

**Report to General Manager**

Attachments:

1. Letter - Initial Assessment of the North Sydney Olympic Pool Development Application DA 347/19
2. North Sydney Community Participation Protocol (November 2019) - Advertisement and Notification Requirements for Amended Plans, Section 3.6

SUBJECT: North Sydney Olympic Pool Development Application Amendments Requested by the Independent Planner - Heritage Planners and Public Consultation Feedback

AUTHOR: Duncan Mitchell, Director Engineering and Property Services

ENDORSED BY: Ken Gouldthorp, General Manager

EXECUTIVE SUMMARY:

The North Sydney Olympic Pool Development Application for the redevelopment of the Pool facility was lodged on 30 October 2019 and publicly exhibited (notified) from 15 November to 13 December 2019 – reference DA 347/19. Council received 115 submissions on the Development Application.

On Thursday 19 March 2020, the applicant who lodged the Development Application on behalf of Council, Brewster Hjorth Architects Pty Ltd, received a letter that outlined the initial assessment of the application by the Independent Planner (Assessment Officer) Geoff Goodyer from Goodyer Symons Pty Ltd who is undertaking the assessment of the application.

The initial assessment of the application requested further information be provided by the applicant within 14 days and requested a number of design changes to the application which were predominantly based on heritage issues raised by the independent heritage consultants GML (Godden Mackay Logan) Heritage – David Logan and Lisa Truman.

This report outlines to Council the proposed changes that the applicant, Brewster Hjorth Architects Pty Ltd, is proposing to make to address the heritage issues raised with the design as well as minor changes to address other feedback received as a result of the notification of the application.

FINANCIAL IMPLICATIONS:

The proposed amendments to the Development Application if adopted by Council will result in cost savings to the Project in both the design and construction stage as the amendments result in a reduction in the overall project scope. Council will put the shade canopy over the Children's Pool as its currently designed into the public tender for the project as a separable portion so that it can be competitively priced as part of the public tender process.

RECOMMENDATION:

1. THAT Council resolves to adopt the recommended design changes outlined in the Detail section of this report – refer to Table 1, in particular the deletion of the shade canopy over the children’s outdoor interactive play area due to heritage concerns with the impact of the structure.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

Direction: 2. Our Built Infrastructure

Outcome: 2.1 Infrastructure and assets meet community needs

Direction: 4. Our Social Vitality

Outcome: 4.1 North Sydney is connected, inclusive, healthy and safe

BACKGROUND (2019/2020)

On 11 March 2019, Council was briefed on the developed Option 2 proposal now referred to as Option 2b which has been through a design development process since the design consultant team was engaged by Council in June 2018. Since the design team has been engaged the design development process for Option 2 has involved a Study Tour to Melbourne by the North Sydney Olympic Pool Steering Committee, a Value Management Workshop held after the Melbourne Study Tour (September 2018) and presentation back to the North Sydney Olympic Pool Steering Committee in February 2019.

In February 2019, it was also reported to Council that in the opinion of specialist structural engineers the existing Pool Grandstand built in 1935/36 had reached the end of its useful life and retaining it in the long term should not be considered.

Council at its March 26 Meeting 2019 resolved to progress the completion of Design Stage 2 (Development Application and Statutory Approvals) for the redevelopment of the North Sydney Olympic Pool based on Option 2b, noting that the current total project cost estimate for this design (inclusive of construction, project management, design and project contingency costs) is in the order of \$57.9 million.

Council at its meeting of 26 August 2019 was updated on the progress of the Development Application through the Council report EPS-01.

The documentation for the North Sydney Olympic Pool Development Application was completed in October 2019 and included changes to the design requested at the Pre-Development Application Lodgment Meeting that was held on the 26 August 2019.

At the Pre-DA meeting the Independent Planner Geoff Goodyer from Goodyer Symons Pty Ltd and the independent heritage consultants GML (Godden Mackay Logan) Heritage – David Logan and Lisa Truman requested a number of changes be made to the design to address mostly heritage related issues. In their opinion these changes were required to improve the heritage outcomes of the current design. Brewster Hjorth Architects made changes to the design to address the concerns raised by the independent heritage planners which are reflected and noted in the current Development Application that was lodged in October 2019 and notified from 15 November to 13 December 2019.

The Pre-DA meeting of 26 August 2019 was held at Council and attended by Council Staff and the consultants – Brewster Hjorth Architects Pty Ltd and specialist planning and heritage sub consultants from Urbis.

On Thursday 19 March 2020, the applicant who lodged the Development Application on behalf of Council – Brewster Hjorth Architects Pty Ltd received a letter that outlined the initial assessment of the application by the independent planner (Assessment Officer) Geoff Goodyer from Goodyer Symons Pty Ltd who is undertaking the assessment of the application. A copy of the letter is attached to this report.

CONSULTATION REQUIREMENTS

Community consultation was undertaken as part of the Development Application Process whereby the Development Application is required to be publicly exhibited as per section 4 (Notification of Applications) of Council's Development Control Plan 2013. The Development Application was notified from 15 November to 13 December 2019. Council received 115 submissions on the Development Application. Reference DA347/19.

The proposed changes to the Development Application as a result of the feedback provided by the Independent Assessor, will reduce the impact of the proposed development. Council's usual approach to Development Applications is not to recommence the notification process in this circumstance.

Refer to the North Sydney Community Participation Protocol (November 2019) - Advertisement and Notification requirements for Amended Plans, section 3.6 – Attachment No 2 of this report.

SUSTAINABILITY STATEMENT

The sustainability implications were considered and reported on during the initiation phase of this project.

DETAIL

As discussed in the background section of this report on Thursday 19 March 2020, the applicant who lodged the Development Application (Ref - DA347/19) on behalf of Council – Brewster Hjorth Architects Pty Ltd received a letter that outlined the initial assessment of the application by the independent planner (Assessment Officer) Geoff Goodyer from Goodyer Symons Pty Ltd.

The initial assessment of the application requested further information be provided by the applicant within 14 days and requested a number of design changes to the application which were predominantly based on heritage issues raised by the independent heritage consultants GML (Godden Mackay Logan) Heritage – David Logan and Lisa Truman.

Table 1. outlines the proposed design changes that the applicant (Brewster Hjorth Architects Pty Ltd) will make to the Development Application to address the concerns raised by the

independent planner and heritage planners.

Table 1. Proposed Design Changes – Reference DA 347/19 - North Sydney Olympic Pool

Design Item	Proposed Change	Comment
<p>1. New Enclosed Entry to the Pool off Alfred Street</p>	<p>Brewster Hjorth Architects propose to modify their design to address the heritage concerns raised by the independent heritage planner by removing the decorative motif shown on the current architectural drawings and allow full height clear glazing to increase the views through the new entry area to the existing brick stair tower and original entry portal to the pool.</p> <p>Note: The roof to entry area had already been modified – lowered – as a result of the pre-DA meeting feedback from the independent heritage consultants on 26 August 2019 and is reflected in the current Development Application design</p>	<p>The independent Heritage Planner raised issues with the design of the new entry area at both the Pre-Da meeting held 26 August 2019 and also in the initial assessment letter to Council received on the 19 March 2020.</p> <p>Comments from the independent Heritage Planners on the new glazed entry lobby in front of the original entrance building as part of the initial assessment of the application are as follows:</p> <p><i>The original brick entrance and vestibule building is identified as being of outstanding significance within the North Sydney Olympic Pool Conservation Management Plan (NSOP CMP) and exceptional significance within the 2015 updated gradings. The proposed entry structure would enclose the original brick building and forecourt so that they become internal to the complex, altering the complex's historic relationship to the street. As the entrance to the original pool, the original entry building has landmark qualities that would be lost in the new development.</i></p> <p><i>The roof of the proposed structure, with its deep bulkhead and external motif, would block views to the entry structure from the public domain.</i></p> <p><i>The new structure, in extending in front of the original entrance, would obscure views of the highly significant element from the public domain, including the original signage, alter its relationship to Alfred Street and adversely affect the item's setting.</i></p> <p><i>Policy 8.12.9 of the NSOP CMP states that 'new development should not invite the re-orientation of the architectural focus of the existing main vestibule entrance to the pool'.</i></p> <p><i>The proposal to enclose the original entrance would have a major adverse impact on the significance of the complex. Alternatives should be explored where the new lobby is reduced in size and set back from the original entrance, which should remain exposed. It is essential that the original entry building remains unobscured and visually prominent when viewed from the public domain.</i></p>

Design Item	Proposed Change	Comment
<p>2. Eastern sundeck and children's swimming pool:</p>	<p>Brewster Hjorth Architects propose to modify their design to address the heritage concerns raised by the independent heritage planner by removing the Shade Structure over the children's interactive play area and eastern sundeck area as shown on the current architectural drawings that form part of the Development Application.</p> <p>Brewster Hjorth Architects propose to modify their design by extending the sundeck to replicate the size of the existing sun deck.</p> <p>Note: The new sundeck area is located in almost the exact same location of the existing sun deck.</p> <p>Note: The Shade Structure over the sun deck and "Children's Interactive play area" had already been reduced in size and height – as a result of the pre-DA meeting feedback from the independent heritage consultants on 26 August 2019 and is reflected in the current Development Application design.</p>	<p>The independent Heritage Planner raised issues with the design of the eastern sun deck area and children's swimming pool area at both the Pre-DA meeting held 26 August 2019 and also in the initial assessment letter to Council received on the 19 March 2020.</p> <p>Comments from the independent Heritage Planners on the eastern sundeck and the children's swimming pool area as part of the initial assessment of the application are as follows:</p> <p><i>The historic sundeck and covered arcade/colonnade that form the original eastern wall of the complex are identified as elements of outstanding significance within the NSOP CMP and high significance within the 2015 updated gradings.</i></p> <p><i>These structures enclose the pool complex along its eastern edge and form an important component of its original enclosed building form. Notwithstanding the alterations undertaken some years ago, which created the colonnade, this masonry wall is an essential part of the solid perimeter enclosure that characterises the complex. These elements are highly visible from the public domain, including Sydney Harbour, and form part of the recognised setting of the recreational precinct and Luna Park.</i></p> <p><i>The proposal to demolish and reconstruct only part (less than 50%) of the original eastern wing of the complex would permanently alter the enclosed form of the complex, in a highly visible location, resulting in a major adverse impact on the complex.</i></p> <p><i>The complex must retain its enclosed form, which is intrinsic to its significance. If it is not possible to retain the eastern wall and colonnade in situ, it should be rebuilt so that the original enclosed form is retained and interpreted (although the latter approach would still result in adverse heritage impacts)</i></p> <p><i>Policy 8.12.3 of the NSOP CMP states that:</i></p> <p><i>An additional pool may be constructed on the Eastern grassed area of the building but it should be limited to a clear glazed lightweight structure which does not reduce the current views nor extend above the arcade height of the South Elevation and should not extend beyond the South East Corner Element.</i></p>

Design Item	Proposed Change	Comment
		<p><i>The current design is contrary to this policy and should be amended to comply.</i></p> <p><i>The new children's pool and recreation area should be re-designed with the sundeck, colonnade and children's swimming pool retained in their current location. If these elements are not able to be retained in situ, they should be reinterpreted with similar forms (possibly with contemporary details) at the same location. The sense of enclosure should be retained through use of solid materials that complement the original design. Consideration should be given to creating a design for the new children's recreation pool that draws on and interprets the historic character of the site.</i></p> <p><i>The proposed steel framed shade structure over the children's pool has a scale and character that would dominate the original structures of the pool complex, in a highly visible location, resulting in an adverse impact on the pool complex and the setting of Luna Park. This structure should be reduced in height and form so as to not dominate the sundeck. The sundeck could have a separate shade structure, if required, in a minimalist design.</i></p> <p><i>The GML Luna Park CMP states that the visual and physical relationship between Luna Park, Sydney Harbour and other harbourside icons (such as the North Sydney Olympic Pool) must be maintained (GML 2019, p 75). The proposed removal of much of the polychrome brickwork finish along the eastern elevation, and replacement with a more dominating contemporary glass and steel façade and associated roof form will detract from the visual relationship between the NSOP and Luna Park, and have an adverse impact on the historic and aesthetic significance of both items.</i></p>
<p>3.Additions to south-eastern comer of complex:</p>	<p>Brewster Hjorth Architects propose to modify their design to further reduce the size of the roof structure over the café in the south eastern corner of the site to address the heritage concerns raised by the independent heritage planner.</p> <p>Note: The roof structure over the café had already been reduced in size and height – as a result of the pre-DA meeting feedback on 26 August 2019 and is reflected in the current Development Application design.</p>	<p>The independent Heritage Planner raised issues with the design of the eastern corner of the complex at both the Pre-Da meeting held 26 August 2019 and also in the initial assessment letter to Council received on the 19 March 2020.</p> <p>Comments from the independent Heritage Planners on the proposed additions to the eastern corner of the complex are as follows:</p> <p><i>Although reduced from the original pre-DA design, the proposed new roof over the cafe in the southeast comer is still excessively high and visually prominent. It is uncharacteristic to the complex, dominating the historic comer element, resulting in an adverse heritage impact. This impact is exacerbated by the additional visual impact of the adjacent roof of the children's pool.</i></p>

Design Item	Proposed Change	Comment
		<p><i>The element is located at a critical part of the complex when viewed from the public domain and harbour, and forms part of the setting of Luna Park.</i></p> <p><i>Council's heritage controls require that new works to heritage items should be submissive in scale, so as to not dominate the original built form. The height of the new roof to the cafe should be set to below the original southern perimeter wall and be designed to have minimal visual impact on the comer element.</i></p>
<p>4. Replacement of the Grandstand.</p>	<p>Brewster Hjorth Architects propose to modify their design to further reduce the height and size of the weatherproof canopy structure over the new Grandstand to address the heritage concerns raised by the independent Heritage planners.</p> <p>Note: The weatherproof canopy structure over the new Grandstand had already been reduced in size and height – as a result of the pre-DA meeting feedback on 26 August 2019 and is reflected in the current Development Application design.</p>	<p>The independent Heritage Planner raised the issue of the proposed replacement of the Grandstand at both the Pre-Da meeting held 26 August 2019 and also in the initial assessment letter to Council received on the 19 March 2020.</p> <p>Comments from the independent Heritage Planner on the replacement of the Grandstand are as follows:</p> <p><i>Independent engineering advice has confirmed that the existing grandstand is nearing the end of its structural life. It's replacement therefore is accepted from a heritage viewpoint.</i></p> <p><i>Nevertheless, the height of the roof of the grandstand's upper level has been lowered from the pre-DA proposal but is nevertheless visually prominent. The roof should be further lowered in order to reduce the impact of the new grandstand on the scale and form of the historic complex.</i></p> <p><i>Further details of the size and details of its structural supports and roofing structure are required to enable proper assessment. Larger scale cross-sections would assist.</i></p>
<p>5. Acoustic Report</p>	<p>Brewster Hjorth Architects confirm that the “Splash Pad” is shown on the architectural drawings and referenced on the drawing. Refer to the Development Application - Architectural Drawings a.10.</p> <p>Brewster Hjorth Architects – Acoustic consultant – Marshall Day shall provide the additional information requested.</p>	<p>The independent Planner raised issues with the Acoustic consultant’s report.</p> <p>Comments from the independent Planner on the Acoustic report are as follows:</p> <p><i>The Acoustic Assessment Report by Marshall Day Roberts refers to a "splash pad" as generating noise that will exceed evening limits at residential properties after 6pm. Firstly, this comment is inconsistent with the architectural plans prepared by Brewster Hjorth Architects which do not show a splash pad located to the north of the proposed 25m pool hall. Secondly, if the splash pad is proposed in this location, then it need to be shown on the architectural plans and the proposal amended such that the use of the splash pad does not result in the</i></p>

Design Item	Proposed Change	Comment
		<p><i>proposal exceeding evening noise limits at residential properties at any time. This may be achieved through a limit on the hours of use of the splash pad or through some other means.</i></p> <p><i>The Acoustic Assessment Report by Marshall Day does not assess noise impacts arising from the use of the pool complex during special events such as swimming carnivals. Because the proposal involves changes to the acoustic environment (for example, through changes to the structures around the pool including the grandstand and the 25m pool hall) the Acoustic Assessment Report should include noise impacts arising from special events such as swimming carnivals and provide recommendations on appropriate measures to mitigate noise impacts where they exceed accepted acoustic standards.</i></p>
<p>6. Design Excellence Panel</p>	<p>Brewster Hjorth Architects notes the comments from the Design Excellence Panel and has already included changes to their design as part of the detailed design development of the documentation package.</p> <p>These changes include revising the ramp and levels at the entry foyer (Main entry off Alfred Street) and also incorporating skylights into the change rooms.</p>	<p>The independent Planner included comments on the proposal from the Design Excellence Panel as part of the initial assessment which are as follows:</p> <p><i>The North Sydney Council Design Excellence Panel has reviewed the proposal and provided comments, and the applicant has provided a written response to those comments. Arising from the comments from the Panel and the Applicant's response, the following matters require further consideration:</i></p> <p><i>Options to resolve the extent to which there are changes to levels within the entry foyer should be explored to reduce the number of level changes and maximise the sense of openness and arrival.</i></p> <p><i>The design of the decorative screen to the glazed entry wall should be further developed to form a new interpretation of the original decorative scheme of the pool.</i></p> <p><i>The colours and materials in the new structures need to be more sympathetic and reflective of the existing polychrome brickwork that predominates in the existing pool structures.</i></p> <p><i>The proposed change rooms should be provided with greater access to natural daylight, ventilation and views to sky or landscape.</i></p>
<p>7. Pedestrian ramp at South western corner.</p>	<p>Brewster Hjorth Architects will modify their design so that access and the maneuvering of vehicles into and out of Luna Park is maintained.</p>	<p>The independent Planner included comments on the proposal in relation to the pedestrian ramp that is proposed by Brewster Hjorth Architects in the south west corner of the development which are as follows:</p> <p><i>The proposed pedestrian ramp at the south western corner of the site partially obstructs vehicular access to the Luna Park site. This needs to be redesigned to maintain the existing areas for access and manoeuvring of vehicles</i></p>

Design Item	Proposed Change	Comment
8. Additional Structural Information.	Brewster Hjorth Architects – Structural Engineers Mott MacDonald’s shall provide the additional information requested.	<p><i>into and out of the Luna Park site.</i></p> <p>The independent Planner included comments on the proposal in relation to the structural works that are required and identified the need for more information on the design by Brewster Hjorth Architects and their structural engineering consultants which are as follows:</p> <p><i>The proposal has been peer reviewed by independent consultants, Taylor Thomson Whitting. Their preliminary report identifies the need for the following additional information:</i></p> <p><i>The extent of demolition of the sundeck structure needs to be clarified as the plans show less areas of demolition than is shown on the elevations.</i></p> <p><i>Further details are required regarding the structural state of the western corner building, adjacent to Luna Park. The cause(s) of the apparent movement or settlement of the harbour-facing wall needs to be investigated. The cause of movement should be repaired, and the wall underpinned if necessary.</i></p> <p><i>The key to successfully opening-up the space beneath the western staircase as gymnasium space will be successfully waterproofing between the staircase and north-western wall of the complex without changing the appearance of the polychrome brickwork wall. How this is done will require careful consideration and may require more height of brickwork than envisioned on the development drawings to be demolished and reconstructed above the level of the stair treads. Early consideration of this detail is important, to minimise that amount of demolition required.</i></p>
9. Response to Submissions	<p>Brewster Hjorth Architects – note that most of the submissions raise issues with the functional design (Operations of the new facility) and are not related to planning controls.</p> <p>Brewster Hjorth Architects will refine their design through the detailed design documentation process to address design issues raised in the public submissions.</p>	<p>The independent Planner included comments on the proposal in relation to the 115 x submissions received on the proposal during the notification period. 15 November to 13 December 2020. DA347/19 which are as follows:</p> <p><i>A total of 115 submissions have been received. Many of these submissions raise issues that involve the functional design, use and various other issues related to redevelopment of the swimming pool by the community.</i></p> <p><i>The applicant should obtain a copy of the submissions through appropriate GIPA processes and provide a response to issues raised. These submissions may also assist in the refinement of the proposal to better meet the expectations of the community.</i></p>

Figure 1. View looking into the proposed new Entry to the Pool from Alfred Street
Refer to – Table 1 – Design Item 1



Note: Brewster Hjorth Architects propose to modify their design by removing the decorative motif shown on the current architectural drawings and allow full height clear glazing to increase the views through the new entry area to the existing brick stair tower and original entry portal to the pool.

Note: The roof to entry area had already been modified – lowered – as a result of the pre-DA meeting feedback from the independent heritage consultants on 26 August 2019 and is reflected in the current Development Application design.

Figure 2. Aerial View looking at the Eastern Sundeck and Shade canopy over the Children's Swimming Pool. Refer to – Table 1 – Design Item 2



Note: Brewster Hjorth Architects propose to modify their design by removing the Shade Structure over the children's interactive play area and eastern sundeck area as shown on the current design. Brewster Hjorth Architects also propose to modify their design by extending the sundeck to replicate the size of the existing sun deck.

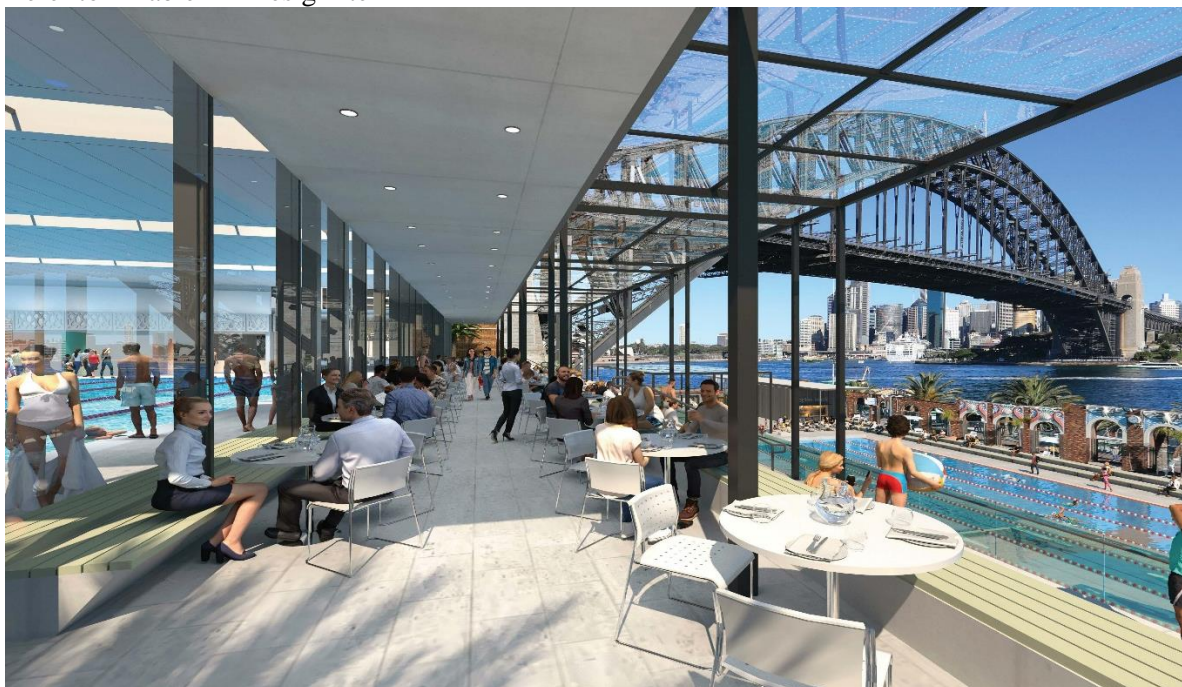
Figure 3. View looking at the South Eastern Corner of the Development - Roof over café
Refer to – Table 1 – Design Item 3



Note: Brewster Hjorth Architects propose to modify their design to further reduce the size of the roof structure over the café in the south eastern corner of the site to address the heritage concerns raised by the independent heritage planner. **Note:** The roof structure over the café had already been reduced in size and height – as a result of the pre-DA meeting feedback on 26 August 2019 and is reflected in the current Development Application design.

Figure 4. View looking at the shade structure canopy over the Grandstand

Refer to – Table 1 – Design Item 4



Note: Brewster Hjorth Architects propose to modify their design to further reduce the height and size of the weatherproof canopy structure over the new Grandstand to address the heritage concerns raised by the independent heritage planner.

Note: The weatherproof canopy structure over the new Grandstand had already been reduced in size and height – as a result of the pre-DA meeting feedback on 26 August 2019 and is reflected in the current Development Application design.

CONCLUSION

It is recommended that Council resolves to adopt the recommended design changes outlined in the detail section of this report – refer to Table 1. In particular the deletion of the shade canopy over the children’s outdoor interactive play area due to heritage concerns with the design of the structure. These design changes are required to address the heritage issues raised with the design by the Independent planner and heritage planners as outlined in their letter to the applicant (Brewster Hjorth Architects Pty Ltd) on 19 March 2020. The applicant has 14 days to respond to the letter and requested design changes as well as to provide more information on the acoustic and structural aspects of the Development Application.

The provision of shade may be considered as a further addition in the future, however it is clear that including it with the current Development Application adds substantially to the risk of refusal on heritage grounds. Unfortunately, all attempts by the architect to find a design solution to meet heritage requests and provide shade, have been unsuccessful.

The retention (rebuild) of the existing deck, providing shade over the full area and minimizing the bulk/dominance of the structure for heritage reasons appear to be mutually exclusive.

PROJECT PROGRAM

The development application for the redevelopment of the North Sydney Olympic Pool is required to be determined by the Sydney North Planning Panel given the land is Council owned and the cost of works is greater than \$5 million. A determination meeting date can be requested

from the Panel following Council establishing a timeframe for a response to this correspondence.

It is intended to provide the independent planner assessing the Development Application the information and design changes requested as part of the initial assessment report with 14 days.

It is proposed to request a determination meeting with the Planning Panel in May 2020 so that Project Program to have a tender awarded by August 2020 can still be achieved.



address 200 Miller Street North Sydney NSW 2060

all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

telephone (02) 9936 8100

facsimile (02) 9936 8177

email council@northsydney.nsw.gov.au

internet www.northsydney.nsw.gov.au

ABN 32 353 260 317

North Sydney Council
c/- Brewster Hjorth Architects
First floor
4-14 Foster Street
SURRY HILLS NSW 2010

DA 347/19

GG (GG)

Dear Sir/Madam,

DA NUMBER: 347/19
ADDRESS: 4 ALFRED STREET SOUTH, MILSONS POINT
ASSESSMENT OFFICER: GEOFF GOODYER, SYMONS GOODYER PTY LTD

I refer to your development application, which was received by Council on 30 October 2019. Following initial assessment of the application it is considered that additional information is essential for Council to properly determine the application.

Accordingly, please submit the following information, attention to Lara Huckstepp, within 14 days of the date of this letter:

1. HERITAGE ISSUES

The proposal has been assessed by independent consultants, GML Heritage. The following amendments are required:

- New enclosed entry:
 - The proposal includes a new glazed entry lobby in front of the original entrance building, enclosing the existing external forecourt at the entry to the pool.
 - The original brick entrance and vestibule building is identified as being of outstanding significance within the North Sydney Olympic Pool Conservation Management Plan (NSOP CMP) and exceptional significance within the 2015 updated gradings. The proposed entry structure would enclose the original brick building and forecourt so that they become internal to the complex, altering the complex's historic relationship to the street. As the entrance to the original pool, the original entry building has landmark qualities that would be lost in the new development.
 - The roof of the proposed structure, with its deep bulkhead and external motif, would block views to the entry structure from the public domain.
 - The new structure, in extending in front of the original entrance, would obscure views of the highly significant element from the public domain, including the

original signage, alter its relationship to Alfred Street and adversely affect the item's setting.

- Policy 8.12.9 of the NSOP CMP states that ‘new development should not invite the re-orientation of the architectural focus of the existing main vestibule entrance to the pool’.
- The proposal to enclose the original entrance would have a major adverse impact on the significance of the complex. Alternatives should be explored where the new lobby is reduced in size and set back from the original entrance, which should remain exposed. It is essential that the original entry building remains unobscured and visually prominent when viewed from the public domain.
- Eastern sundeck and children's swimming pool:
 - The historic sundeck and covered arcade/colonnade that form the original eastern wall of the complex are identified as elements of outstanding significance within the NSOP CMP and high significance within the 2015 updated gradings.
 - These structures enclose the pool complex along its eastern edge and form an important component of its original enclosed building form. Notwithstanding the alterations undertaken some years ago, which created the colonnade, this masonry wall is an essential part of the solid perimeter enclosure that characterises the complex. These elements are highly visible from the public domain, including Sydney Harbour, and form part of the recognised setting of the recreational precinct and Luna Park.
 - The proposal to demolish and reconstruct only part (less than 50%) of the original eastern wing of the complex would permanently alter the enclosed form of the complex, in a highly visible location, resulting in a major adverse impact on the complex.
 - The complex must retain its enclosed form, which is intrinsic to its significance. If it is not possible to retain the eastern wall and colonnade in situ, it should be rebuilt so that the original enclosed form is retained and interpreted (although the latter approach would still result in adverse heritage impacts)
 - Policy 8.12.3 of the NSOP CMP states that:

An additional pool may be constructed on the Eastern grassed area of the building but it should be limited to a clear glazed lightweight structure which does not reduce the current views nor extend above the arcade height of the South Elevation and should not extend beyond the South East Corner Element.

The current design is contrary to this policy and should be amended to comply.

- The new children’s pool and recreation area should be re-designed with the sundeck, colonnade and children’s swimming pool retained in their current location. If these elements are not able to be retained in situ, they should be reinterpreted with similar forms (possibly with contemporary details) at the same location. The sense of enclosure should be retained through use of solid materials that complement the original design. Consideration should be given to creating a design for the new children’s recreation pool that draws on and interprets the historic character of the site.
- The proposed steel framed shade structure over the children’s pool has a scale and character that would dominate the original structures of the pool complex, in a highly visible location, resulting in an adverse impact on the pool complex and the setting of Luna Park. This structure should be reduced in height and form so as to not dominate the sundeck. The sundeck could have a separate shade structure, if required, in a minimalist design.
- The GML Luna Park CMP states that the visual and physical relationship between Luna Park, Sydney Harbour and other harbourside icons (such as the North Sydney Olympic Pool) must be maintained (GML 2019, p 75). The proposed removal of much of the polychrome brickwork finish along the eastern elevation, and replacement with a more dominating contemporary glass and steel façade and associated roof form will detract from the visual relationship between the NSOP and Luna Park, and have an adverse impact on the historic and aesthetic significance of both items.
- Additions to south-eastern corner of complex:
 - Although reduced from the original pre-DA design, the proposed new roof over the café in the southeast corner is still excessively high and visually prominent. It is uncharacteristic to the complex, dominating the historic corner element, resulting in an adverse heritage impact. This impact is exacerbated by the additional visual impact of the adjacent roof of the children’s pool.
 - The element is located at a critical part of the complex when viewed from the public domain and harbour, and forms part of the setting of Luna Park.
 - Council’s heritage controls require that new works to heritage items should be submissive in scale, so as to not dominate the original built form. The height of the new roof to the café should be set to below the original southern perimeter wall and be designed to have minimal visual impact on the corner element.
- Replacement of grandstand:
 - Independent engineering advice has confirmed that the existing grandstand is nearing the end of its structural life. It’s replacement therefore is accepted from a heritage viewpoint. Nevertheless, the height of the roof of the grandstand’s upper level has been lowered from the pre-DA proposal but is nevertheless visually prominent. The roof should be further lowered in order to reduce the impact of the new grandstand on the scale and form of the historic complex.

- Further details of the size and details of its structural supports and roofing structure are required to enable proper assessment. Larger scale cross-sections would assist.

2. ACOUSTIC REPORT

- The Acoustic Assessment Report by Marshall Day Roberts refers to a “splash pad” as generating noise that will exceed evening limits at residential properties after 6pm. Firstly, this comment is inconsistent with the architectural plans prepared by Brewster Hjorth Architects which do not show a splash pad located to the north of the proposed 25m pool hall. Secondly, if the splash pad is proposed in this location, then it need to be shown on the architectural plans and the proposal amended such that the use of the splash pad does not result in the proposal exceeding evening noise limits at residential properties at any time. This may be achieved through a limit on the hours of use of the splash pad or through some other means.
- The Acoustic Assessment Report by Marshall Day does not assess noise impacts arising from the use of the pool complex during special events such as swimming carnivals. Because the proposal involves changes to the acoustic environment (for example, through changes to the structures around the pool including the grandstand and the 25m pool hall) the Acoustic Assessment Report should include noise impacts arising from special events such as swimming carnivals and provide recommendations on appropriate measures to mitigate noise impacts where they exceed accepted acoustic standards.

3. DESIGN EXCELLENCE PANEL

- The North Sydney Council Design Excellence Panel has reviewed the proposal and provided comments, and the applicant has provided a written response to those comments. Arising from the comments from the Panel and the Applicant’s response, the following matters require further consideration:
 - Options to resolve the extent to which there are changes to levels within the entry foyer should be explored to reduce the number of level changes and maximise the sense of openness and arrival.
 - The design of the decorative screen to the glazed entry wall should be further developed to form a new interpretation of the original decorative scheme of the pool.
 - The colours and materials in the new structures need to be more sympathetic and reflective of the existing polychrome brickwork that predominates in the existing pool structures.
 - The proposed change rooms should be provided with greater access to natural daylight, ventilation and views to sky or landscape.

4. PEDESTRIAN RAMP AT SOUTHWESTERN CORNER

- The proposed pedestrian ramp at the southwestern corner of the site partially obstructs vehicular access to the Luna Park site. This needs to be redesigned to maintain the existing areas for access and manoeuvring of vehicles into and out of the Luna Park site.

5. ADDITIONAL STRUCTURAL INFORMATION

- The proposal has been peer reviewed by independent consultants, Taylor Thomson Whitting. Their preliminary report identifies the need for the following additional information:
 - The extent of demolition of the sundeck structure needs to be clarified as the plans show less areas of demolition than is shown on the elevations.
 - Further details are required regrading the structural state of the western corner building, adjacent to Luna Park. The cause(s) of the apparent movement or settlement of the harbour-facing wall needs to be investigated. The cause of movement should be repaired and the wall underpinned if necessary.
 - The key to successfully opening-up the space beneath the western staircase as gymnasium space will be successfully waterproofing between the staircase and north-western wall of the complex without changing the appearance of the polychrome brickwork wall. How this is done will require careful consideration and may require more height of brickwork than envisioned on the development drawings to be demolished and reconstructed above the level of the stair treads. Early consideration of this detail is important, to minimise that amount of demolition required.

6. RESPONSE TO SUBMISSIONS

- A total of 115 submissions have been received. Many of these submissions raise issues that involve the functional design, use and various other issues related to redevelopment of the swimming pool by the community. The applicant should obtain a copy of the submissions through appropriate GIPA processes and provide a response to issues raised. These submissions may also assist in the refinement of the proposal to better meet the expectations of the community.

Please note that pursuant to Clause 109 of the Environmental Planning and Assessment Regulation 2000, the period of time from the date of this letter to the date upon which either; all the information as requested is received, or the time specified for its submission has elapsed, will not be taken into consideration in calculating the forty (40) day processing period prescribed by Clause 113 of the Regulation.

You are advised that the development application is required to be determined by the Sydney North Planning Panel given the land is Council owned and the cost of works is greater than \$5 million. A determination meeting date can be requested from the Panel following Council establishing a timeframe for a response to this correspondence.

Should you choose not to submit the information and amended plans as requested the application will be processed and referred to the Panel for determination in its originally submitted form which may result in a refusal. The proposal in its current form is not supported.

Your application will be assessed by the external Consultant Planner as the Assessment Officer, Mr Geoff Goodyer from Symons Goodyer and if there are any issues and concerns raised that need to be addressed you will be further contacted and given an opportunity to respond to issues.

You are advised that if you amend your plans to address the issues raised in this letter, additional fees will be incurred including an archival fee of \$75 and an amended plans fee. A re-notification fee will also apply if it is considered necessary, given the extent of changes and level of public interest, that the re-notification of the application is appropriate. The final decision of whether the plans will be re-notified will be determined by the independent assessor.

Should you wish to discuss the information sought or seek clarification of the issues, please do not hesitate to contact Lara Huckstepp between the hours of 9.30am-11.00am Monday to Friday on **9936 8100**.

Yours faithfully,


Stephen Beattie
MANAGER DEVELOPMENT SERVICES

The North Sydney Community Participation Protocol (November 2019) outlines:

3.6 Advertisement and Notification requirements for Amended Plans

An applicant may amend an application at any time before the consent authority has made its final determination.

If, in Council's opinion, the amendments are considered likely to have a greater adverse effect on or a different adverse effect on adjoining or neighbouring land, then Council will re-notify any owner/occupier of adjoining or neighbouring land that in the Council's opinion may be adversely affected by the amended application.

Where the amendments, in the Council's opinion, do not increase or lessen the adverse effect on adjoining or neighbouring land, Council may choose not to re-notify or readvertise the application.

Where the amendments arise from a Council-sponsored mediation, and it is considered that those amendments reflect the outcome of the mediation and do not otherwise increase the application's environmental impact, the amendments will not be notified or advertised.