and foot traffic, car parking requirements and noise on the street. It would clearly alter the character of the precinct.

##### **4.2 Traffic**

An office development resulting from the proposed amendment to the WLEP 2014 would create significant traffic, parking and safety issues in the immediate locality.

Although Boundary Street is a two-way street, Barcom Avenue is only a one-way street. In addition, the entrance to St Vincent's private car park is located at the conjunction of these two roads.



Any traffic currently proceeding down Barcom Avenue has to break or slow down to avoid traffic from Boundary Street crossing Barcom Avenue to enter the St Vincent's private car park.

Should an office building be constructed on the site, the most likely location for an entrance to its basement car park would be at or near this junction (as suggested by the Planning Proposal).

Although the Planning Proposal suggests the construction of a roundabout at this location to control vehicle movements, the traffic coming down Barcom Avenue would not see the traffic exiting the parking on the right hand side as it would be blocked by the terraces immediately preceding it thereby creating a traffic hazard.

This would be an inescapable outcome of the development of office uses on the site.

#### **4.3 Parking**

The Planning Proposal notes that the proposed office space would be used for hospital support functions by hospital staff and that, as such, all required parking is already provided on the hospital site itself.

Under the Woollahra Development Control Plan 2015 (WDCP 2015), office premises require 2.5 car parking spaces for every 100m<sup>2</sup> of floor space. The Planning Proposal anticipates a development with a floor area of 1,073m<sup>2</sup> which would generate a requirement for 27 car parking spaces. Unless there is currently a surplus of parking on the existing hospital site (which has not been addressed in the Planning Proposal but would be unlikely), then this additional parking would need to be provided on the subject site. Should it not be provided, it would significantly increase competition for already scarce on-street parking.

In contrast, retention of the existing residential uses would generate a requirement of no more than one or two spaces per dwelling with a maximum of no more than six to 12 car parking spaces required for the entire site. This demonstrates that the actual parking impact of low density residential uses would be much lower than for an office premises.

#### **4.4 Heritage**

The subject site contains five Victorian era terrace houses and is located in the Paddington Heritage Conservation Area (HCA). The HCA has historical, aesthetic, technical and social significance for its built environment which provides an excellent example of inner city suburbanisation of Sydney largely completed in 1890.



The WDCP 2015 character statement for the HCA identifies scale, architecture and urban form as key elements contributing to its significance, noting that a variety of buildings including terraces reflect important phases of subdivision and historical development (C1.2.3 Character Elements of WDCP 2015). Notably, the Desired Future Character for the HCA requires that the diversity of building types be retained, including terrace house rows (C.1.2.4 Desired Future Character of WDCP 2015).

The subject site is not identified as a Heritage Item under the WLEP 2014, but non-the-less contributes to the HCA by way of its architectural style, development period, scale and form.

The Planning Proposal, if approved, will have significant implications on the heritage values of these buildings and streetscape character of the HCA. The Heritage Impact Statement (HIS) supplementing the Planning Proposal confirms that the desired development outcome sought would require the demolition of two terrace houses (196-198 Boundary Street) while retaining only the façade of 190-194 Boundary Street. It is considered that the proposed demolition of historic terraces and façade retention is unacceptable on heritage grounds, and is contrary to the heritage conservation objectives and provisions in the DCP.

As noted above, WDCP 2015 specifically identifies terraces as integral to the character of the HCA, thus requiring that these types of buildings be retained. The proposed demolition of three terrace houses is unacceptable as it would remove key character elements of the HCA, disrupting the fine grain pattern of historical development along the streetscape.

Furthermore, façade retention of the remaining terraces is not supported. Commonly referred to as 'facadism', preserving the façade while allowing for demolition and construction of new development behind it, is not a desirable outcome in terms of heritage best practice as it compromises the historical integrity of the building, and disregards its authenticity.

#### **4.5 Daylight Access and Overshadowing**

Our client's property at 278 Barcom Avenue is built to the common boundary with the subject site and has an upper level window built directly to the boundary. Any new structure (as suggested in the accompanying built form diagrams of the Planning Proposal) would either reduce the sunlight access to this window or completely obliterate it if built to the boundary, and completely eliminate natural light and ventilation to the interior space.



As demonstrated in the shadow analysis diagrams in Section 4.6 of the Planning Proposal, 50% of the private open space of 278 Barcom Avenue will not receive a minimum of two hours of solar access between 9am and 3pm on 21 June as required under WDCP 2015 (C1.4.5 Building Height, Bulk, Form and Scale of WDCP 2015). This is a matter which would require careful consideration upon the lodgement of any future DA for the site.

In addition to this, the solar access diagrams submitted with the Planning Proposal (Section 4.7) indicate that a future likely built form would completely overshadow the small area of private open space to the rear of 278 Barcom Avenue. This issue would also require careful consideration during the formulation and assessment of any future DA for the site. Refer to **Figure 4** below.



*Figure 4: Future development might result in the loss of all daylight access to the side boundary window and may considerably reduce solar access to the small area of rear private open space at 278 Barcom Avenue.*

#### **4.6 Safety and Security**

Office uses tend to be utilised during the day but not at night time. This would result in a vacant building at night time with no associated passive surveillance of the street to contribute to neighbourhood safety which is critical in this location behind the night time entertainment area of Oxford Street.



#### 4.7 Strategic Merit

The Planning Proposal is not considered to have strategic merit to warrant an amendment to the WLEP 2014 for the following reasons:

- The proposal is inconsistent with the draft Central District Plan's liveability priorities in relation to heritage conservation. The intended development outcome would be the demolition of existing contributory buildings and the undertaking of 'facadism' in other parts of the site which is not best heritage practice and is inconsistent with the draft Plan's priorities on conserving heritage and unique local characteristics.
- The proposal is inconsistent with the draft Central District Plan's liveability priorities for the creation of healthy places. Office development on the site would exacerbate local traffic generation, create additional pressure for on-street parking and worsen existing vehicle conflict issues, which would not be conducive to the delivery of safe and healthy places.
- The Planning Proposal is inconsistent with the draft Central District Plan's liveability priorities on improving housing choice, diversity and affordability. The Planning Proposal would make it more desirable to demolish the existing terrace house buildings to make way for office development. This in turn would reduce the supply of housing stock in an area that is strategically located in proximity to employment and public transport services.
- The Planning Proposal is inconsistent with Ministerial Direction 117 (2) (2.3 Heritage Conservation). The Planning Proposal does not include measures to conserve the heritage significance of the contributory buildings on the site or the wider Heritage Conservation Area. The demolition of contributory buildings that is likely to occur as a result of the Planning Proposal is not consistent with the direction to conserve buildings and places of heritage significance.
- The Planning Proposal is inconsistent with Ministerial Direction 117 (2) (3.1 Residential Zones). The Planning Proposal would reduce the choice of building types available to the housing market in the locality by making it easier to demolish the existing terraces to facilitate office premises.
- The Planning Proposal is inconsistent with the Woollahra Council Strategic Plan 2025 strategies on housing and heritage conservation (Strategies 4.3 and 4.4). The redevelopment of terrace housing to facilitate office development would reduce the supply and diversity of housing stock in the immediate locality as well as important character elements contributing to the significance of the HCA.



## 5. Conclusion

The Planning Proposal is not supported as it would broaden land use permissibility at 190-200 Boundary Street, Paddington, facilitating further intensification of the site through office premises development. The Planning Proposal would make it easier for the existing terrace buildings to be demolished, eroding the heritage values and streetscape character of the Paddington HCA.

The Planning Proposal would have adverse amenity impacts in the locality as it would allow a more intensive land use within a traditional low density neighbourhood setting. An office premises, by virtue of its intensity, would lead to increased traffic generation, competition for on-street parking and vehicle conflicts, significantly impacting upon the liveability of the neighbourhood.

The Planning Proposal has not adequately demonstrated that it has strategic merit as it is inconsistent with the draft Central District Plan's liveability priorities and 117(2) Ministerial Directions in relation to heritage conservation and housing supply and diversity.

### 5.1 Rejection:

It is our contention that the Planning Proposal should be rejected for the following reasons:

- 1) Excessive density and intensity of use which is incompatible with the surrounding low-density residential character.
- 2) Excessive traffic generation.
- 3) Excessive additional demand for on-street parking.
- 4) Adverse impacts upon the Paddington HCA due to the loss of existing contributory buildings and/or the retention of facades which are divorced from their original function and form.
- 5) Potential blocking of the side boundary window on 278 Barcom Avenue.
- 6) Potential adverse privacy impacts if not resolved carefully at DA stage.
- 7) Excessive overshadowing of the small private open space of 278 Barcom Avenue.
- 8) Lack of demonstrated strategic merit.

Should you have any questions regarding this letter, please do not hesitate to contact the undersigned.





Yours sincerely,

A handwritten signature in cursive script, appearing to read "Clare Findlay", written in a dark ink.

**Clare Findlay, BSc(Geog) MURP(Hons)**  
**Director**

**M:** [REDACTED]  
**E:** [REDACTED]



**Political Donations – matters to be considered by Councillors at Meetings**

