

JOINT REGIONAL PLANNING PANEL (Hunter and Central Coast)

JRPP No	2014HCC027
DA Number	DA46329/2014
Local Government Area	Gosford City Council
Proposed Development	Construction of New Grandstand, Cafe and Associated Facilities as part of Woy Woy Oval Redevelopment
Street Address	51 Chambers Place WOY WOY Lot: 1 DP: 656550
Applicant Name	Gosford City Council
Owner Name	Gosford City Council
No Submissions	Notification period: 17/09/2014 to 1/10/2014 - One (1) submission received
Regional Development Criteria (Schedule 4A of the Act)	Schedule 4A section 4 of the Environmental Planning & Assessment Act 1979 - Council related development over \$5 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • Environmental Planning & Assessment Act 1979 - Section 79C • Local Government Act 1993 - Section 89 • Gosford Local Environmental Plan 2014 • Gosford Development Control Plan 2013 • SEPP No. 55 - Remediation of Land • SEPP No. 14 – Coastal Wetlands • SEPP No. 19 – Bushland in Urban Areas • SEPP No. 44 – Koala Habitat Protection • SEPP No. 62 – (Sustainable Aquaculture) • SEPP No. 71 – Coastal Protection • SEPP (Infrastructure) 2007
List all documents submitted with this report for the panel's consideration	Statement of Environmental Effects Arboricultural Impact Assessment Waste Management Plan Geotechnical Investigation Preliminary Acid Sulphate Soil Assessment and Management Plan Title Sheet Site and Site Analysis Plan Grandstand Levels 00 and 01 Plans Cafe Plans and Elevations Grandstand Roof Plan Grandstand Elevations Grandstand sections and Entry Elevation Solar Study – Winter Solstice

	Solar Study – Spring Equinox Solar Study – Autumn Equinox 3D Images DA Landscape Package Cover sheet Overall Landscape Master Plan Landscape Design DA Package Trees to be Retained Landscape Design – Forecourt Landscape Design – Rugby Field Sections 1-3 Surface Facilities and Furniture Tree Species Hydraulic Services/Street Location Plan Hydraulic Services/Site Plan Hydraulic Services/Level 00 Plan - North Hydraulic Services/Level 00 Plan - South Hydraulic Services/Level 01 Plan Hydraulic Services/Stormwater Details Hydraulic Services/Stormwater Schedules
Recommendation	Approval with conditions
Report by	P I Drew - Senior Development Assessment Planner R Eyre - Senior Development Assessment Planner

Assessment Report and Recommendation Cover Sheet

REPORT TO HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

TITLE **DEVELOPMENT APPLICATION NO. 46329/2014**
APPLICANT: GOSFORD CITY COUNCIL
PROPOSED: CONSTRUCTION OF NEW GRANDSTAND, CAFE AND ASSOCIATED FACILITIES AS PART OF WOY WOY OVAL REDEVELOPMENT ON LOT: 1 DP: 656550 NO 51 CHAMBERS PLACE WOY WOY

Directorate: Governance and Planning
Business Unit: Development

The following item is defined as a planning matter pursuant to the Local Government Act, 1993 & Environmental Planning & Assessment Act, 1979.

EXECUTIVE SUMMARY

Reason for Referral to Joint Regional Planning Panel (JRPP): Schedule 4A section 4 of the Environmental Planning & Assessment Act 1979 - Council related development over \$5 million.

Assessing Officer: P I Drew/ R Eyre

Reviewing By: Manager Strategic Corporate & City Planning
Chief Executive Officer (CEO)

Application Received: 08/09/2014

Synopsis: An application has been received for Construction of New Grandstand, Cafe and Associated Facilities as part of redevelopment of Woy Woy Oval. The application has been assessed against the matters for consideration detailed in 79C of the Environmental Planning and Assessment Act (EP&A Act) 1979.

The proposal will not detract from the character or scenic qualities of the area or have unreasonable impacts on the environment.

All relevant matters under Section 79C of the Environmental Planning and Assessment Act, section 89 of the Local Government Act, the objectives of the zone and the principles of ecologically sustainable development have been considered and the proposal is recommended for **approval** subject to conditions.

Zone: RE1 Public Recreation

Area: 56360m²

Topography: Flat

Public Submissions: One (1)

Employment Generating: Yes (during construction) **Value of Work:** \$7,485,500.00

Political Donations: None declared.

Relevant Statutory Provisions

1. Environmental Planning & Assessment Act 1979 - Section 79C

2. Local Government Act 1993 - Section 89
3. Gosford Local Environmental Plan 2014
4. Gosford Development Control Plan 2013
5. SEPP No. 55 - Remediation of Land
6. SEPP No. 14 – Coastal Wetlands
7. SEPP No. 19 – Bushland in Urban Areas
8. SEPP No. 44 – Koala Habitat Protection
9. SEPP No. 62 – (Sustainable Aquaculture)
10. SEPP No. 71 – Coastal Protection
11. SEPP (Infrastructure) 2007

Key Issues

1. Gosford Local Environmental Plan 2014
2. Principal Development Standards
3. Flooding
4. Climate Change and Sea Level Rise
5. Coastal Zone
6. SEPP 55
7. Gosford DCP 2013
8. Internal Referrals
9. Public Submissions

Recommendation

Approval, subject to conditions

REPORT

Background

Woy Woy Oval No. 1 is one of Gosford City's two regional sporting facilities. The oval is a valuable asset to the Central Coast sporting fraternity and for the broader Woy Woy community. It is used for organised rugby league and union fixtures during winter competition months, informal sporting events & recreational activities such as Carols by Candlelight and other community events.

The current grandstand was constructed in 1978 with a reinforced concrete superstructure, steel box framed roof and Spancrete clad structure. However in 2012, structural defects were identified in the building & resulted in the immediate removal of the roof to address the apparent safety concerns. A detailed structural assessment subsequently determined that the entire structure had reached the end of its serviceable life.

At a Council meeting on the 24 July 2012, it was resolved to demolish the grandstand building and to master plan the redevelopment of Woy Woy Oval with a new grandstand, associated sports grounds facilities and ancillary infrastructure.

The existing grandstand has a seating capacity of about 766 persons.

Approval to demolish the existing grandstand was previously issued under DA 45320/2014.

Community Consultation

Prior to preparing and lodging the application, extensive community consultation was carried out over 18 months by Council's Recreation Section.

Consultation involved discussion on building design, community impacts, landscape design, traffic and parking issues.

Groups involved included:

- Woy Woy Rugby League Football Club
- Central Coast Division Rugby League
- Woy Woy Rugby Union Club
- Central Coast Rugby Union
- Woy Woy Business District
- Woy Woy Leagues Club
- State and Federal Members Representatives

Site & Context

The Woy Woy Oval No. 1 redevelopment site incorporates part of Lot 1 DP 656550, as shown below in Figure 1. The land is owned by Gosford City Council and is classified for Community use.

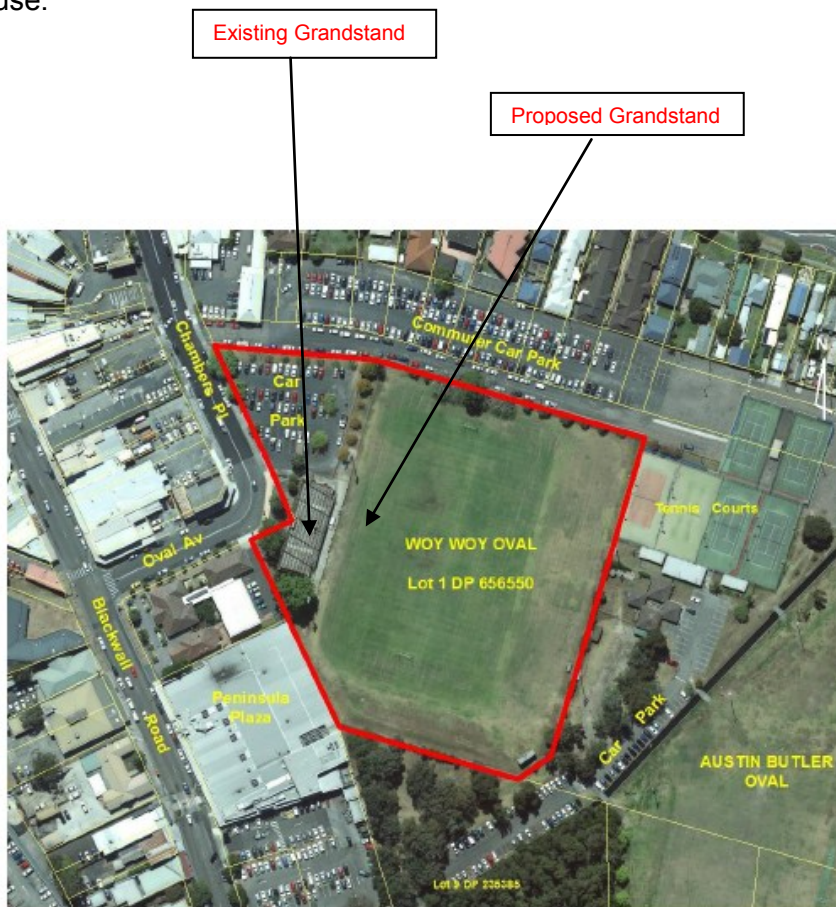


Figure 1. Woy Woy Oval Site Plan

The existing fenced area of Woy Woy Oval No 1 is situated on the north western parcel of land identified as part of Lot 1 DP 656550 being 5.636 ha in Chambers Place and Oval Avenue. Lot 1 also incorporates the Woy Woy tennis courts, commuter car parking areas off Chambers Place and part of the adjacent Austin Butler Oval on the southern side of the stormwater drainage channel that traverses both lots.

Referrals

The application was referred internally to Council Staff:

- Development Engineer
- Architect
- Heritage Advisor
- Environmental Officer
- Food Officer

- Trade Waste Officer
- Waste
- Water and Sewer
- Tree Assessment Officer
- Building surveyor

Proposal

Consent is sought for the redevelopment of Woy Woy Oval. The proposal involves the following:

- Site preparation;
- Construct the new grandstand building, including tiered seating, player change rooms, toilets, stores and referee's room;
- Construct clubhouse, lift, public toilets and kiosk building;
- Construct new forecourt, concourse and paths, including car parking spaces;
- Construct new entrance gates, adjoining the grandstand;
- Construct café and external dining area (13.3m x 9.9m);
- Forecourt landscaping;
- Erect scoreboard;
- Relocate 2 x existing lighting poles.

The new grandstand will be about 17m wide, 77m long and about 8m above existing ground level. The new grandstand will be located on the western side of the site about 26m from Opal Avenue/Chambers Place.

The new grandstand has a seating capacity of about 600 persons. This is a reduction of about 166 persons when compared to the existing grandstand which is to be demolished.

Previous community consultation identified that a 600 seat grandstand is adequate for most events at the oval. If seating capacity is full, overflow seating is available around the oval.

This application does not include redevelopment of the playing fields which will be the subject of a separate Part 5 Application/Assessment.

Assessment

This application has been assessed using the heads of consideration specified under Section 79C of the Environmental Planning & Assessment Act 1979, Council policies and adopted Management Plans. The assessment supports approval of the application and has identified the following key issues which are elaborated upon for the Panel's information.

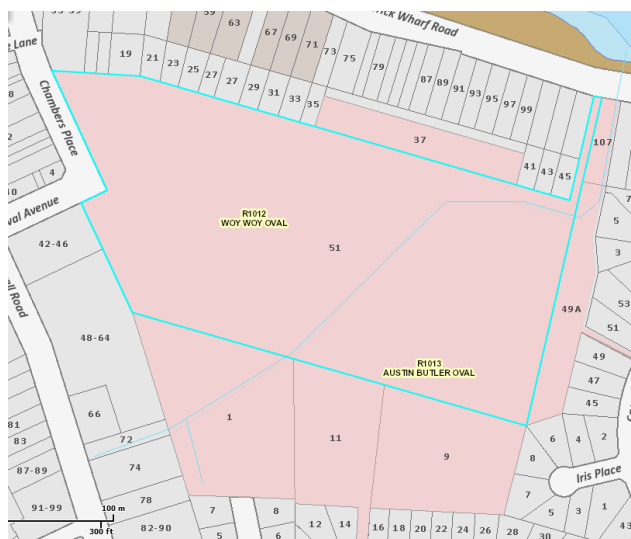


Figure 2. Locality map

Gosford Local Environmental Plan 2014

The land is zoned RE1 Public Recreation under Gosford Local Environmental Plan 2014. The proposal is defined as a recreation facility (major) with kiosk, car parking, and cafe. All are permissible land uses within the zone.

The objectives of the zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To identify areas suitable for development for recreation, leisure and cultural purposes.
- To ensure that development is compatible with the desired future character of the zone

In this instance, it is considered that the proposal is consistent with the stated objectives and is also consistent with the principles of Ecologically Sustainable Development, as specified within the Local Government Act 1993.

Principal Development Standards

Kiosk

5.4(6) of GLEP 2014 states that development for the purposes of a kiosk must not exceed a gross floor area of 50 square metres.

The proposed Kiosk located on the ground floor level of the grandstand has a total floor area of 28m² and therefore meets the maximum gross floor area specified in Clause 5.4(6) of the LEP.

Flooding

This land has been classified as being under a “flood planning level” and subject to the imposition of a minimum floor level, the development is considered satisfactory in respect to Clause 7.2 of Gosford Local Environmental Plan 2014.

Council's records indicate that the site is affected by flooding from Brisbane Water. The 1%AEP flood level is RL 1.65m AHD. The flood planning level (minimum floor level) is RL 2.45m AHD.

The proposed grand stand and cafe are designed to have a floor level of RL 2.45m AHD which satisfies the flood planning level. It is further recommended that any building materials below RL 2.45m AHD be of a type that can withstand the effects of immersion in flood waters, and that the minimum level of electrical installations are at RL 2.45m AHD.

The proposal includes areas of fill over the playing field and the forecourt entry to the stadium from Chambers Place, however, on the basis that these areas are categorised as low hazard flood fringe the importation of fill in these areas would have a negligible effect on flood levels associated with Brisbane Water.

Climate Change and Sea Level Rise

Climate change and sea level rise have been considered in the assessment of this application.

Climate change and sea level rise will be felt through:

- increases in intensity and frequency of storms, storm surges and coastal flooding;
- increased salinity of rivers, bays and coastal aquifers resulting from saline intrusion;
- increased coastal erosion;
- inundation of low-lying coastal communities and critical infrastructure;
- loss of important mangroves and other wetlands (the exact response will depend on the balance between sedimentation and sea level change); and
- impacts on marine ecosystems.

Government action may mitigate the impact of climate change and the question of sea-level rise may be able to be addressed through the construction of containment works or through Council's policies that may be developed over time.

Refusal of this application is not warranted.

Coastal Zone

The provisions of Clause 5.5 Gosford Local Environmental Plan 2014 and State Environmental Planning Policy (SEPP) No 71 - Coastal Protection require Council to consider matters in relation to the Coastal Zone. These matters have been considered in the assessment of this application and are considered consistent with the stated aims and objectives.

Gosford DCP 2013

The following chapters of Gosford DCP 2013 are relevant to the application.

Chapter 2.1 - Character

The proposed development falls within Section 11 – Town Centre, in Part 2 Chapter 2.1 – Character – Woy Woy of the Development Control Plan. The existing character of the precinct is described as: “A mixed precinct of retailing and tourist accommodation, commercial and community services, plus recreation facilities, in a gateway location and a foreshore setting that provides visually prominent backdrops to Brisbane Water, to the commuter railway and to neighbouring suburbs.”

In meeting the “Desired Character” objectives for the precinct, the proposed redevelopment will maintain the current range of activities & usage of the site, enhance facilities at the sports ground with lasting positive benefits for participants in sport, spectators and the broader community.

It is intended that the gates to the oval and grandstand will be left open during daylight hours, to encourage use by the community for general recreational activity and provide access to public amenities.

The proposed new entry forecourt, which fronts Chambers Place and Oval Avenue, will greatly improve the general amenity of these streets, encourage greater community activity, appreciation and engagement in this public area of the township. The proposed new café & community use spaces under the grandstand, open directly onto the forecourt to enable & activate the forecourt.

It is considered by the applicant that the redevelopment proposal will not significantly change the character of the surrounding area and that the development will comply with the DCP.

Chapter 2.2 – Scenic Quality

The proposed redevelopment falls within the Geographic Unit – Peninsular, in Part 2 Chapter 2.2 – Scenic Quality – Woy Woy/Umina land unit of the Development Control Plan.

The existing scenic qualities in Chapter 2.2 describe the precinct as: “of local scenic value only”. The grandstand and other buildings proposed will not be visible from the waterfront area. The new grandstand will be a lower elevation than the existing structure with a reduced seating capacity. It is considered that the low scale and general openness of the new grandstand and other structures will not dominate the visual qualities of the main street precinct.

In easterly views from the oval, tennis courts and adjoining parklands, the open space under the grandstand roof will enable views of the of Woy Woy escarpment to be revealed.

It is considered by the applicant that the redevelopment will have no significant impact likely to affect the existing landscape character and will meet the scenic conservation and development objectives of the DCP.

Chapter 6.1 – Acid Sulfate Soils

As the site is located within a Class 2 (Clause 7.1 Gosford LEP, 2014) acid sulfate soil area, testing for acid sulfate soils and any other possible contaminants has been carried out. The investigation results led to the assessment that there would be a high risk of generating acid sulphate soil conditions, should the fill and natural soils be disturbed during the construction works. An Acid Sulfate Management Plan has been prepared based on the results of the investigation & is included in this development application.

The geotechnical engineer has recommended the use of screw piles to support the café building & displacement CFA piles for the grandstand, so as not to generate spoil in the footing excavation works. Soils excavated from the site during the works will be managed and treated in accordance with the recommendations of the Acid Sulfate Management Plan and certification provided prior to reuse or disposal.

Chapter 6.3 - Erosion and Sedimentation Control

Erosion and siltation control measures will be undertaken during construction works in accordance with Council's Code of Practice for Erosion and Sedimentation Control.

Chapter 6.4 - Geotechnical Investigation

A geotechnical investigation has been undertaken on the site and a report of the findings and recommendations is included in this development application.

Chapter 6.6 – Preservation of Trees or Vegetation

The redevelopment proposes a new forecourt in the area currently occupied by the existing grandstand (soon to be demolished) and car park, and the relocation of the playing field to the east of its current position. This work will involve the removal of certain existing trees and planting areas, and significant earthworks to regrade the playing field, external spectator areas around the ground and for the forecourt. Existing levels, proposed new finished levels, embankments and contours are shown on the Landscape Design Plans and the extent of cut and fill shown on the Bulk Earthworks Plan. The trees to be retained, existing palm trees to be relocated and other trees to be removed are indicated on the existing site survey and Landscape Plan.

Proposed new planting, tree species, surface finishes and street furniture are noted in the landscape design drawings with accompanying design explanations and rationale.

Chapter 6.7 - Water Cycle Management

Stormwater from the site is proposed to discharge via a series of pipes to Council's stormwater system located in either the open channel that traverses the site or Chambers Place. Connection of stormwater to Council's system in Chambers Place will require approval under s138 of the Roads Act. The plans also indicate it is proposed to connect to the existing stormwater system that discharges to the open channel.

The proposal will result in less oils and greases leaving the site due to the removal of the car park in the area associated with the proposed forecourt. The new forecourt area will combine hard surfaces with turfed areas and soft landscaping treatments. Infiltration measures (soft rather than hard engineered solutions with pits & pipes) to control, collect and drain surface runoff water in the external areas are also proposed.

Roof water from the grandstand is proposed to be collected and stored in a water tank (40,000 litres) for toilet flushing & irrigation purposes, which will reduce the volume of water entering the Council stormwater drainage system.

The proposed stormwater management provided with the application generally complies with chapter 6.7 of Council's DCP2013.

There is an existing 600mm diameter water trunk main that traverses the site in a north-south direction, between the current grandstand and playing field. Investigation has indicated that the invert levels for this pipeline vary at depths between 600 & 900mm below the existing ground surface levels of (RL1.2m AHD). The pipeline was located on site by the excavation of inspection pits and accurately plotted on the site survey plan submitted with the application (refer to Appendix E).

The proposed grandstand is in close proximity to this pipeline, but located beyond the minimum required dimension of 3m clear of the pipe at its closest point at the southern end. A 7m wide "no building" reservation zone, centred on the pipe, has been identified on the proposed site master plan for the Woy Woy Oval. On the western side of this reservation zone, an avenue of new trees is proposed to flank the edges of the grandstand concourse. The trunks of these trees are located in a line which is a minimum of 5m from the centreline of the pipe.

To enable the access of equipment and cranes for maintenance work over the pipe, an unimpeded 5m wide and full height corridor has been allowed for in the design to clear the grandstand roof and overhanging tree canopies. Between the avenue of trees, additional clear space will assist in facilitating this access if required.

The area of concourse along the frontage of the grandstand building will be relatively flat, with a minimum 50mm crossfall to RL 2.40m AHD, however this area of the concourse is being filled over the pipeline to achieve this level. The pavement in the concourse is proposed to be 5m wide, and constructed of segmented paving units laid on a compacted gravel sub-base and sand bed. The remaining reservation area over the water main will be lawn.

Chapter 7.1 - Car Parking

The proposed development will result in the loss of 55 spaces due to the position of the proposed forecourt area. Fourteen (14) new time-restricted spaces (including 2 disabled spaces) will be provided adjacent to the proposed cafe, however this will also result in the loss of a further 7 parallel spaces from the adjacent car park, plus 1 space for ambulance access. Accordingly the development will result in the loss of a total 49 long term car parking spaces from the area.

It is proposed to compensate for the reduction in spaces through the conversion of 62 spaces in the adjacent northern car park, to short term timed parking spaces at the western end of the Chambers Place overflow commuter car park. This will minimise the impact of the development on the operation of the businesses within Woy Woy town centre.

All changes to the regulatory parking signage will need to be separately approved by Council's Traffic Committee.

(Refer Condition 5.8 & 5.13)

Details of the proposed changes to the car parking arrangements are illustrated in the following figure.

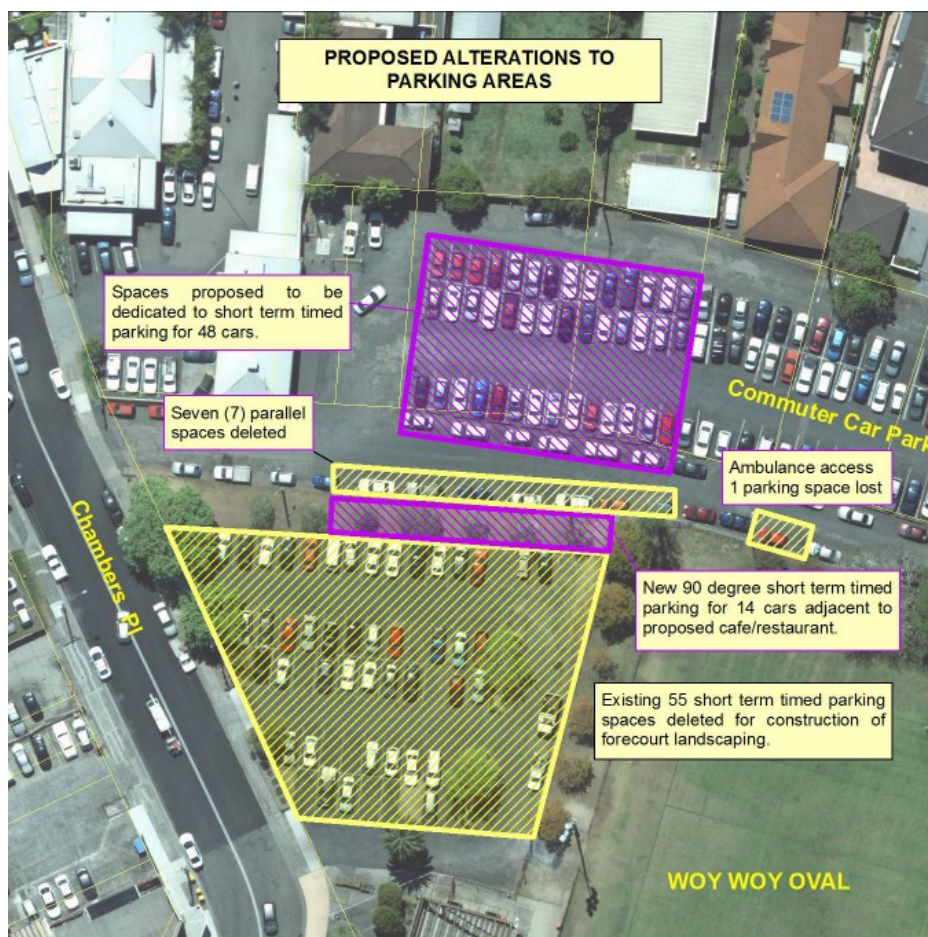


Figure 3. Car Parking Details

Public transport is readily accessible at Woy Woy train station/bus terminal. The distance on foot from the terminal via Blackwall Road and Oval Avenue is approximately 320 metres. Sufficient commuter parking will be retained to the east of the time restricted parking area.

The proposed redevelopment aims to replace an existing grandstand facility and will not substantially change the present use, nor will the number of people anticipated to use the site at peak-times increase beyond present crowd numbers. The new grandstand will cater for 600 seated spectators. This represents a reduction in seating capacity of 166 seats compared to the existing grandstand.

It should be noted that the development site does not fall within Contribution Plan 67 Car Parking – Woy Woy.

Chapter 7.2 - Waste Management Controls

A waste management plan (WMP) has been prepared in line with the requirements of the Development Control Plan. Waste will be generated from the site during the construction of the new grandstand structure, associated building & landscaping works as detailed in the WMP.

Ongoing management of the waste generated by regular use of the grandstand and oval facility is undertaken by Council's Recreation Operations grounds staff and sporting event organisers. The café building will be provided with waste storage facilities, managed by the café tenant. Separate waste bins will be provided for plastic bottle and metal containers for recycling purposes and general waste. 12 bins for the grandstand and oval facility and 6 bins for the café, will be located in separate bin storage enclosures below the grandstand and to the rear of the café within the buildings' confines. The enclosures will be identified by external signage, be well ventilated to prevent odours arising and be provided with wash down facilities.

The bins will be wheeled by the oval maintenance staff and café tenant to a bin collection area at the northern end of the new grandstand concourse. Here, the bins will be directly accessible to commercial waste collection vehicles from the carpark roadway.

The grandstand and oval facility bins will be collected by commercial waste contractors under special arrangements. It is envisaged that the café bins will need to be collected every 2-3 days and the café tenant will arrange the waste removal services of a private contractor for this purpose. The roadway in front of the bin collection area will be signposted either for “No Parking” or designated as a “Loading Zone Mon-Fri”, to facilitate garbage truck access.

Internal Referrals

Engineering

Council's Development Engineer raises no objections to the proposal subject to conditions.

Refer (Conditions 2.2-2.6, 4.8-4.10, 5.6)

Water & Sewer

Council's Water and Sewer Officer has assessed the application and advises:

- *“Water & Sewer is available to the land.*
- *A 600mm MSCL Water Trunk main, a 225mm AC sewer rising main, a 225mm VC sewer reticulation main and 100mm water reticulation main are contained within the site.*
- *Council's Building Over / Adjacent to Sewer and Water Main Guidelines shall apply. In addition to the standard BOS conditions involving foundations below the zone of influence (ZOI) of mains contained within the site the following conditions apply and will be provided on the S306 requirement letter for the development:*
 - *A minimum 6.0 metre unimpeded access corridor for operation and maintenance purposes is required over the 600mm water supply trunk main. ZOI for the 600mm trunk main shall commence 3.0 metres from centreline of the pipe line. A minimum 2.0 metres clearance either side of the 600mm pipe line is required for future installation of shoring boxes.*
 - *No structure is to be constructed within 1.5 metres of the 225mm sewer rising main and 100mm water reticulation main (IE. 3.0 metre unimpeded access corridor). It is noted the 100mm water reticulation main will be removed as a consequence of the location of the proposed grandstand and only disconnection requirements apply to the main.*
 - *Future development within the 6.0 metre water supply trunk main corridor shall be restricted due to access requirements for operational and maintenance purposes.*
 - *Section 306 / 307 water headworks / augmentation contributions shall apply.”*

Council's Water and Sewer Section raise no objections to the proposal subject to conditions.

(Refer Conditions 2.4, 2.5)

Heritage

Council's Heritage Officer has assessed the application and raises no objections to the proposal.

Building

Council's Building Surveyor has assessed the application and raises no objections to the proposal subject to conditions.

(Refer Conditions 1.2, 3.5-3.9, 4.2-4.7, 5.2)

Environment

Council's Environmental Assessment Officer has assessed the application and raises no objections to the proposal.

Tree

Council's Tree Assessment Officer has assessed the application and advises:

"Trees to be removed are all planted ornamentals mostly consisting of small specimens of Sapium, Callistemon and Pin Oak.

The Arboricultural Impact Assessment and Landscape Plans differ in regard to four (4) Coral trees near the northern oval boundary. The Landscape Plan shows the Coral trees to be retained, whereas the Arborist Report recommends removal.

Coral trees are exempt from Council's DCP and can be removed at any stage by the asset owner. There is no objection in attempting to retain the trees providing remedial pruning works are undertaken. If pruning works are not practical to successfully retain the trees, the asset owner can decide to remove individual trees.

Existing Phoenix Palms are proposed to be relocated on site to the Grand stand entry. Transplanting of this species of Palm can be very successful and is supported on this occasion.

Retention of existing Plane trees with the transplanted Palms is supported, and the site will be further supplemented with new tree plantings of Tuckeroo, Nyssa and Pine."
(Refer Conditions 3.11, 3.12, 4.11, 4.12)

Food

Council's Food Surveillance Officer raises no objections to the proposal subject to conditions.
(Refer Conditions 2.9, 4.14-4.17, 5.9, 5.10)

Trade Waste

Council's Liquid Trade Waste Officer raises no objections to the proposal subject to conditions.
(Refer Conditions 2.7, 2.8, 3.10)

Waste Services (Garbage)

Council's Waste Assessment Officer raises no objections to the proposal subject to relevant conditions being included in the conditions of consent.
(Refer Conditions 4.5, 4.13)

Public Submissions

The application was notified in accordance with Chapter 7.3 Public Notification of Development Applications and one (1) public submission was received. Those issues associated with the key issues have been addressed in the above report. The remaining issues pertaining to various concerns were addressed in the assessment of the application pursuant to the heads of consideration contained within Section 79C of the Environmental Planning and Assessment Act 1979.

A summary of the submission is detailed hereunder.

- 1. The 55 car spaces will be located further north-west, away from Oval Ave. Oval Ave is the access from the present 55 spaces directly onto Blackwall Road to service the old Blackwall Road retail strip. Council has previously said they are trying to revitalise the old retail strip and we feel that this partial loss of convenience will be detrimental. We would like you to consider partially redesigning this so new parking would not be so far away from Oval Ave.**

Comment

The imposition of parking time restrictions will aid the nearby businesses so that commuters do not take up parking spaces all day. This will effectively increase the availability of parking spaces.

The proposed new grandstand and provision of time restricted parking near the existing shops should contribute to revitalization of the area,

2. **No doubt the proprietors of the cafe will wish to trade during the week and so additional parking above the present 55 should be required as for any new business on the Peninsula.**

Comment

The installation of parking time restrictions compensates for the loss of all day parking spaces by increasing the availability of short-term parking spaces over the business day.

Conclusion

The proposed grandstand, cafe and associated facilities are permissible with consent.

All relevant matters under Section 79C of the Environment Planning and Assessment Act, Section 89 of the Local Government Act, the objectives of the zone and the principles of ecologically sustainable development have been considered and no objection is raised to the proposal subject to compliance with the conditions contained within the recommendation.

There was only one (1) public submission which supports the proposed new development but has concerns about the changes to car parking. The loss of 49 spaces is compensated for by the installation of timed parking restrictions.

The redevelopment of the oval and grandstand will provide economic, social and sporting benefits to the community by the construction of a new modern facility.

Attachments: Nil

Tabled Items: Nil

RECOMMENDATION

- A The Joint Regional Planning Panel as consent authority grant consent to Development Application No 46329/2014 for Construction of New Grandstand, Cafe and Associated Facilities as part of Woy Woy Oval Redevelopment on LOT: 1 DP: 656550, 51 Chambers Place WOY WOY subject to the conditions attached.
- B The applicant be advised of Joint Regional Planning Panel decision and of their right to appeal in the Land and Environmental Court under Section 97 of the Environmental Planning and Assessment Act 1979 six (6) months after the date on which the applicant receives notice in respect to Council's decision..
- C The objectors are notified of Joint Regional Planning Panel's decision.

CONDITIONS

1.. PARAMETERS OF THIS CONSENT

1.1. Approved Plans and Supporting Documents

The development shall be implemented substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "*Development Consent*" unless modified by any following condition.

Architectural Plans by Conrad Gargett Riddel

Drawing	Description	Sheets	Issue	Date
A0000	Title Sheet	1	B	19/8/2014
A1000	Site and Site Analysis Plan	1	B	19/8/2014
A2100	Grandstand Levels 00 and 01 Plans	1	B	19/8/2014
A2110	Cafe Plans and Elevations	1	B	19/8/2014
A2800	Grandstand Roof Plan	1	B	19/8/2014
A3000	Grandstand Elevations	1	B	19/8/2014
A3500	Grandstand sections and Entry Elevation	1	B	19/8/2014
A9000	Solar Study – Winter Solstice	1	B	19/8/2014
A9001	Solar Study – Spring Equinox	1	B	19/8/2014
A9002	Solar Study – Autumn Equinox	1	B	19/8/2014
A9100	3D Images	1	B	19/8/2014
14057	DA Landscape Package Cover sheet	01	-	undated
14057	Overall Landscape Master Plan	02	A	6/8/2014
14057	Landscape Design DA Package	03	A	6/8/2014
14057	Trees to be Retained	04	A	6/8/2014
14057	Landscape Design – Forecourt	05	A	6/8/2014
14057	Landscape Design – Rugby Field	06	A	6/8/2014
14057	Sections 1-3	07	A	6/8/2014
14057	Surface Facilities and Furniture	08	B	11/8/2014
14057	Tree Species	09	B	11/8/2014
HDA01	Hydraulic Services/Street Location Plan	1	P1	5/8/2014
HDA02	Hydraulic Services/Site Plan	1	P1	5/8/2014
HDA03	Hydraulic Services/Level 00 Plan - North	1	P1	5/8/2014
HDA04	Hydraulic Services/Level 00 Plan - South	1	P1	5/8/2014
HDA05	Hydraulic Services/Level 01 Plan	1	P1	5/8/2014
HDA06	Hydraulic Services/Stormwater Details	1	P1	5/8/2014
HDA07	Hydraulic Services/Stormwater Schedules	1	P1	5/8/2014

Supporting Documentation

Document	Title	Date
	Statement of Environmental Effects	August 2014
	Arboricultural Impact Assessment	27/8/2014
	Waste Management Plan	18/8/2014
27499Prpt	Geotechnical Investigation	9/7/2014
E27499Klet	Preliminary Acid Sulphate Soil Assessment and Management Plan	10/7/2014

1.2. Building Code of Australia

All building works must be carried out in accordance with the Building Code of Australia.

1.3. The consent applies only to the grandstand, forecourt area and change to car parking.

2.. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

2.1. No activity is to be carried out on site until any Construction Certificate has been issued. Other than:

- a Site investigation for the preparation of the construction, and/or

- b Implementation of environmental protection measures, such as erosion control etc that are required by this consent.
- 2.2. All work required to be carried out within a public road reserve must be separately approved by Council, under Section 138 of the Roads Act 1993.

Engineering plans for the required work within a public road must be prepared and designed by a suitably qualified professional, in accordance with Council's "Civil Construction Specification", "GCC Design Specification for Survey, Road and Drainage Works" and "Policy 'D6.46 Erosion Sedimentation Control".

The required works to be designed are as follows:

- a. Removal of the three (3) redundant vehicle access crossings (associated with access to the car park to be removed within the site) and replacement with new kerb and gutter, footway formation at 2% from the top of kerb to the property boundary, and full width reinforced (SL72 steel fabric, 100mm thick) concrete footpath that is coloured to match the existing coloured footpath within the southern frontage of the site.
- b. Removal of the plain concrete footpath and garden beds within the footpath within the frontage of the site in Chambers Place and replacement with footway formation at 2% from the top of kerb to the property boundary, and full width reinforced (SL72 steel fabric, 100mm thick) concrete footpath that is coloured to match the existing coloured footpath within the southern frontage of the site.
- c. The piping of stormwater from within the site to Council's drainage system located in Chambers Place.

The engineering plans must be approved by Council prior to the issuing of any Construction Certificate required under this consent.

- 2.3. A dilapidation report must be submitted to Council prior to issue of any Construction Certificate and/or approval of engineering plans under the Roads Act. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development.
- 2.4. Satisfactory arrangements must be made for the provision of water and sewer services to the land. A copy of the Certificate of Compliance under Section 307 of the Water Management Act 2000, must be obtained from the Water Authority (Council) prior to the issue of any Construction Certificate. Contributions may be applicable to the Section 307 Certificate.
- 2.5. Development constructed near or over the sewer main and/or adjacent to Council's water main must comply with Council's guidelines for "Building Over or Near Council Sewer and Water Mains". Engineering details prepared and certified by a practising structural engineer must be submitted to the Water Authority (Council) prior to the issue of any Construction Certificate. The submission of contractor's documentation and sewer inspection fees may apply. The applicant is to contact Council's Water and Sewer Quality Inspector a minimum one week prior to commencement of any work involving building over / adjacent to sewer mains.
- 2.6. Design of the following engineering works within private property:
- a. Driveways and car parking areas must be designed according to the requirements of the current Australian Standard AS2890 for the geometric designs, and industry Standards for pavement designs.

- b. Piping of all stormwater from impervious areas within the site to Council's drainage system located in Chambers Place and the open drain. Roof water from the grandstand is to be discharged via a 40,000 litre rainwater tank.
- c. The minimum floor level of all habitable areas in the grandstand and café must be RL 2.45m AHD.
- d. All building materials used or located below RL 2.45m AHD must be of a type that is able to withstand the effects of immersion.

The design of these details and any associated reports shall be included in any construction certificate.

- 2.7. All plumbing work to be carried out by a licenced plumber who has a current licence registered with NSW Office of Fair Trading.

The work must be inspected by Council's plumbing inspector.

Also the licence plumber must submit a notice of work for plumbing and drainage application 2 days prior to Council before an inspection can be carried out.

This falls under the Plumbing Code of Australia from 1 January 2013

- 2.8. This development must comply with Council's backflow Prevention Policy WS.04.

- 2.9. Details of any proposed mechanical ventilation systems, detailing compliance with the relevant requirements of Clause F4.12 of the Building Code of Australia (BCA) and Australian Standard AS1668 Parts 1 & 2 (including exhaust air quantities and discharge location points) are to be submitted to and approved by the PCA prior to a Construction Certificate being issued for the subject works.

A certificate being submitted at the completion of the installation from a practising Mechanical Engineer certifying that the construction, installation and operation of the exhaust hood ventilation system meets the requirements as AS 1668.1 and/or AS 1668.2.

3.. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. Any construction certificate for the building work is to be issued and the person having the benefit of the development consent must appoint a Principal Certifying Authority prior to the commencement of any building works.

The Principal Certifying Authority (if not the Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than 2 days before the building work commences.

- 3.2. A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
- 3.3. Site works are not to commence until the sediment control measures have been installed in accordance with the approved plans.
- 3.4. A sign is required to be erected in a prominent position on any work site on which building or demolition work is being carried out. The sign shall indicate:
- a) The name, address and telephone number of the principal certifying authority for the work; and

- b) The name of the principal contractor and a telephone number at which that person may be contacted outside of working hours; and
- c) That unauthorised entry to the work site is prohibited.

The sign is to be removed when the work has been completed.

- 3.5. Temporary closet accommodation being provided throughout the course of building operations by means of a chemical closet complying with the requirements of the Department of Environment and Climate Change or temporary connections to Council's sewer where available, such connections to be carried out by a licensed plumber and drainer.
- 3.6. Public access to the construction site is to be prevented, when building work is not in progress or the site is unoccupied.

These prevention measures must be in accordance with the NSW WorkCover publication titled, '*Site Security and Public Access onto Housing Construction Sites*' and installed prior to the commencement of any demolition, excavation or building works and be maintained throughout construction. The use of barbed wire and/or electric fencing is not to form part of the protective fencing to construction sites.

- 3.7. A suitable hoarding or fence is to be erected between the building or site of the proposed building and any public place to prevent any materials from or in connection with the work, falling onto the public place.

If it is intended or proposed to erect the hoarding or fence on the road reserve or public place, a separate application made under the *Roads Act 1993* will need to be lodged with Council together with the associated fee.

- 3.8. Prior to commencement of any demolition work, the property's sewer connection must be disconnected at the Inspection Shaft and capped.
- 3.9. The Structural Engineer's details are to be certified that they have been prepared in accordance with the details and recommendations of the Geotechnical Report No. 27499Prpt prepared by J K Geotechnics and dated 9 July 2014.
- 3.10. Submission of an application for approval to discharge liquid trade waste into Council's sewerage system. The application and details of the proposed method of treatment, to be submitted to Council's liquid trade section prior to the commencement of works.
- 3.11. The Principal Certifying Authority must ensure that all parties/trades working on the site are fully aware of their responsibilities with respect to tree protection conditions.
- 3.12. Tree Protection is to be provided in accordance with the recommendations of the Arboricultural Impact Assessment by Advanced Treescape 27/8/14.

4.. DURING WORKS

- 4.1. Clearing of land, excavation, and/or earthworks, building works, and the delivery of building materials shall be carried out between the following hours:

Mondays to Fridays - 7:00am to 6:00pm

Saturdays - 8:00am to 4:00pm except as noted in Clause 'b'

- a No work is permitted on Sundays and Public Holidays
- b No work is permitted on:

- Saturdays when a public holiday is adjacent to that weekend.
 - Construction industry awarded rostered days off.
 - Construction industry shutdown long weekends.
- 4.2. Erosion and Siltation control measures must be undertaken and maintained in respect to any part of the land where the natural surface is disturbed or earthworks are carried out. The controls shall comply with Council's Erosion Sedimentation Control Policy D6.46.
 - 4.3. Building materials must not be stored nor construction work carried out on the road reserve unless associated with a separate approval under the *Roads Act 1993*.
 - 4.4. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made is responsible to notify the neighbour and responsible for the protection and preservation of the adjoining allotment of land.
 - 4.5. This development is subject to DCP 2013 Chapter 7.2 – Waste Management. The Waste Management Plan submitted as supporting documentation with this development consent is required to be implemented during all stages of demolition and construction.
 - 4.6. No fill permitted beyond the footprint of the building with the exception of vehicular access.
 - 4.7. All recommendations of the geotechnical report must be implemented during works. This includes, but is not limited to, the carrying out of all inspections as required by the geotechnical engineering report with a view to the geotechnical engineer providing written certification to the Principal Certifying Authority's satisfaction that all works have been carried out on site in accordance with the recommendations contained within the geotechnical engineers report.
 - 4.8. The works within the road reserve that required approval under the Roads Act shall be constructed in accordance with Council's 'Civil Construction Specification', 'GCC Design Specification for Survey, Road and Drainage Works' and Policy 'D6.46 Erosion Sedimentation Control'.
 - 4.9. The location of all electrical fixtures and/or gas outlets are to be at a minimum height of RL 2.45m AHD.
 - 4.10. The Engineering works within private property that formed part of any construction certificate shall be constructed in accordance with the plans and details approved with any construction certificate.
 - 4.11. Trees to be removed are to be those nominated for removal within the approved Landscape Plans. Trees must be removed in a manner so as to prevent damage to those trees that are to be retained.
 - 4.12. Remedial pruning works are to be undertaken on Coral trees located near the north-western corner of the oval. If pruning works cannot be undertaken to the satisfaction of the projects Arborist, then trees are to be removed.
 - 4.13. Comply with all commitments as detailed in the Waste Management Plan signed by P. Cantillon, dated 18 August 2014.
 - 4.14. The fitout of the food premises is to comply with the Food Act 2003, Food Regulation 2010, Food Standards Code and the Australian Standard AS4675 for the Design Construction and Fitout of the Food Premises.

- 4.15. A dry basket arrestor is to be installed within the food preparation area.
- 4.16. Sink strainers are to be installed within the kitchen sink waste outlet.
- 4.17. A commercial grease arrestor is to be installed in association with the food premises.

5.. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. Application for any Occupation Certificate must be submitted to and approved by the Principal Certifying Authority prior to occupation of the building.
- 5.2. The premises not being occupied until any occupation certificate has been issued.
- 5.3. The development shall incorporate a stormwater retention system consisting of either rainwater tanks and/or stormwater tanks (as defined in DCP 2013 Chapter 6.7 -Water Cycle Management) with a minimum total capacity of 40,000 litres, capturing water from at least 90% of the total roof area. The water collected is to be suitably treated and connected to an external tap, all toilet cisterns and cold washing machine tap(s). Overflow from the rainwater tanks and/or stormwater tanks are to be directed by a piped drainage line to external drainage system.
- 5.4. Impervious surface areas including pathways and driveways are to be graded and drained to prevent water run-off affecting adjoining properties.
- 5.5. Prior to the issue of any Occupation Certificate a geotechnical engineer shall provide written certification to the Principal Certifying Authority's satisfaction that all works have been carried out on site in accordance with the submitted geotechnical report recommendations.
- 5.6. Works within the road reserve that required approval under the Roads Act are to be completed in accordance with Council's 'Civil Construction Specification', 'GCC Design Specification for Survey, Road and Drainage Works' and Policy 'D6.46 Erosion Sedimentation Control', and documentary evidence for the acceptance of such works obtained from the Roads Authority prior to the issue of any Occupation Certificate.

Note 1: A maintenance bond shall be paid on completion of the works in accordance with Section 1.07 Maintenance of the 'Civil Construction Specification'.

- 5.7. Prior to the issue of any Occupation Certificate, the internal engineering works within private property that formed part of any construction certificate shall be completed in accordance with the plans and details approved with any construction certificate.
- 5.8. Changes to regulatory parking restrictions are to be approved by Council's Traffic Committee and signage installed/changed prior to issue of any Occupation Certificate.
- 5.9. Any proposed refrigerated/cooling/freezing chamber, which is of sufficient size for a person to enter must have-
 - (a) a door which is capable of being opened by hand from inside without a key; and
 - (b) internal lighting controlled only by a switch is located adjacent to the entrance doorway inside the chamber; and
 - (c) an indicator lamp positioned outside the chamber which is illuminated when the interior light is switched on; and
 - (d) An alarm that is-
 - a. located outside but controllable only from within the chamber; and

- b. able to achieve a sound pressure level outside the chamber of 90dB(A) when measured 3m from the sounding device.

The door required by (a) above must have a doorway with a clear width of not less than 600mm and a clear height of not less than 1.5m.

- 5.10. Council is to be notified upon completion of work and following the issue of the occupation certificate, prior to trading commencing to enable the premises to be inspected by Council's Environmental Health Officer and for the premises to be registered with the Council as a food premises.
- 5.11. Completion of Landscaping works and changes to car parking.
- 5.12. The driveway, vehicle manoeuvring area and car parking spaces as shown on the approved plan must be properly constructed, graded, drained, sealed and line marked including directional arrows with impervious paving material, in accordance with Australian Standard 2890.1-2004 Off Street Parking.
- 5.13. The sixty two (62) short term car parking spaces at the western end of Chambers Place overflow commuter car park is to be sign posted prior to issue of any occupation certificate.

6.. ONGOING OPERATION

- 6.1. The operation of all mechanical plant equipment and machinery (i.e. air conditioning unit and/or heat pump) shall not give rise to offensive noise as defined in the Protection of the Environment Operation Act 1997.

7.. ADVICE

- 7.1. The public authorities may have separate requirements and should be consulted in the following aspects:
 - a *Australia Post* for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - b *Jemena Asset Management* for any change or alteration to the gas line infrastructure;
 - c *Ausgrid* for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
 - d *Telstra, Optus* or other telecommunication carriers for access to their telecommunications infrastructure.
 - e *Gosford City Council* in respect to the location of water, sewerage and drainage services.
- 7.2. All work carried out under this Consent should be done in accordance with WorkCover requirements including the Workplace Health and Safety Act 2011 No 10 and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- 7.3. Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the

configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

- 7.4. Separate application being made for connection to Council's sewerage system.
- 7.5. It is the sole responsibility of the owner, builder and developer, to ensure that the proposed building or works complies with the requirements of the *Disability Discrimination Act*.
NOTE: The *Disability Discrimination Act* (DDA) is a Federal anti-discrimination law. The DDA covers a wide range of areas including employment, education, sport and recreation, the provision of goods, services and facilities, accommodation and access to premises. The DDA seeks to stop discrimination against people with any form of disability including physical, intellectual, sensory, psychiatric, neurological, learning, disfigurement or presence in the body of a disease-causing organism. Whilst this development consent issued by Council is in accordance with the relevant provisions of the current *Building Code of Australia*, it does not indicate nor confirm that the application complies with the requirements of the DDA.
- 7.6. A fee for the approval of engineering plans under the Roads Act 1993 applies. The amount of this fee can be obtained by contacting Council's Customer Services on (02) 4325 8222.
- 7.7. Developers should make early application for a Section 307 Certificate under the Water Management Act 2000 from the Water Authority (Council). For a copy of the application form 'Application for Certificate under Section 305' contact Customer Service on (02) 4325 8200 or visit Council's web site www.gosford.nsw.gov.au to download a form from the Water & Sewerage forms index.
- 7.8. Any changes to regulatory signage within Chambers Place and within private property will require a separate approval from the Local Traffic Committee.
- 7.9. Waste storage to be as detailed on Dwg No A2100, Revision B and Dwg No A2110, Revision B by CONRAD GARRETT RIDDEL dated 19 August 2014.

8.. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a **criminal offence**. Failure to comply with other environmental laws may also be a **criminal offence**.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

9.. REVIEW OF DETERMINATION

- 9.1. Subject to provisions of Section 82A of the Act the applicant may make an application seeking a review of this determination, providing it is made in time for Council to determine the review within six (6) months of this determination.

10.. RIGHT OF APPEAL

- 10.1. Section 97 of the Act, confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court within six (6) months, from the date of determination.
- 10.2. To ascertain the date upon which the determination becomes effective refer to Section 83 of the Act.

[**<<Insert Attachment Link/s Here >>**](#)