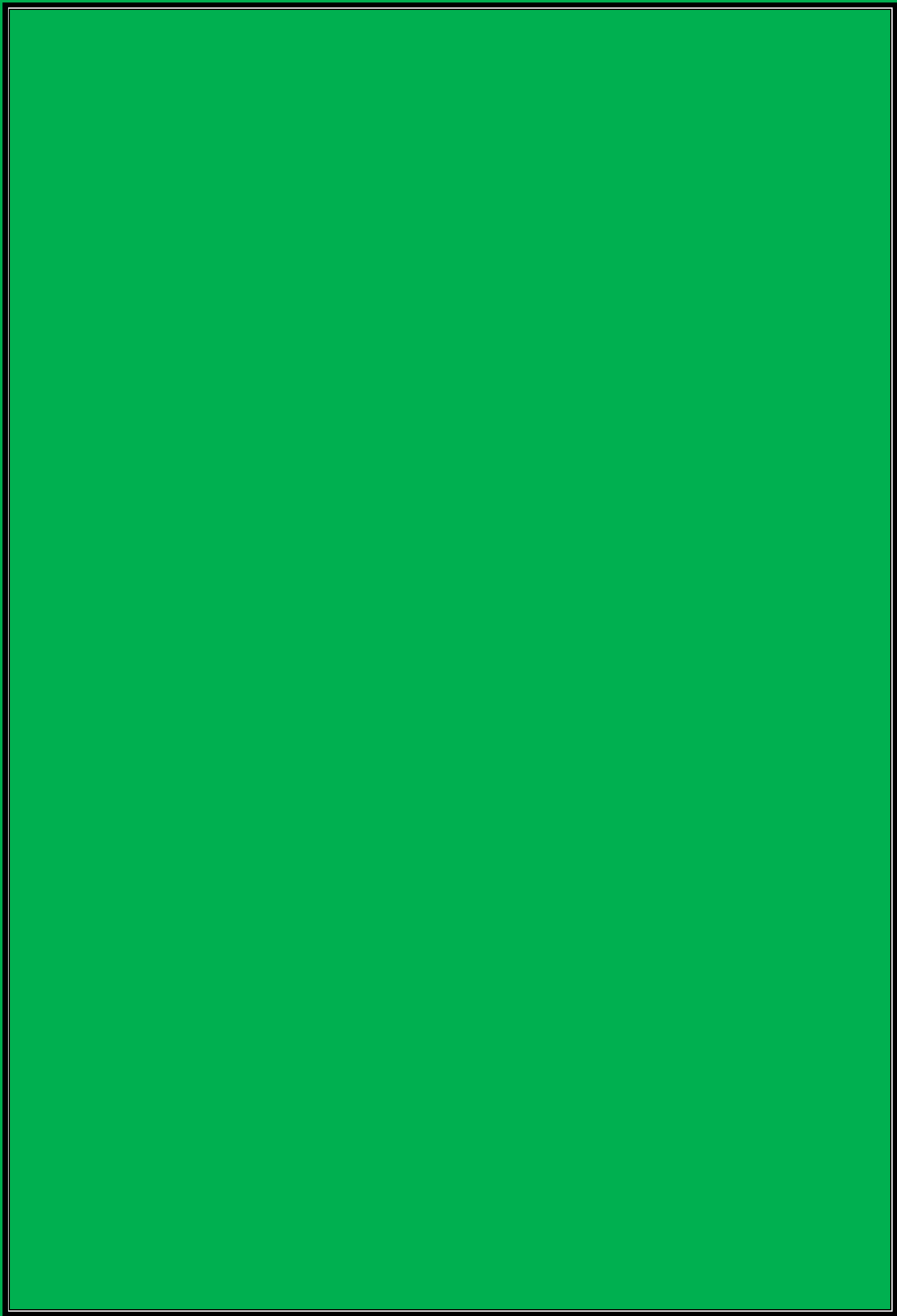


**** Wednesday 4
November 2015 ****

**Council
Assessment Report**

2015SYW142 (DA/849/2015)

Hornsby PYC



**JOINT REGIONAL PLANNING PANEL
(Sydney West Region)**

JRPP No	2015SYW142
DA Number	DA/849/2015 (Lodged 9 July 2015)
Local Government Area	Hornsby
Proposed Development	Hornsby PCYC – Demolition of existing tennis court complex and construction of a new indoor recreation facility with basement car parking.
Street Address	Lots 300 and 301 DP 832745 Nos. 20X Waitara Avenue, Waitara (Waitara Oval) and 1 Park Lane, Waitara (Waitara Park -Tennis Courts)
Applicant/Owner	Facility Design Group Pty Ltd PO Box 82 CAMBEWARRA NSW 2540
Number of Submissions	Four (4) submissions
Regional Development Criteria (Schedule 4A of the Act)	The DA is referred to the JRPP pursuant to Schedule 4A of the <i>Environmental Planning and Assessment Act 1979</i> , as amended. The Panel is authorised to exercise the consent authority functions of Council as the development proposed has a combined capital investment value of more than \$5 million and the reserve is owned by Council and Council is a party to the development. Capital Investment value of the development - \$ 15,000,000
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) • State Environmental Planning Policy No. 55 – Remediation of Land • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River • Hornsby Local Environmental Plan 2013 – RE1 Public Recreation Zone • Hornsby Development Control Plan 2013 • Waitara Park – Plan of Management
List all documents submitted with this	<ul style="list-style-type: none"> • Locality Plan

report for the panel's consideration	<ul style="list-style-type: none">• Architectural Plans• Landscape Plan• Shadow Diagrams
Recommendation	Approval
Report by	Key Urban Planning on behalf of Hornsby Council

ASSESSMENT REPORT AND RECOMMENDATION

EXECUTIVE SUMMARY

- The proposal involves the demolition of the existing tennis courts and clubhouse on the site and the construction of a new indoor recreation facility to be operated by the PCYC. The proposed centre will incorporate a range of recreational facilities including a gymnasium, dance room, band room, boxing room, main hall (2 x full sized basketball courts), martial arts room, meeting rooms, cultural music centre, café and a crèche. A basement car park comprising 90 car spaces forms part of the proposal with vehicular access from Park Avenue. The centre is proposed to operate from 6.00 am to 10.30 pm 7 days/week.
- The site is owned by Council. In accordance with Council's adopted Policy '*Proposed Council Developments*' an independent assessment of the development application has been undertaken by Peter Fryar (Director) Key Urban Planning.
- The proposal complies with the relevant provisions of the Hornsby Development Control Plan 2013 and is consistent with the provisions of the Hornsby Local Environmental Plan 2013.
- Four (4) submissions have been received in respect of the application. Issues raised in the submissions include concerns regarding the impacts of traffic and parking, loss of amenity due to noise and light spill, proposed hours of operation, and location and operational characteristics of the facility.
- It is recommended that the application be approved with conditions set out in Schedule 1.

RECOMMENDATION

THAT Development Application No. 849/2015 for the demolition of the existing tennis courts and clubhouse on the site and construction of a new indoor recreation facility at No. 20X Waitara Avenue, Waitara (Waitara Park) be approved subject to the conditions of consent detailed in Schedule 1 of this report.

BACKGROUND

Waitara Park is used for a range of recreational activities. In 1972, the tennis court complex was built where previously there was a small oval used for practice and school events. The Bowling Club in the Crown Reserve portion in the north was developed in the early 1960's with the gazettal of the Crown Reserve in 1965. The Hornsby Bowling Club operated in this location but in recent years this use was on the decline as was the upkeep of the site. The PCYC obtained a perpetual lease (Lease 76311) in late 2010 for the ongoing use of the Crown Reserve that became the Hornsby/Ku-ring-gai PCYC Performing Arts Centre. A wide range of performing arts activities, primarily for school aged children, were introduced during 2010 and lawn bowls for adults and high school students continued as a PCYC activity with the greens being maintained by volunteers (due to lack of funds to employ a greenkeeper).

The PCYC has been providing community facilities out of the existing Bowling Club building with some "break out" use to the adjoining Bowling Greens. Community demand for PCYC services in the Hornsby area and the condition and nature of existing facilities is such that the adaptive re-use of the Bowling Club provides only an interim solution.

As such, alternatives have been explored for upgrading of facilities to serve the Hornsby Community. Waitara Park was seen as an appropriate place to pursue this upgrade not only because of the incumbent usage of the Crown Reserve area but due to the site's highly accessible strategic location close to public transport and in an area of future increased residential density.

PCYC recently sold land holdings in the Hornsby area to enable funding of proposed new facilities in Waitara Park.

A recently adopted Plan of Management ("**PoM**") for Waitara Park (9 September 2015) provides for the PCYC facility the subject of this development application. Council has identified that the existing tennis courts will be relocated to the northern Crown Reserve portion of the park. Relocation will enable new surfaces to be provided with a new amenities / storage facility for tennis operations over a reduced more efficient building footprint.

SITE

Waitara Park is located within 1 kilometre of the Hornsby Town Centre. It is bordered by road frontages to Edgeworth David, Waitara and Park Avenues and Park Lane to the south. Vehicular entry to the site is currently available from Waitara Avenue and Park Avenue.

The land is comprised of two existing management zones:

Waitara Oval and Tennis Courts (3.24ha)

- HSC Reserve No 210 ID No. 733, 902
- Lots 300 and 301 DP 832745 (Freehold)
- Council owned Community Land

Hornsby Bowling Club / PCYC (0.72ha)

- Crown Reserve No 1036828
- Lot 1020 DP 752053
- Crown Land under Divested Management by Council
- Public Purpose: Public recreation and community purposes

Vegetation is focussed at the edges of the park, in particular the south and east, and includes some remnant trees of Sydney Turpentine-Ironbark Forest community, in particular Turpentine (*Syncarpia glomulifera*). A large Camphor Laurel (*Cinnamomum camphorum*) is located on the south east boundary while plantings of Camelia sp. form a hedge to Park Lane behind the existing tennis Court building. While there is no understorey to the Turpentine plantings, they are remnants of an Endangered Ecological Community and are considered to be worthy of conservation.

The park currently has a sporting focus with the majority of its area dedicated to sports uses and their support facilities as follows:

- Tennis Courts: Kim Warwick Tennis Academy
- Waitara Oval & Pavillion: Northern Districts Cricket Club, Hornsby Rugby Union Club, and Hornsby Junior Rugby Union Club.
- Oval support area: (Nets / maintenance) Northern Districts Cricket Club
- Southern car park: Oval and Tennis Court users
- Eastern under tree zone: Parking by Oval and Tennis Court users and residents
- Former Bowling Club: PCYC community users - performing arts and indoor recreation - limited bowls usage
- North eastern park: Small playground with adjoining grassed area for casual community use

The park is located within a high density residential area undergoing redevelopment in accordance with the Hornsby Housing Strategy.

The site contains no known Aboriginal relics (Koettig, 1996).

PROPOSAL

The proposal involves the demolition of the existing tennis courts and clubhouse on the site and the construction of a new indoor recreation facility to be operated by the PCYC. The proposed centre will incorporate a range of recreational facilities including a gymnasium, dance room, band room, boxing room, main hall (2 x full sized basketball courts), martial arts room, meeting rooms, cultural music centre, café and a crèche.

A basement car park comprising 90 car spaces forms part of the proposal with vehicular access from Park Avenue. The centre is proposed to operate from 6.00 am to 10.30 pm 7 days/week.

ASSESSMENT

The development application has been assessed having regard to 'A Plan for Growing Sydney', the 'North Subregion (Draft) Subregional Strategy' and the matters for consideration prescribed under Section 79C of the *Environmental Planning and Assessment Act 1979* (the Act). The following issues have been identified for further consideration.

1. STRATEGIC CONTEXT

1.1 A Plan for Growing Sydney and (Draft) North Subregional Strategy

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

The NSW Government will use the subregional planning process to define objectives and set goals for job creation, housing supply and choice in each subregion. Hornsby Shire has been grouped with Hunters Hill, Ku-ring-gai, Lane Cove, Manly, Mosman, North Sydney, Pittwater, Ryde, Warringah and Willoughby to form the North Subregion. The *Draft North Subregional Strategy* will be reviewed and the Government will set housing targets and monitor supply to ensure planning controls are in place to stimulate housing development.

The proposed development would be consistent with 'A Plan for Growing Sydney', by providing additional services to support a growing population.

2. STATUTORY CONTROLS

Section 79C(1)(a) requires Council to consider "any relevant environmental planning instruments, draft environmental planning instruments, development control plans, planning agreements and regulations".

2.1 Hornsby Local Environmental Plan 2013

The proposed development has been assessed having regard to the provisions of the *Hornsby Local Environmental Plan 2013 (HLEP)*.

2.1.1 Zoning of Land and Permissibility

The site is zoned RE1 Public Recreation Zone under the provisions of *Hornsby LEP 2013*.

Clause 2.3 of *LEP 2013* requires the Council, in granting consent to development under the plans, to "have regard to the objectives for development in a zone when determining a development application in respect of land within the zone". However, regard should be given to the objectives of the zone.

The specific 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 protect and maintain areas of bushland that have ecological value.*

The proposed facility, although being operated by the PCYC, will remain on land in the ownership of Council. The site will continue to be used for recreational purposes. The proposal is consistent with the intended use of the land identified under the recently adopted PoM.

Existing vegetation on the site has been considered in the design and will be preserved where appropriate.

The proposed facility will ensure the precinct is retained as a major recreational facility for Hornsby Shire. The surrounding high density residential development will benefit from the facility. The development proposal is considered to be consistent with the relevant objectives of the zone.

The proposal is defined as a “recreation facility (indoor)” under the Dictionary contained within the LEP. A “recreation facility (indoor)” means:

“a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.”

A “recreation facility (indoor)” is permissible in the RE1 zone with consent.

2.1.2 Demolition

Clause 2.7 of *LEP 2013* requires development consent to be obtained prior to undertaking any demolition works. The proposal includes the demolition of the existing tennis courts and associated facilities. The demolition works are permissible with consent.

2.1.3 Height of Buildings

Clause 4.3 of the *LEP 2013* provides that the height of a building on any land should not exceed the maximum height shown for the land on the Height of Buildings Map. There is no maximum permissible height for the subject site.

2.1.4 Heritage Conservation

Clause 5.10 of the *LEP 2013* sets out heritage conservation provisions for Hornsby Shire. The site is identified as a heritage item of local significance. More specifically, the property is listed as a heritage item No. 783 (Waitara Park – Landscape) under the provisions of Schedule 5 (Environmental heritage) of the *LEP*. The heritage register provides the following physical description of the land:

“Park on flat land with central oval and brick grandstand of utilitarian design from c1930’s. Bank of tennis courts on southern end. Cultural planting includes mature Camphor Laurel trees (to 18m) and Radiata Pine (to 15m) on western side. Possibly planted c1920-30. Also line of characteristic Oleanders on east side possibly from c1950. The eastern side (northern end) shows a section of precast paving footpath laid as part of relief work for unemployed in the 1930’s. This scheme was the initiative of local Councillor PC Law”.

Historical Notes: Landscape elements, cultural trees and indigenous trees from c1920/30's

Clause 5.10(5) of the *LEP* requires a 'heritage management document' to be prepared if deemed necessary before granting consent to the carrying out of development on land which a heritage item is located. The development application was accompanied by a Heritage Impact Assessment prepared by Warwick Mayne-Wilson. The heritage assessment contains a number of ameliorative measures at section 7.0 and states:

"With regard to tree no. 14, it would be desirable for part of the patio outside the western side of the Club building to be paved with a permeable material (e.g. Stone Set resin bound porous paving) to allow water to penetrate down to its root system. The same treatment should be given to the land between the toilets, creche and storeroom and Park Lane to the south of the building if this is to be paved. (It would appear unlikely that lawn grass would do well in this shade zone directly south of the facades of these elements - see Figure 4. The rpz of adjacent trees would certainly benefit from the use of permeable paving material.)

It is recommended that advice be sought from an experienced arborist as to whether the foundations for the eastern facade of the building should be of pier-and-beam construction, or whether trees 43 and 46 would be able to have a segment of their rpz cut into when foundations are dug, without their being likely to be seriously affected.

It is also suggested that the hedge of Camellia sasanquas at a right angle to Park Lane (see image for tree 25 in Illustrated Table above) be uplifted and replanted parallel to Park Lane in order to screen the toilet block - see image below. This should join the existing mainly Camellia hedge already present along Park Lane, to the west of the existing tennis club building. However, the possibilities for doing so, and its exact location would need to be decided when detailed working drawings are prepared."

Council's Manager, Strategic Planning Branch has reviewed the Heritage Assessment undertaken by the Proponents and recommends that the ameliorative measures detailed above should be undertaken as part of the proposal. Appropriate conditions are recommended should consent be granted. A more detailed comment from the Strategic Planning Branch is provided further in the report.

2.1.5 Earthworks

Clause 6.2 of the *LEP 2013* states that consent is required for proposed earthworks on site. Before granting consent for earthworks, Council is required to assess the impacts of the works on adjoining properties, drainage patterns and soil stability of the locality. A detailed 'Geotechnical investigation and soil classification' for the site was undertaken by SMEC Testing Services Pty Ltd and formed part of the development application.

The subsurface conditions consist of fill, sandy clays and silty clays overlying weathered sandstone. Details are given below:

- FILL: This material was present in all boreholes to depths of 0.3 to 1.0 metres.

- **SANDY CLAY & SILTY CLAY:** These materials are present in all boreholes except BH6, to depths of 1.0 to 2.2 metres. These soils have strengths that vary between firm to stiff and very stiff.
- **WEATHERED ROCK:** Weathered sandstone was present in all boreholes to depths of 1.2 to 2.5 metres. Auger refusal occurred at these depths.

No groundwater was encountered in the boreholes during the fieldwork.

The geotechnical assessment concludes:

“Based on subsurface conditions observed in the borehole, it is expected that the proposed excavation will encounter both soils and weathered sandstone. Excavators without assistance should be able to remove the soils and a small amount of the weathered rock. Removal of most of the rock will likely necessitate the use of other rock excavation equipment. This can be expected below the depth of auger refusal noted on the borehole logs.

If rock breaking is required, particular care will be required to ensure that buildings or other developments on adjacent properties and the building on the subject site are not damaged. At its closest point the existing club building will be adjacent to the excavation. This building and structures on the adjacent properties may be founded directly on the weathered rock. Buildings founded directly on rock can often be very susceptible to damage from vibrations transmitted directly through competent rock.

At all times, the excavation equipment must be operated by experienced personnel, according to the manufacturers' instructions and in a manner consistent with minimising vibration effects.

Use of other techniques (eg. ripping, grinding, rock sawing), although less productive, would reduce or possibly eliminate risks of damage to property through vibration effects transmitted via the ground. Such techniques may be considered if an alternative to rock breaking is necessary. Some of the onsite rock may be high strength. The excavation contractor should ensure equipment is available to excavate this material.”

Council's assessment of the proposed works and excavation concludes that the proposed earthworks associated with the development are acceptable subject to appropriate conditions being imposed should consent be granted.

2.2 State Environmental Planning Policy (State and Regional Development)

State Environmental Planning Policy (State and Regional Development) requires that the Joint Regional Planning Panel exercises the consent authority functions of Council as the development proposed has a combined capital investment value of more than \$5 million and the reserve is owned by Council and Council is a party to the development.

Capital Investment value of the development - \$ 15,000,000

2.3 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 (SEPP 55) requires that Council must not consent to the carrying out of development on land unless it has considered whether the land is contaminated or requires remediation for the proposed use.

The geotechnical investigation undertaken as part of the development application concludes:

“The results of this sampling program show that the soils which are present on the site are not likely to be chemically contaminated or contain waste materials, nor are they likely to contain Acid Sulfate Soils. In view of this, the soils sampled and tested are therefore considered to be suitable for beneficial reuse as fill on other development sites, including residential sites with accessible soils.

The fill materials may be taken to a licensed landfill facility and disposed of as General Solid Waste. The natural soils have chemical concentrations less than those acceptable on a residential site with accessible soil and may be classified as VENM for the purposes of landfill disposal. This VENM classification also applies to the underlying natural sandstone.”

2.4 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

The site is located within the catchment of the Hawkesbury Nepean River. Part 2 of this Plan contains general planning considerations and strategies requiring Council to consider the impacts of development on water quality, aquaculture, recreation and tourism.

Subject to the implementation of sediment and erosion control measures and stormwater management to protect water quality, the proposal would comply with the requirements of the Policy.

2.5 Clause 74BA Environmental Planning and Assessment Act, 1979 - Purpose and Status of Development Control Plans

Clause 74BA of the *Environmental Planning and Assessment Act, 1979* states that a DCP provision will have no effect if it prevents or unreasonably restricts development that is otherwise permitted and complies with the development standards in relevant Local Environmental Plans and State Environmental Planning Policies.

The principal purpose of a development control plan is to provide guidance on the aims of any environmental planning instrument that applies to the development; facilitate development that is permissible under any such instrument; and achieve the objectives of land zones. The provisions contained in a DCP are not statutory requirements and are for guidance purposes only. Consent authorities have flexibility to consider innovative solutions when assessing development proposals, to assist achieve good planning outcomes.

2.6 Hornsby Development Control Plan 2013

The proposed development has been assessed having regard to the relevant desired outcomes and prescriptive requirements within the *Hornsby Development Control Plan 2013 (HDCP)*. The following table sets out the proposal's compliance with the prescriptive requirements of the Plan:

Hornsby Development Control Plan 2013			
Control	Proposal	Requirement	Compliance
1C.1 Natural Environment	Tree protection has been considered. Water quality has been considered through the preparation of stormwater concept plans.	Development should seek to avoid potential adverse impact on biodiversity.	Yes
1C.2 Built Environment	Matters detailed under section 1C.2 have been adequately addressed in the design and documentation submitted in support of the application.	Development to manage transport demand. Accessible design principles to apply. Waste management & noise and vibration to be considered.	Yes
1C.3 Hazards	The site is not prone to bushfire or flooding. Site contamination has been addressed.	Development to be designed to minimise risks from hazards.	Yes
Part 7: Community			
7.1.1 Site Requirements	The proposal is consistent with the adopted PoM for Waitara Park.	Site area to achieve desired urban outcomes. Uses should be readily accessible to users.	Yes
7.1.2 Scale	The proposal is consistent with the adopted PoM for the site. Established trees	Development to be at a scale, height and intensity compatible	Yes

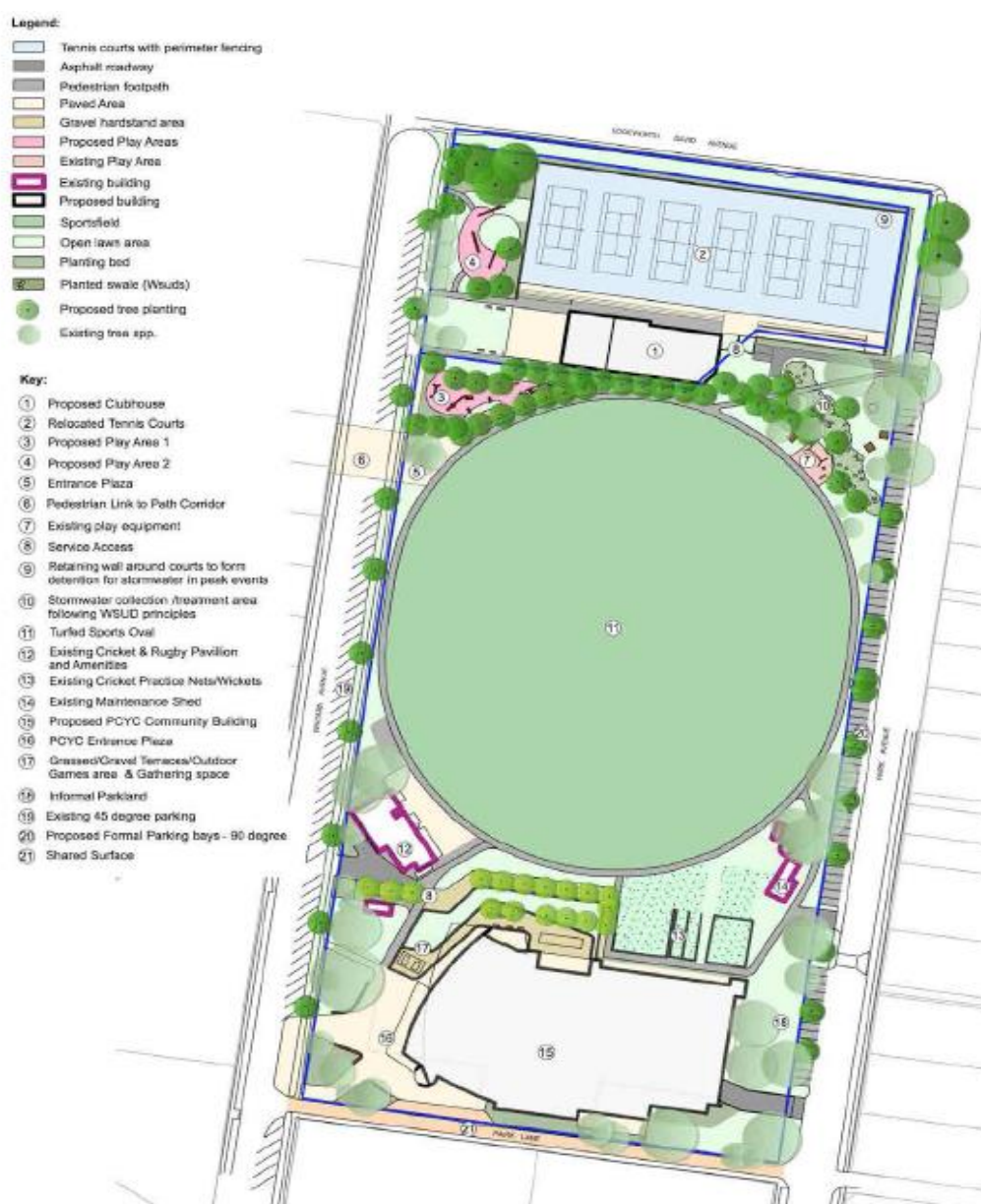
	will be retained and landscaping embellished.	with the area.	
7.1.3 Setbacks	Proposed setbacks exceed the required standard. Setbacks are considered appropriate for the setting.	Apply setbacks for dwelling houses with 3 metre side and rear	Yes
7.1.4 Landscaping	Established trees to be retained. Landscaping required as consent condition.	Compatible with character of area and retain natural features.	Yes
7.1.5 Open Space	N/A	N/A	Yes
7.1.6 Privacy, Security and Sunlight	Adequate principles have been incorporated into the design.	Development designed to provide reasonable privacy and sunlight to adjacent properties	Yes
7.1.7 Vehicle Access and Parking	A traffic impact assessment accompanied the application.	Traffic Study required.	Yes
7.1.8 Design Details	Proposal in keeping with adopted PoM.	Development to compliment streetscape	Yes

As detailed in the above table, the proposed development complies with the prescriptive requirements within the *HDCP*. The matters are detailed below, as well as a brief discussion on compliance with relevant desired outcomes.

2.6.1 Desired Future Character

The Council has recently adopted a PoM for Waitara Park including the subject site. The PoM identifies Waitara Park as playing an important active sports role in Hornsby Shire. The short to medium term directions identified for the Park focus on a more effective and efficient use of available space to cater for as broader range of users as possible in a flexible and adaptive manner. A specific opportunity identified in the PoM is to *“Provide a new PCYC facility that addresses the needs of the LGA on this key strategic site incorporating on site basement carparking”*.

A Masterplan has been incorporated in the PoM that addresses a number of opportunities for the ongoing management of the park. The indicative Masterplan is shown below:



A key management decision identified in the PoM is the most effective siting of a new PCYC facility on the park. The park has been selected as an optimum strategic location due to its proximity to transport, and relationship to a growing population.

The existing Bowling Club site is constrained due to the fact it is flood prone and crossed by several major easements that would limit the scope of any new facility. Council has identified that a more suitable location for provision of a new PCYC facility is at the south end of the park on the area of the existing tennis courts. In addition to avoiding the constraints of the Crown Reserve as above, this location has greater accessibility to adjoining streets, capacity to positively interact with the parkland due to a larger setback to Waitara Oval, and closer proximity to public transport at Waitara Station. As part of this proposal the tennis courts would be redeveloped to the Crown Reserve lands at the north end of the park. Council has prepared a schematic design for the integration of the tennis courts at the north end and PCYC has developed a concept design for a new community facility building adjoining Park Lane at the south.

The adopted plan of management addresses the required changes in management of Waitara Park to facilitate this preferred use of park areas for community benefit. The proposal has been identified as stage 1 in the implementation of the Masterplan.

2.6.2 Site Requirements

The proposed facility in the south of the site, will generate a tangible increase in the facilities available to the community and subsequently the amount of use on PCYC facilities on site. The building will facilitate such activities as:

- indoor court sports such as Netball, Basketball, Futsal
- Boxing training
- Exercise / Dance / Drama

This considerably expands the provision of services to the district community by the PCYC, arising in benefits for the district and local community in terms of opportunities to partake in recreational and physical and cultural activities.

Council's investigation of parking and access issues in liaison with PCYC has identified that off street parking must be provided within the basement of the proposed building to reduce impacts on local streets. Access to the off street parking will be from Park Avenue at the south east corner of the park.

The new pedestrian square at the entry to the proposed PCYC building is intended to be used for informal recreation where local families, children and adults can meet socially. The development of the square will complement other small scale play equipment and circuit path developments in the park that are intended to encourage locals to access the park by bicycle or by walking. The square will lie partly within the proposed General Community Use categorisation for the cafe "trading out area".

2.6.3 Height

The maximum height of the proposed building is at RL 183.975 or approximately 10.5 metres above the natural ground level. Excavation will occur to accommodate basement car parking.

The excavation will assist in reducing the overall bulk and scale of the building. The LEP does not contain any specific height control for development on the site. Part 7.1.2 of the DCP requires development to be of a height, scale and intensity that is compatible with the character of the area.

The DCP recommends that development within recreation zones apply the height and site coverage controls for dwelling houses (max 8.5 metres). The site is located within an area surrounded by high-rise residential buildings. The proposed height is considered to be acceptable when considering the context of the site and the surrounding built form.

The adopted PoM for the site adopts a built form consistent with the development proposal. Generous landscaped setbacks have been provided around the proposed building and the scale of the proposed building is considered to be acceptable.

2.6.4 Setbacks

Part 7.1.3 of the DCP deals with setbacks for community uses. The desired outcomes are to achieve:

- a. Setbacks that are compatible with adjacent development and compliment the streetscape.*
- b. Setbacks that allow for the retention of significant landscape features and respect site constraints.*

The DCP requires setbacks in special use and recreation zones to apply setback controls for Dwelling Houses in Part 3.1 of the DCP. The proposed minimum setback to Park Land comprises a small portion of the building at an alignment of 5.13 metres. The majority of the setback to Park Lane is greater than 9 metres. Generous setbacks to both Waitara Avenue and Park Avenue are provided in the design to retain heritage listed trees.

The footprint of the building is consistent with the recently advertised and adopted PoM for Waitara Park showing the proposed facility located on the concept Masterplan forming part of the PoM. Setbacks to both Park Avenue and Waitara Avenue have been increased to maintain landscape features.

2.6.5 Built Form and Separation

The desired outcomes for the scale of development under Part 7.1.2 of the DCP are to ensure that development is of a scale, height and intensity that is compatible with the character of the area. The site is situated in the midst of a high-rise residential precinct. The scale of the built form is consistent with that envisaged under the recently adopted PoM.

The prescriptive measures contained within the DCP in relation to the scale of built form are as follows:

The maximum floor space ratio shall be in accordance with the HLEP Floor Space Ratio Map:

Comment: There is no maximum floor space ratio identified for the site on the floor space ratio map contained within the LEP.

The maximum building height shall be in accordance with the HLEP Height of Buildings Map.

Comment: There is no maximum height identified for the site on the height of building map contained within the LEP.

The scale of buildings should be in accordance with Table 7.1.2(a).

Comment: The table contained within the DCP requires height and site coverage controls for dwelling houses to be applied for community use development in a recreation zone. The proposal satisfies the prescriptive measures and is considered appropriate in the context of the site.

2.6.6 Landscaping

The desired outcomes for landscaping contained within Part 7.1.4 of the DCP are as follows:

- *Landscaping that is compatible with the character of the locality.*
- *Landscaping that retains existing landscape features such as significant trees, flora and fauna habitats and urban streams.*

A landscape concept plan has been prepared as part of the development application. Extensive embellishment of the existing landscaping around the perimeter of the site is proposed as part of the development. Improvements to the forecourt area and public domain around the perimeter of the building are proposed to be undertaken by Council.

2.6.7 Open Space

Not applicable.

2.6.8 Privacy and Security

Part 7.1.6 of the DCP requires development to be designed to provide reasonable privacy and sunlight to adjacent properties. Development should also maintain high levels of security.

The statement of environmental effects submitted in support of the development application details measures that deal with crime prevention in the design of the development. These are based on the principles of CPTED. Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients (*law, offender, victim or target, opportunity*) from intersecting in time and space.

Predatory offenders often make cost-benefit assessment of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension);
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime);
- Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and

- Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalisation of inappropriate behaviour).

CPTED employs four key strategies. These are territorial re-enforcement, surveillance, access control and space/activity management. All CPTED strategies aim to create the perception or reality of capable guardianship.

- Territorial Re-enforcement - Although the design of the proposal makes provision for landscaping around the perimeter of the building. The landscaped treatment proposed will re-enforce the boundaries of the site and encourage use of areas around the curtilage of the building.
- Surveillance - People generally feel safe when they can connect, see and interact with others. The NSW Police Service in the CPTED design principles advise that criminals are often deterred from committing crime in places that are well supervised. The principles of natural surveillance, technical/mechanical surveillance and organised surveillance will all be achieved in the design adopted in the proposal.
- Access Control - Natural access control will be achieved by the use of landscaping, building design and configuration, fencing and gardens.
- Space/Activity Management - This principle is an important way to develop and maintain natural community control of an area. The outdoor area will be frequently used avoiding the area being abused by anti-social behaviour.

The site has been identified as being suitable for the development.

2.6.9 Sunlight and Ventilation

Shadow diagrams have been provided for the development that identify some overshadowing of the adjacent property to the south with frontage to Waitara Avenue during the hours of 9 am to approximately 11 am on the winter solstice. Any shadow cast by the building from late morning onwards on the Winter Solstice is essentially contained wholly within the site.

2.6.10 Housing Choice

Not applicable.

2.6.11 Vehicular Access and Parking

A 'Traffic and Parking Assessment Report' dated May 2015 and prepared by Positive Planning and Engineering was submitted in support of the development application. The report relies substantially on data collection undertaken as part of the traffic and parking study for the PoM.

The study provides an analysis of the forecast peak patron demand that is anticipated to occur on a Tuesday evening at 7.30 pm with 142 patrons. A conservative estimate based on an average vehicle occupancy rate of 1.48 persons and adopting an average mode share of 84% equates to an estimated peak parking demand of 81 vehicles. The revised basement car parking plan provides for a total of ninety (90) on site car parking spaces.

The future traffic conditions have also been addressed in the study. For the PM peak (5:00 pm - 6:00 pm) the peak patron demand was noted in the range of 49-65 patrons. Applying an

average occupancy rate of 1.48 persons per vehicle this would equate to 33-44 additional vehicles in the PM peak two way. The result being that the larger demands on the centre would occur outside peak operating periods on the local road network.

The report concludes that:

- *The traffic impacts of the development would be minimal with future traffic flows on surrounding roads being within acceptable limits.*
- *Intersections surrounding the development would continue to operate at levels of service to that which currently occurs.*
- *The proposed parking provision would be adequate to accommodate the forecast peak parking demands of the centre.*
- *The design of the car parking areas and access arrangements complies with AS2890.1 and is considered satisfactory.*

Comments from Council's Traffic and Road Safety Branch were sought as part of the assessment. The comments are provided below in Section 3.2.2 of this report.

Council's Development Engineer has reviewed the development application and raises no objection with recommended conditions.

2.6.12 Waste Management

A waste management plan was prepared as part of the development application. Should consent be granted, an appropriate condition of consent is recommended at Schedule 1. The application was referred to Council's Waste Management Team who advise as follows:

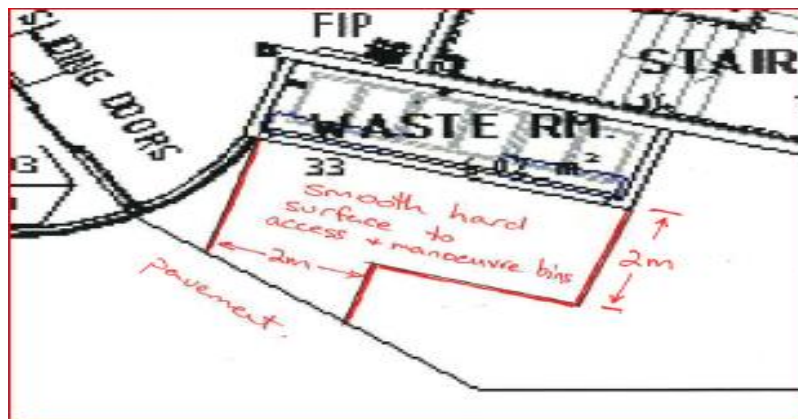
"The waste generation rates used in the waste management plan are reasonable, however the bin size selected is not. Multiple small bins are not space efficient and are not cost effective when compared to one large bin. So instead of 120 L bins, the site needs to use one 1100L garbage bin, one 1100L paper/cardboard bin, and either one 1100L mixed recycling bin or 4 of 240 L mixed recycling bins (which should avoid the need to decant recycling).

The waste room has been relocated so that it is now within reasonable distance to the truck parking location (the drop zone bay in Park Lane). The drop zone will require "No Parking" signs to ensure that it is used for drop-offs and not continually parked out. The amendment does not provide dimension information – it will need to be 4.5 m wide by 1.5 m deep to house the bins.

The waste management plan mentions a bin lifter to assist in the safe decanting of bins into larger bins. No space has been provided for a bin lifter and to operate it. Bin lifters are typically 800-1000 mm wide by 950-1200 mm deep, so an extra 1 m width to the waste room will be required if a bin lifter is considered necessary. The space to operate the bin lifter will need to be provided outside the waste room.

As there is no aisle space to access and manoeuvre the bins inside the waste room, this space must be provided outside the waste room. The landscape plan indicates the area outside the bin room is pavement but the architectural plans suggest that it is not. If the

area is not all pavement, then the concrete pad/ hard surface of the waste room floor needs to extend 1.8-2 m in front of the waste room. If extending it further to the pavement is too much concrete, then it can be reduced to a pathway 1.8-2 m wide to the drop off zone as illustrated below. The 1.8-2 m could be further reduced to 1.5 m if the area around the pavement was grass (so the person manoeuvring the bins can walk on it) and not garden beds etc, though garden beds would provide better screening of the waste room.”



Conditions are recommended at Schedule 1 of this report should consent be granted.

2.6.13 Heritage

Comments have been received from the Manager, Strategic Planning Branch on heritage issues as follows:

“Heritage Listings

The property is listed as a heritage item No.783 (Waitara Park - landscape) under the provisions of Schedule 5 (Environmental Heritage) of the Hornsby Local Environmental Plan 2013 (HLEP).

Waitara Park dates from the 1900s (the oval dates from the 1920s) and retains elements from the 1930s, including trees/shrubs dating from the 1920s/30s, brick grandstand and c.1930s precast paving footpath laid as part of relief work for unemployed.

.....

New Building

The proposed new two storey indoor recreation building is approximately 76 metres long and 46 metres wide, located at the southern side of the park. The northern elevation of the building would be highly visible, particularly from the northern, eastern and western sides of the park and oval. The building has an industrial scale appearance and would impact on the visual setting of the place. Notwithstanding this, the residential areas to the south, east and west of the park have been rezoned for high rise residential flat buildings and the low-scale character of the area would be altered over time. In this regard the scale of the building would fit in with the future character and scale of development surrounding the park.

Landscape

The building is located on a largely cleared area, being the current tennis courts. The tennis courts and southern area of the park is bounded by a number of native trees (including significant Turpentine's) and some cultural plantings. The HIS provides a good assessment of the impact of the proposal on the Turpentine's and states the majority would not require removal. Section 7.0 – Ameliorative Measures of the HIS (p.16-17) measures and recommendations are supported. The HIS advises that some mature cultural plantings circa 1920/30s located near the new building are not likely to be affected. However, if any cultural plantings or significant trees are removed they should be replaced with trees in a similar location that would mature to a similar size and canopy as required under Part 9.3.3 (d) HDCP2013.

The Landscape plan submitted indicates an area on the northern side of the new building (adjacent the 'grassed terrace') being available for new tree planting. New tree planting should be provided in this area and consist of culturally similar tree plantings of the 1920/30s (advanced specimens) found in the park to reinforce the heritage values of the park, but not deciduous to enable the trees to also screen/soften the impact of the new building.

Summary

Although the new building would have an impact on the visual setting of the park, the parks long association with providing recreational facilities/space for the residents of Hornsby would continue along with the retention of significant vegetation. Subject to the retention of significant trees, cultural plantings and screen tree planting no heritage objections are raised.

Recommendation

That no objections are raised to the proposal on heritage grounds subject to:

- 1. All cultural plantings or significant trees not impacted by this proposal should be protected during the works. If removal of any of these trees is required they should be replaced with trees in a similar location that would mature to a similar size and canopy as required under Part 9.3.3 (d) Hornsby Development Control Plan (HDCP) 2013.*
- 2. The new tree planting proposed on the northern side of the new building (adjacent the 'grassed terrace') should consist of cultural trees of the 1920/30s similar to those found in the park to reinforce heritage values and provide a screen (minimum 8-9 metres at maturity) to soften the impact of the new building. Details of these trees should be submitted to Council prior to the release of any Construction Certificate.*
- 3. The ameliorative measures recommended in the Heritage Impact Statement (HIS) prepared by Warwick Mayne-Wilson, dated May 2015 (p.16-17) should be included in the proposal.*

Appropriate conditions are recommended in Schedule 1 of this report should consent be granted.

2.7 Section 94 Contributions Plans

Hornsby Shire Council Section 94A Contributions Plan 2012 – 2021 applies to the development as the estimated costs of works is greater than \$100,000. Should the application be approved, an appropriate condition of consent is recommended requiring the payment of a contribution in accordance with the Plan.

3. ENVIRONMENTAL IMPACTS

Section 79C(1)(b) of the Act requires Council to consider *“the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality”*.

3.1 Natural Environment

3.1.1 Tree and Vegetation Preservation

Council's assessment of the proposal included a detailed examination of the existing trees on site. The comments received from Council's Parks and Recreation Team are as follows:

‘The subject site is located in a mapped Endangered Ecological Community (EEC). The species is consistent with those of the Sydney Turpentine Iron Bark Forest which are listed as Critically Endangered Ecological Community.

The site contains trees which satisfy Council's criteria for both Individually Significant and Significant Grouping of trees numbered 13, 14, 15, 17, 18, 19, 20, 21, 22, 27, 31, 32, 35-41, 43-45, 46, 34, 47-50 and 51. Trees 23, 24, 25, 28, 29, 30, 33 and 42 would be removed.

There would be incursions into the tree protection zones of Trees numbered 13, 14, 15, 17, 18, 19, 20, 21, 22, 27, 31, 32, 34-41, 43-46, 47-50 and 51 to facilitate the development. In particular the amended design of the basement car park entrance will have major incursion of up to 35% into the TPZ of trees numbered 34-41, 43-46. To facilitate this process it is noted that an additional tree (T42) will need to be removed. It must also be noted the T43 incursion is 40%.

Root Mapping must be undertaken prior to the commencement of the excavations for the driveway and basement area where there are incursions for trees numbered 34 - 41, 43 - 46. The root mapping is essential to determining the extent of roots that will be impacted by the proposed works so that appropriate long term management decisions can be made regarding these trees.

Driveway/Car Park entrance must be constructed in accordance with 9(b)(ii) - Works near Trees of the Hornsby DCP to assist in minimising impacts to trees numbered 34-41, 43-46.

Creation of car parking spaces on the Park Avenue frontage must be constructed on grade as much as possible with minimal disturbance to the existing grade to minimise impacts to trees numbered 34-41, 43-46, 47-50 and 51

Some pruning works will be required to lift canopy to provide vehicle access to undertake some of the construction elements for the driveway. This should be kept to less than 10%, be in the form of canopy lifting and consistent with AS4373-2007.”

Recommended conditions of consent (Nos. 30-36) to protect trees during construction are contained at Schedule 1 of this report.

3.1.2 Stormwater Management

Council's Development Engineer has recommended conditions should consent be granted at Schedule 1 of this report. This includes the provision of on-site stormwater detention.

3.2 Built Environment

3.2.1 Built Form

This matter is addressed in detail under section 2 of this report.

3.2.2 Traffic

A traffic and parking assessment has been submitted with the proposal.

Council's Traffic and Road Safety Branch reviewed the development application and commented as follows:

“Traffic Generation

The submitted Traffic and Parking Assessment (TPIA) has estimated that there will be between 33 and 44 additional vehicles in the PM peak two way. However the facility has the potential to generate significantly higher traffic during special events and future changes in use conditions.

Council is currently working on a number of traffic projects in the area aimed at improving traffic access and safety in the Waitara precinct including:

- *Signalising intersection of Alexandria Pde / Waitara Avenue.*
- *Signalising intersection of Edgeworth David Ave / Balmoral Street – Completed.*
- *Intersection improvements at Alexandria Pde / Park Ave and Alexandra Pde / Balmoral Street.*
- *Median island in Edgeworth David Ave at Park Ave – completed.*
- *Pedestrian refuge in Park Avenue at Edgeworth David Ave.*
- *Removal of squeeze points in Balmoral Street.*

It is anticipated that the above works will be completed in 2016. In general, traffic generation is not considered to be an issue with the proposed development providing the traffic improvements are carried out.

Parking

For community halls, Council's Car Parking DCP has a parking requirement of 1 space per 5 seats minimum, subject to a parking study. Given the mixed use of the site, a traffic study is the most accurate way of predicting the parking demand.

It is estimated that peak parking demand would occur at 7.30pm with 142 patrons with an average vehicle occupancy of 1.5 passengers. The parking requirement is therefore approximately 90 spaces. The basement carpark plans indicate parking capacity for 90 vehicles with additional plans to install angle parking in Park Avenue for additional 13 vehicles.

The provision of 90 basement parking spaces and 13 on-street angle spaces for the community centre is considered adequate for the majority of events, though full capacity events at the hall would result in additional on-street parking.

Access

Access to the basement carpark is proposed by a single driveway (combined) via Park Avenue. The proposed driveway arrangement has poor alignment and is too narrow to allow free 2 way movement. The main driveway to underground carpark is to be designed to comply with AS2890.1 Class 3. i.e. separate 6m wide entry / 4m wide exit with a minimum 1m median separating the movements near the entry point. In addition it should be positioned so that the entry exit point is in the middle of the parking aisle of the basement carpark.

A set down and pick up area has been provided in Park Lane. This area needs to be posted as 'No Parking - Buses excepted' to ensure correct use. This will allow cars to set down and pick up passengers for up to 2 minutes stay. Buses will be allowed to stay for longer periods if required.

It appears that no provision has been made for service vehicles, HRV loading and delivery area with a separate access driveway needs to be provided for this facility. The set down and pick up area in Park Lane cannot be shared for loading and unloading for safety reasons."

The Traffic and Road Safety Branch raised a number of issues regarding the original proposal as follows:

1. *The main driveway to underground carpark is to be design to comply with AS2890.1 Class 3. i.e. separate 6m wide entry / 4m wide exit with a minimum 1m median separating the movements near the entry point. The driveway at the entry to the basement carpark is poorly aligned, it should be positioned so that the entry exit point is in the middle of the parking aisle of the basement carpark.*
2. *Consideration be given to controlling all day parking by commuters by way of parking restrictions or boom gate with sufficient queuing areas.*
3. *No provision has been made for service vehicles, HRV loading and delivery area with a separate access driveway needs to be provided. The set down and pick up area cannot be shared for loading and unloading for safety reasons.*

4. *Connecting footway is required between the rear of angle parking spaces in Park Ave and the entry point.*
5. *There appears to be a footway squeeze point between the drop off zone and female toilets. This area needs to be at least 3.6m wide.*
6. *Motorcycle parking is to be provided on site in accordance with Hornsby DCP rates.*
7. *Bike racks in the basement are unlikely to be used, they should be provided in an easily accessible covered area near the building on the ground level."*

The Proponents have submitted revised plans in response to a number of the concerns raised by the Traffic and Road Safety Branch. In particular, the vehicle accessway to the basement car park has been redesigned to provide a separated entry and exit to comply with the design requirements under AS2890.1 class1.

Further comments were sought from the Traffic and Road Safety Branch who have raised no objection to the proposal on traffic grounds. Conditions of consent are recommended at Schedule 1 of this report.

3.3 Social Impacts

The social impacts of the development on the local and broader community have been considered with specific reference to the potential employment generation within the complex. This is consistent with the *State Government's 'A Plan for Growing Sydney'* which identifies the need to provide an additional 689,000 new jobs by 2031.

There would be a number of multiplier effects that the development would provide throughout the local and regional economies. These multiplier effects would result from the sourcing of goods and services from suppliers to businesses within the complex as well as the increased consumption generated by the increase of employment in the area. The complex is likely to provide employment opportunities to younger age groups, which typically have higher unemployment rates within the region.

4. SITE SUITABILITY

Section 79C(1)(c) of the Act requires Council to consider *"the suitability of the site for the development"*.

The subject site has not been identified as bushfire prone or flood prone land. The site is considered to be capable of accommodating the proposed development. The scale of the proposed development is consistent with the capability of the site and is considered acceptable.

5. PUBLIC PARTICIPATION



Section 79C(1)(d) of the Act requires Council to consider *"any submissions made in accordance with this Act"*.

5.1 Community Consultation

The proposed development was placed on public exhibition and was notified to adjoining and nearby landowners between date and date in accordance with the Notification and Exhibition requirements of the HDCP. During this period, Council received four (4) submissions. The map below illustrates the location of those nearby landowners who made a submission that are in close proximity to the development site.



NOTIFICATION PLAN

• PROPERTIES NOTIFIED	X SUBMISSIONS RECEIVED	 PROPERTY SUBJECT OF DEVELOPMENT	
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Four (4) submissions objected to the development, generally on the grounds that:

5.1.1 Unacceptable traffic on local streets and lack of on-site car parking

All four submissions raise issues concerning traffic and parking associated with the development and the inability to cater for likely demand. On street parking demand in the locality during Monday to Friday daytime hours is currently high due mainly to the vehicles associated with construction activity that is occurring within the adjacent high-rise residential precinct. The current situation is expected to improve upon completion of a number of construction projects currently underway.

Council's Traffic and Road Safety Branch is of the opinion that *"traffic generation is not considered to be an issue with the proposed development providing the traffic improvements are carried out"*. It is acknowledged that Council is currently working on a number of traffic projects in the area aimed at improving traffic access and safety in the Waitara precinct.

Likewise, the provision of on-site car parking as part of the development has been assessed and considered to be acceptable.

It should be noted that Council has recently exhibited and adopted a PoM for Waitara Park that identified the proposed PCYC facility as stage 1 of an adopted masterplan. The PoM also undertook a detailed analysis of traffic and parking matters associated with the development envisaged for the precinct.

A detailed commentary on traffic and parking matters is provided under sections 2.6.11 and 3.2.2 of this report.

5.1.2 Unacceptable overshadowing of adjoining properties

A concern has been raised by a resident opposite the site in Park Lane in relation to the accuracy of the shadow diagrams prepared as part of the development application. The objector is critical of the shadow diagram prepared for 9.00 am on 22 June and in particular that the diagram 'blanks out' the footprint of the affected buildings. This is considered to be a fair criticism of the plan.

Part 7.1.6 of the DCP requires that on 22 June, 50% of the private open space on any adjoining residential property should receive 3 hours of unobstructed solar access between 9am and 3pm. Whilst the shadow cast by the proposed development upon the objectors property occurs during the morning hours on 22 June, solar access is maintained from late morning in accordance with the requirements of the DCP.

5.1.3 Unacceptable noise from activities at the centre

A number of concerns were raised in relation to the impacts from noise associated with the proposed facility particularly when accounting for the proposed hours of operation. A noise impact assessment was prepared by .

The report concludes that:

"The design and structure of the proposed Hornsby PCYC mitigates noise emissions to the surrounding noise sensitive environment from the noise generated inside the development resulting from sporting and exercise activities, with open ventilation louvres located on the northern facade directing noise emissions away from the

nearest residences. The proposed structure will provide sufficient sound transmission loss to achieve the lowest noise goal which is applicable to the evening/night shoulder period.

Noise emissions from mechanical equipment should not exceed the LAeq, 15 minute noise goal of 47 dBA at the nearest apartment facades. Maximum permissible sound power levels have been specified and if exceeded, noise amelioration measures are recommended and should be verified by an experienced acoustical consultant prior to construction.

Providing the recommendations are incorporated into the design and construction of the Hornsby PCYC, noise emissions are predicted to comply with the conditions of Hornsby Shire Council and the NSW EPA for the outside acoustic environment.”

The ameliorative measures recommended in the report have been supported and conditions of consent recommended should consent be granted.

The potential impacts from light spill have been raised by an objector. This is considered to be a legitimate concern and a recommended condition is provided in Schedule 1 of this report to address the matter should consent be granted.

5.1.4 Development that is excessive in bulk and scale

Concerns have been raised in relation to the proximity of the building and in particular, the setbacks certain components of the development from Park Lane and adjoining residential properties to the south of the laneway.

The proposed building is situated within the footprint identified for the development of Waitara Park in the Masterplan of the recently adopted PoM.

A detailed discussion on issues of bulk, scale and setbacks is provided above in the report. The development proposal is considered to be acceptable for reasons discussed above.

5.2 Public Agencies

The development application was not referred to any Public Agencies for comment.

6. THE PUBLIC INTEREST

Section 79C(1)(e) of the Act requires Council to consider “*the public interest*”.

The public interest is an overarching requirement, which includes the consideration of the matters discussed in this report. Implicit to the public interest is the achievement of future built outcomes adequately responding to and respecting the future desired outcomes expressed in environmental planning instruments and development control plans.

The application is considered to have satisfactorily addressed Council's and relevant agencies' criteria and would provide a development outcome that, on balance, would result in a positive impact for the community. Accordingly, it is considered that the approval of the proposed development would be in the public interest.

CONCLUSION

The proposal involves the demolition of the existing tennis courts and clubhouse on the site and the construction of a new indoor recreation facility to be operated by the PCYC. The proposed centre will incorporate a range of recreational facilities including a gymnasium, dance room, band room, boxing room, main hall (2 x full sized basketball courts), martial arts room, meeting rooms, cultural music centre, café and a crèche. A basement car park comprising 90 car spaces forms part of the proposal with vehicular access from Park Avenue.

The proposal complies with the relevant provisions of the Hornsby Development control Plan 2013 and is consistent with the provisions of the Hornsby Local Environmental Plan 2013.

Four (4) submissions have been received in respect of the application. Issues raised in the submissions include concerns regarding the impacts of traffic and parking associated with the facility. The matters raised by the objectors have been adequately considered in the development application and/or can be addressed by way of conditions should consent be granted.

It is recommended that the application be approved with conditions set out in Schedule 1.

Note: At the time of the completion of this planning report, no persons have made a *Political Donations Disclosure Statement* pursuant to Section 147 of the *Environmental Planning and Assessment Act 1979* in respect of the subject planning application.

SCHEDULE 1

GENERAL CONDITIONS

The conditions of consent within this notice of determination have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the relevant legislation, planning instruments and Council policies affecting the land and does not disrupt the amenity of the neighbourhood or impact upon the environment.

Note: For the purpose of this consent, the term 'applicant' means any person who has the authority to act on or the benefit of the development consent.

Note: For the purpose of this consent, any reference to an Act, Regulation, Australian Standard or publication by a public authority shall be taken to mean the gazetted Act or Regulation, or adopted Australian Standard or publication as in force on the date that the application for a construction certificate is made.

1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

Plan No.	Plan Title	Drawn by	Dated
A.050	Site Plan	Facility Design Group	06/07/2015
A.060	Demolition Plan	Facility Design Group	06/07/2015
A.100.A	Basement Car Park Floor Plan	Facility Design Group	07/10/2015
A.101.A	Ground Floor Plan	Facility Design Group	07/10/2015
A.102	Level 01 Floor Plan	Facility Design Group	06/07/2015
A.103	Roof Plan	Facility Design Group	06/07/2015
A.400	Sections	Facility Design Group	06/07/2015
A.500	Elevations East + West	Facility Design Group	06/07/2015
A.501	Elevations North + South	Facility Design Group	06/07/2015
3406.DA02 Issue 4	Landscape Plan	Environmental Partnership NSW	October 2015
3406.DA03	Landscape Indicative Elevations Sheet 1	Environmental Partnership NSW	May 2015
3406.DA04	Landscape Indicative Elevations Sheet 2	Environmental Partnership NSW	May 2015

A.1030	Schedule of finishes	Facility Design Group	06/07/2015
S15013-C0700	Erosion and sediment control plan - Rev A	BE&E Civil Engineering	26/05/2015
S15013-C0701	Erosion and sediment control plan - Rev A	BE&E Civil Engineering	26/05/2015

Document Title	Prepared by	Dated
Statement of Environmental Effects	Stimson and Barker	June 2015
Geotechnical Investigation Report No. 14/1497	SMEC Testing Services Pty Ltd	July 2014
Stormwater Management and Water Sensitive Urban Design Strategy Ref: S15063-REP-C-001 Rev B	BE&E Civil Engineering	07/07/2015
S15013 C-0001 Rev A - Notes Sheet	BE&E Civil Engineering	26/05/2015
S15013 C-0100 Rev A - Siteworks Plan and Stormwater Concept Plan	BE&E Civil Engineering	26/05/2015
S15013 C-0400 Rev A - Combined Tank Details Sheet	BE&E Civil Engineering	26/05/2015
Hornsby PCYC Gymnasium Noise Assessment Ref: nss22239	Noise and Sound Services	May 2015
Traffic and Parking Assessment Report No. PT15018_Final	Positive Traffic	May 2015
Heritage Impact Assessment	Warwick Mayne-Wilson	May 2015
Statement of Compliance Access for People with a Disability	Accessible Building Solutions	22/06/2015
D06148456	Facility Design Group	24/06/2015
Site Tree Location Plan	HSC Tree Management Team	7/09/2015

2. Amendment of Plans

The approved plans are to be amended as follows:

- a) Two motorcycle parking spaces designed in accordance with AS 2890.1-2004 are to be provided in the basement car park.
- b) Ten bicycle parking spaces designed in accordance with AS 2890.3-1993 are to be provided in an easily accessible covered area near the building on the ground level.

- c) A footpath is to be provided to connect the pedestrian area in front of the PCYC building with the 'Shared Zone' in Park Lane.

3. Construction Certificate

- a) A Construction Certificate is required to be approved by Council or a Private Certifying Authority prior to the commencement of any works under this consent.
- b) The Construction Certificate plans must not be inconsistent with the Development Consent plans.

4. Section 94A Development Contributions

- a) In accordance with Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and the *Hornsby Shire Council Section 94A Development Contributions Plan 2012-2021*, \$150,000 shall be paid to Council to cater for the increased demand for community infrastructure resulting from the development, based on development costs of \$150,000,000.
- b) The value of this contribution is current as at 21 October 2015. If the contributions are not paid within the financial quarter that this condition was generated, the contributions payable will be adjusted in accordance with the provisions of the Hornsby Shire Council Section 94 Development Contributions Plan and the amount payable will be calculated at the time of payment in the following manner:

$$\text{\$C}_{PY} = \frac{\text{\$C}_{DC} \times \text{CPI}_{PY}}{\text{CPI}_{DC}}$$

Where:

$\text{\$C}_{PY}$ is the amount of the contribution at the date of Payment

$\text{\$C}_{DC}$ is the amount of the contribution as set out in this Development Consent

CPI_{PY} is the latest release of the Consumer Price Index (Sydney – All Groups) at the date of Payment as published by the ABS.

CPI_{DC} is the Consumer Price Index (Sydney – All Groups) for the financial quarter at the date applicable in this Development Consent Condition.

- c) The monetary contributions shall be paid to Council:
 - (i) prior to the issue of the Subdivision Certificate where the development is for subdivision; or
 - (ii) prior to the issue of the first Construction Certificate where the development is for building work; or
 - (iii) prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or

- (iv) prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Council's S94A Development Contributions Plan may be viewed at www.hornsby.nsw.gov.au or a copy may be inspected at Council's Administration Centre during normal business hours.

5. Removal of Trees

- a) This development consent permits the removal of tree(s) numbered 23, 24, 25, 28, 29, 30, 33 and 42 as identified in the Site Tree Location Plan provided by Council's Tree Management Team dated 7 September 2015 (D06578907).
- b) The removal of any other trees from the site requires separate approval by Council in accordance with Part 1B.6 Tree and Vegetation Preservation of the Hornsby Development Control Plan, 2013 (HDCP).
- c) All cultural plantings or significant trees not impacted by this proposal should be protected during the works. If removal of any of these trees is required they should be replaced with trees in a similar location that would mature to a similar size and canopy as required under Part 9.3.3 (d) Hornsby Development Control Plan (HDCP) 2013.

6. New Tree Planting

The new tree planting proposed on the northern side of the new building (adjacent the 'grassed terrace') should consist of cultural trees of the 1920/30s similar to those found in the park to reinforce heritage values and provide a screen (minimum 8-9 metres at maturity) to soften the impact of the new building. Details of these trees should be submitted to Council prior to the release of any Construction Certificate.

7. Compliance with Heritage Impact Statement

The ameliorative measures recommended in the Heritage Impact Statement (HIS) prepared by Warwick Mayne-Wilson, dated May 2015 (p.16-17) should be included in the proposal.

8. Stormwater Drainage

The stormwater drainage system for the development must be designed and constructed for an average recurrence interval of 20 years and be gravity drained via an onsite detention and water quality treatment systems to the following requirements:

- a) Connected to an existing Council piped drainage system in accordance with Drawing Nos C-0100 and C 0400, Project No S15013 by BG&E PTY LTD.
- b) All stormwater pipes that is to become part of Council's network must be constructed in accordance with Council's Civil works Specifications and a

construction certificate application is to be submitted to Council for approval.
An overland flowpath is to be provided over such a drainage line.

- c) Be designed by a Chartered Professional Civil/ Hydraulic Engineer of the Institution of Engineers, Australia

9. Connection to Council pit

- a) A construction certificate is to be submitted to Council for connection to Council pit that is proposed to be upgraded and the new stormwater pipeline that is to become part of Council system. All redundant pipes are to be removed.
- b) Prior to the issue of an occupation permit, a compliance certificate shall be obtained from Council for the works.

10. On Site Stormwater Detention

An on-site stormwater detention system must be designed by a chartered civil engineer and constructed in accordance with the following requirements:

- a) Storage capacity to accommodate volume from up to 50 years ARI (average recurrence interval) storms and a maximum discharge (when full) limited to 5 years pre development rate.
- b) Have a surcharge/inspection grate located directly above the outlet. Discharge from the detention system to be controlled via 1 metre length of pipe, not less than 50 millimetres diameter or via a stainless plate with sharply drilled orifice bolted over the face of the outlet discharging into a larger diameter pipe capable of carrying the design flow to an approved Council system.
- c) Where above ground system is proposed and the average depth is greater than 0.3 metres, a 'pool type' safety fence and warning signs to be installed
- d) Not be constructed in a location that would impact upon the visual or recreational amenity of residents.
- e) Detail calculations are to be shown in construction certificate plan.

11. Water Quality Treatment System

- a) Stormwater discharging from the development site is to be treated to achieve the quality specified in Council's Development Control Plan 2012 (table 1C.1.2(b) Urban Stormwater Quality Targets).
- b) Prior to occupation of the premises, a Chartered Civil/Hydraulic Engineer of the Institution of Engineers, Australia is to certify that works have been completed in accordance with the approved construction plan and the measures will achieve the targets specified in the condition.

12. Vehicular Crossing

A separate application under the *Local Government Act 1993* and the *Roads Act 1993* must be submitted to Council for the installation of a new vehicular crossing and the removal of the redundant crossing. The vehicular crossing must be constructed in accordance with Council's *Civil Works Design 2005* and the following requirements:

- a) Any redundant crossings must be replaced with integral kerb and gutter;
- b) The footway area must be restored by turfing;
- c) Approval must be obtained from all relevant utility providers that all necessary conduits be provided and protected under the crossing.

Note: An application for a vehicular crossing can only be made to one of Council's Authorised Vehicular Crossing Contractors. You are advised to contact Council on 02 9847 6940 to obtain a list of contractors.

13. Internal Driveway/Vehicular Areas

The driveway and parking areas on site must be designed in accordance with *Australian Standards 2890.1, 2890.2, 3727* and the following requirements:

- a) Design levels at the front boundary must be obtained from Council.
- b) The driveway must be a rigid pavement.

14. Acoustic Treatment

Acoustic treatment must be provided to the proposed building in accordance with the recommendations contained in the Hornsby PCYC Gymnasium Noise Assessment, document number nss22239 prepared by Noise & Sound Services dated May 2015.

15. Club Management

The use of the club premise must be managed in accordance with the recommendations of the Hornsby PCYC Gymnasium – Noise Assessment, document number nss22239 prepared by Noise & Sound Services dated May 2015. A management plan must be prepared and adhered to in accordance with the recommendations of the acoustic report.

16. Use of Facility - Acoustics

- a) Signs must be posted at exits to the facility stating: "CONSIDER OUR NEIGHBOURS. PLEASE KEEP NOISE TO A MINIMUM."
- b) All noise complaints must be recorded by the Duty Manager and must be dealt with immediately.
- c) The use of the premise must be controlled so that any emitted noise is at a level so as not to create an "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any affected receiver.

REQUIREMENTS PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE
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17. Building Code of Australia

All building work must be carried out in accordance with the relevant requirements of the Building Code of Australia.

18. Construction Management Plan

A Construction Management Plan is to be prepared for approval by Council's Parks and Recreation Manager identifying the extent of land within Lot 300 DP 832745 (Waitara Park) to be occupied for construction activities, methods of construction access, locations and extent of construction fencing and provision of temporary services for construction activities.

19. Electrical substation location

The final location and requirements for the proposed new electrical substation, within Lot 300 DP 832745 (Waitara Park) associated with the building is to be approved by Council's Parks and Recreation Manager.

20. Car Parking and Deliveries

All car parking must be constructed and operated in accordance with *Australian Standard AS 2890.1 – 2004 – Off Street Car Parking*, *Australian Standard AS 2890.2:2002 – Off-street commercial vehicle facilities* and the following requirements:

- a) All parking areas and driveways are to be sealed to an all weather standard, line marked and signposted.
- b) Car parking, loading and manoeuvring areas to be used solely for nominated purposes.
- c) Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads;
- d) All vehicular entry on to the site and egress from the site shall be made in a forward direction. (Service vehicle bay in Park Lane excepted subject to e) below).
- e) Reversing movements into the service vehicle bay in Park Lane shall occur outside peak pedestrian activity or adequate pedestrian management is implemented during the reversing manoeuvre.
- f) The use of parking in the basement by commuters is to be monitored once the facility is operational and appropriate parking control implemented if required.

21. Traffic Control Plan

A Traffic Control Plan (TCP) must be prepared by a qualified traffic controller in accordance with the Roads & Traffic Authority's Traffic Control at Worksites Manual 1998 and Australian Standard 1742.3 for all work on a public road. The Traffic

Management Plan shall be submitted and approved by Council's Manager Traffic and Road Safety prior to the issue of a construction certificate. The TCP must detail the following:

- a) Arrangements for public notification of the works;
- b) Temporary construction signage;
- c) Permanent post-construction signage;
- d) Vehicle movement plans;
- e) Traffic management plans;
- f) Pedestrian and cyclist access/safety.

22. Construction Traffic Management Plan

A Construction Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control must be submitted to Council prior to the issue of a construction certificate. Council will review the CTMP, agree any modifications with the proponent and enforce the CTMP during construction.

23. 'Shared Zone'

Details of the 'Shared Zone' treatment in Park Lane, associated regulatory signs and parking restrictions are to be referred to the Hornsby Local Traffic Committee for approval.

24. Identification of Survey Infrastructure

Prior to the issue of a construction certificate, a registered surveyor shall identify all survey marks in the vicinity of the proposed development. Any survey marks required to be removed or displaced as a result of the proposed development shall be undertaken by a registered surveyor in accordance with Section 24 (1) of the *Surveying and Spatial Information Act 2002* and following the Surveyor General's Directions No.11 – "**Preservation of Survey Infrastructure**".

25. Waste Management Details

The following waste management requirements must be complied with:

- a) The approved on-going waste management system must not be amended without the written consent of Council.
- b) The waste room must be located as per the email from Andrew Teodorowych dated 31 August 2015.
- c) The waste room must be no less than 4.5 m wide by 1.5 m deep with a roller door of no less than 4.0 m width.

Note: it is recommended that the waste room be 5.5 m by 1.5 m to allow for storage of a bin lifter.

- d) An area of smooth hard surface the width of the waste room by 2.0 m must be provided outside the waste room for accessing and manoeuvring the bins. A 2.0 m wide paved pathway from the waste room to the drop zone must be provided.
- e) A Waste Management Plan Section One – Demolition Stage and Section Three – Construction Stage, covering the scope of this project and including the following details, is required to be submitted to Council:
 - i) An estimate of the types and volumes of waste and recyclables to be generated;
 - ii) A site plan showing sorting and storage areas for demolition and construction waste and the vehicle access to these areas;
 - iii) How excavation, demolition and construction waste materials will be reused or recycled and where residual wastes will be disposed;
 - iv) The total percentage (by weight) of demolition and construction waste that will be reused or recycled.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS
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26. Erection of Construction Sign

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) Showing the name, address and telephone number of the principal certifying authority for the work;
- b) Showing the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and
- c) Stating that unauthorised entry to the work site is prohibited.

Note: Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

27. Protection of Adjoining Areas

A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- a) Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic.
- b) Could cause damage to adjoining lands by falling objects.
- c) Involve the enclosure of a public place or part of a public place.

Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.

28. Toilet Facilities

Toilet facilities must be available or provided at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site. Each toilet must:

- a) be a standard flushing toilet connected to a public sewer; or
- b) be a temporary chemical closet approved under the Local Government Act 1993; or
- c) have an on-site effluent disposal system approved under the Local Government Act 1993.

29. Erosion and Sediment Control

Erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual 'Soils and Construction 2004 (Bluebook)', the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.

30. Appointment of a Project Arborist

A project arborist (AQF5 qualified) must be appointed to oversee the installation of tree trunk protection and fencing required to protect the tree root zone.

31. Tree Trunk Protection

Tree trunk protection must be installed prior to the commencement of any works on the site and be in accordance with the Australian Standard 'Protection of Trees on Development Sites (AS 4970-2009).

32. Tree Protection Zone Fencing (TPZ)

Tree protection fencing must be erected around trees numbered 13, 14, 15, 17, 18, 19, 20, 21, 22, 27, 31, 32, 35-41, 43-45, 46, 34, 47-50 and 51 in accordance with required tree protection zones as identified in Tree Survey Retention information provided by HSC dated 9 September 2015 (D06578955).

33. Protection Fencing Requirements

- a) The installation and maintenance of tree trunk and protection zone fencing must be in accordance with *Australian Standard AS 4970-2009 (1.4.4)*.

- b) The project arborist (AQF5 qualified) must monitor the integrity of the tree protection methods, recording any modifications or alterations to the tree protection zone fencing for the duration of the construction period.
- c) A Project arborist (AQF5 qualified) must submit to the Principal Certifying Authority (PCA) a certification/statement confirming that all tree protection measures have been installed in accordance with this consent and the specific requirements of *Australian Standard "Protection of Trees on Development Sites" (AS 4970-2009)*.

34. Tree Ground Protection

All Tree Protection Zones must have a layer of wood-chip mulch installed prior to works commencing and must be maintained throughout the period of construction at a depth of 150mm – 300mm using material that complies with Australian Standard AS 4454.

35. Root Mapping-

- a) Where any excavation is proposed within the TPZ of trees numbered 13, 14, 15, 17, 18, 19, 20, 21, 22, 27, 31, 32, 35-41, 43-45, 46, 34, 47-50 and 51 root mapping must be undertaken to determine the presence, size and depth of the root system within this area of TPZ.
- b) The detection of roots/works must be in accordance with Australian Standard AS 4970-2009 (section 3.3.4) and be carried out under the direction and supervision of the Project Arborist.

REQUIREMENTS DURING DEMOLITION AND CONSTRUCTION

36. Construction Work Hours

All work on site (including demolition and earth works) must only occur between 7am and 5pm Monday to Saturday. No work is to be undertaken on Sundays or public holidays.

37. Demolition

All demolition work must be carried out in accordance with "*Australian Standard 2601-2001 – The Demolition of Structures*" and the following requirements:

- a) Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan;
- b) Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by WorkCover NSW in accordance with Chapter 10 of the Occupational Health and Safety Regulation 2001 and Clause 29 of the Protection of the Environment Operations (Waste) Regulation 2005 ;and

- c) On construction sites where buildings contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm must be erected in a prominent position visible from the street.

38. Environmental Management

The site must be managed in accordance with the publication *'Managing Urban Stormwater – Landcom (March 2004)* and the *Protection of the Environment Operations Act 1997* by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.

39. Street Sweeping

Street sweeping must be undertaken following sediment tracking from the site along Park Lane, Waitara Avenue and Park Avenue, Waitara during works and until the site is established.

The street cleaning services must undertake a street 'scrub and dry' method of service and not a dry sweeping service that may cause sediment tracking to spread or cause a dust nuisance.

40. Council Property

During construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath. The public reserve must be kept in a clean, tidy and safe condition at all times.

Note: This consent does not give right of access to the site via Council's park or reserve. Should such access be required, separate written approval is to be obtained from Council.

41. Disturbance of Existing Site

During construction works, the existing ground levels of open space areas and natural landscape features, (including natural rock-outcrops, vegetation, soil and watercourses) must not be altered unless otherwise nominated on the approved plans.

42. Landfill

Landfill must be constructed in accordance with Council's *'Construction Specification 2005'* and all fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material approved under the *Department of Environment and Climate Change's* general resource recovery exemption.

43. Excavated Material

All excavated material removed from the site must be classified in accordance with the Department of Environment, Climate Change and Water NSW *Waste Classification*

Guidelines prior to disposal to an approved waste management facility and reported to the principal certifying authority.

44. Survey Report – Finished Floor Level

A report(s) must be prepared by a registered surveyor and submitted to the principal certifying authority prior to the pouring of concrete at each level of the building certifying that:

- a) The building, retaining walls and the like have been correctly positioned on the site; and
- b) The finished floor level(s) are in accordance with the approved plans.

45. Waste Management

Waste management during the demolition and construction phase of the development must be undertaken in accordance with the approved Waste Management Plan. Additionally written records of the following items must be maintained during the removal of any waste from the site and such information submitted to the Principal Certifying Authority within fourteen days of the date of completion of the works:

- a) identity of the person removing the waste.
- b) The waste carrier vehicle registration.
- c) Date and time of waste collection.
- d) A description of the waste (type of waste and estimated quantity).
- e) Details of the site to which the waste is to be taken.
- f) The corresponding tip docket/receipt from the site to which the waste is transferred (noting date and time of delivery, description (type and quantity) of waste).
- g) Whether the waste is expected to be reused, recycled or go to landfill.

Note: In accordance with the Protection of the Environment Operations Act 1997, the definition of waste includes any unwanted substance, regardless of whether it is reused, recycled or disposed to landfill.

46. Traffic Control Plan Compliance

The development must be carried out in accordance with the submitted Traffic Control Plan (TCP).

47. Maintenance and Monitoring of Tree protection

- a) All required tree protection measures must be monitored by the appointed project arborist to ensure that they are maintained in good condition for the duration of the construction period.

- b) The project arborist must record the method(s) used to preserve the tree(s) 13, 14, 15, 17, 18, 19, 20, 21, 22, 27, 31, 32, 35-41, 43-45, 46, 34, 47-50 and 51 for the duration of the proposed works and forms part of final certification documentation.

48. Consenting to Works within Tree Protection Zones

Consent is granted to undertake works within the Tree Protection Zone of specified trees 13, 14, 15, 17, 18, 19, 20, 21, 22, 27, 31, 32, 35-41, 43-45, 46, 34, 47-50 and 51 with the following conditions:

- a) Project Arborist
 - i) The project arborist must be appointed to monitor and assess all consented works within the tree protection zone
 - ii) The appointed project arborist must monitor and assess the condition of tree(s) within the growing environment and make recommendations for maintaining tree health/condition and if necessary carry out remedial action to ensure the health and vigour of the tree(s).
 - iii) The project arborist must keep a record of the method(s) used to preserve the tree(s) .g. application of nutrients/root development stimulants (fish emulsion).
- b) Driveway/concrete slabs (no-strip footing)-
 - i) Tree protection fencing must only be adjusted to provide sufficient access i.e. 4 metres from the trees structural root zone to facilitate the installation of the driveway.
 - ii) The driveway must be built on grade, with the use of piers to provide support to minimise compaction within the tree protection zone
 - iii) Material being imported to the site to create level grade for driveway must be distributed by hand within the tree protection zone
- c) Root Pruning
 - i) The project arborist must be appointed to monitor and assess the necessary tree root pruning ensuring works are undertaken as specified in Australian Standard AS 4970-2009 Sections 3.3.4, 4.5.4 and 4.5.5.

49. Basement Excavation

Excavation to facilitate the construction of the basement must be carried out at completion of root pruning as identified in the root mapping process conditions.

50. Drilling/ Boring to install underground services

- a) The installation of any services within the nominated tree protection zone of any tree to be retained must utilise the thrust boring method.

- b) Thrust boring must be carried out so that 'top of pipe' is a minimum 600mm depth beneath existing ground level.

51. Building materials and Site Waste

The filling or stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, waste water or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent or the prescriptive measures of Part 1B.6.1 Tree Preservation of the Hornsby Development Control Plan, 2013 . of any tree to be retained.

52. Compliance with Construction Traffic Management Plan

The Council approved Construction Traffic Management Plan is to be complied with for the duration of works.

53. Construction Vehicles

All construction vehicles associated with the proposed development are to be contained on site.

REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

Note: For the purpose of this consent, a reference to 'occupation certificate' shall not be taken to mean an 'interim occupation certificate' unless otherwise stated.

54. Tree Protection Certification

A certificate from the project arborist must be submitted to the Principal Certifying Authority stating compliance with the relevant conditions of this consent.

55. Maintain Canopy Cover

Replacement Tree Planting is required under the following conditions:

Green Offset Replacement Planting

- a) To offset the loss of trees removed under this consent, replacement tree planting must be with the species characteristic of Sydney Iron Bark Turpentine Forest (STIF).
- b) The offset ratio for remnant EEC is 5:1 or 3:1 for non EEC, meaning that 5 medium to large trees selected from Council's booklet '*Indigenous Plants for the Bushland Shire*' such as *Syncarpia glomulifera*, *Angophora costata*, *Angophora floribunda*.

56. Location and Size of Plantings

- a) Tree plantings for must be located 4 metres or greater metres from the foundation walls of the approved development.
- b) The pot size of the replacement tree(s) must be a minimum 25 litres.

- c) The replacement tree(s) must be maintained until they reach the height of 3 metres.
- d) All tree stock must meet the specifications outlined in '*Specifying Trees*' (Ross Clark, NATSPEC Books).
- e) Planting methods must meet professional (best practice) industry standards

57. Works as Executed Plan

Works-as-executed plans must be prepared by a registered surveyor and submitted to Council for completed road works, drainage, driveway, on-site detention and water quality treatment systems.

58. Creation of Easements

The following matter(s) must be nominated on the plan of subdivision under s88B of the *Conveyancing Act 1919*:

- a) The creation of an appropriate "Positive Covenant" and "Restriction as to User" over the constructed on-site detention and water quality treatment systems and outlet works, within the lots in favour of Council in accordance with Council's prescribed wording. The position of the on-site detention system and water quality treatment system is to be clearly indicated on the title.
- b) To register the positive covenant and the restriction on the use of land, "works-as-executed" details of the on-site-detention system and water quality system must be submitted verifying that the required storage and discharge rates and water quality treatment measures have been constructed in accordance with the design requirements. The details must show the invert levels of the on site system together with pipe sizes and grades and details of water quality treatment measures. Any variations to the approved plans must be shown in red on the "works-as-executed" plan and supported by calculations
- c) The creation of a drainage easement in accordance with Council's Civil works Specifications over any stormwater pipe that is to become a part of Council pipe network with a minimum width of 3m.

Note: Council must be nominated as the authority to release, vary or modify any easement, restriction or covenant.

59. Certificate of Preservation of Survey Marks

A certificate by a Registered Surveyor shall be submitted to the Principal Certifying Authority, certifying that there has been no removal, damage, destruction, displacement or defacing of the existing survey marks in the vicinity of the proposed development or otherwise the re-establishment of damaged, removed or displaced survey marks has been undertaken in accordance with the Surveyor General's Direction No.11 – "**Preservation of Survey Infrastructure**".

60. Stormwater Drainage

The stormwater drainage system for the development must be designed and constructed in accordance with Council's *Civil Works – Design and Construction Specification 2005*.

Note: A certificate from a chartered civil engineer together with a works as executed design plan must be submitted to the principal certifying authority to demonstrate the satisfaction of this condition.

61. Vehicular Crossing

A separate application under the *Local Government Act 1993* and the *Roads Act 1993* must be submitted to Council for the installation of a new vehicular crossing and the removal of the redundant crossing. The vehicular crossing must be constructed in accordance with Council's *Civil Works Design 2005* and the following requirements:

- a) Any redundant crossings must be replaced with integral kerb and gutter;
- b) The footway area must be restored by turfing;
- c) Approval must be obtained from all relevant utility providers that all necessary conduits be provided and protected under the crossing.

Note: An application for a vehicular crossing can only be made to one of Council's Authorised Vehicular Crossing Contractors. You are advised to contact Council on 02 9847 6940 to obtain a list of contractors.

62. External Lighting

All external lighting must be designed and installed in accordance with *Australian Standard AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting*. Certification of compliance with the Standard must be obtained from a suitably qualified person.

63. Acoustic Certificate

On completion of all works and prior to the issue of an Occupation Certificate, the certifier is to be provided with a certificate from a qualified acoustic engineer/consultant certifying that all acoustic works have been completed in accordance with the recommendations contained in the Hornsby PCYC Gymnasium Noise Assessment, document number nss22239 prepared by Noise & Sound Services dated May 2015.

64. Damage to Council Assets

Any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified in accordance with Council's *Civil Works Specifications*. Council's Restorations Supervision must be notified for a formwork inspection prior to pouring concrete

65. Completion of Landscaping

A certificate must be provided by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.

Note: Advice on suitable species for landscaping can be obtained from Council's planting guide 'Indigenous Plants for the Bushland Shire', available at www.hornsby.nsw.gov.au.

Note: Applicants are advised to pre-order plant material required in pot sizes 45 litre or larger to ensure Nurseries have stock available at the time of install.

66. Retaining Walls

All required retaining walls must be constructed as part of the development.

67. Food Premises

The fit out and operation of that part of the building to be used for the manufacture, preparation or storage of food for sale, must be in accordance with *Australian Standard 4674-2004 – Design and fit out of food premises*, the *Food Act 2003*, and the *Food Regulation 20010 and the Food Standards Code developed by Food Standards Australia New Zealand*. *Food Standards 3.3.1. 3.2.2 and 3.2.3* are mandatory for all food businesses.

Note: Walls are to be of solid construction.

68. Waste Management Details

The following waste management requirements must be complied with:

- a) Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifying Authority must obtain Council's approval of the waste and recycling management facilities provided in the development and ensure arrangements are in place for commercial waste collection.

Note: Waste and recycling management facilities includes everything required for on-going waste management on the site. For example the bin lifter, motorised bin trolley or similar, bin storage areas, bulky waste storage area, bin carting routes, waste collection vehicle access, doors wide enough to fit the bin through, etc.

- b) The waste room at the ground level must include water or a hose for cleaning, graded floors with drainage to sewer, a robust door, sealed and impervious surface, adequate lighting and ventilation, and must be lockable.
- c) A report must be prepared by an appropriately qualified person, certifying the following:
 - i) A comparison of the estimated quantities of each waste type against the actual quantities of each waste type.

Note: Explanations of any deviations to the approved Waste Management Plan is required to be included in this report

- ii) That at least 60% of the waste generated during the demolition and construction phase of the development was reused or recycled.

Note: If the 60% diversion from landfill cannot be achieved in the Construction Stage, the Report is to include the reasons why this occurred and certify that appropriate work practices were employed to implement the approved Waste Management Plan. The Report must be based on documentary evidence such as tipping dockets/receipts from recycling depots, transfer stations and landfills, audits of procedures etc. which are to be attached to the report.

- iii) All waste was taken to site(s) that were lawfully permitted to accept that waste.
- d) The bin carting routes must be devoid of any steps.
Note: Ramps between different levels are acceptable.
- e) There must be "No Parking" signs in the drop zone bay.

OPERATIONAL CONDITIONS

69. Use of Premises

The development approved under this consent shall be used for an indoor recreation facility with ancillary café and crèche and not for any other purpose without Council's separate written consent.

70. Hours of Operation

The hours of operation of the premise are restricted to those times listed below:

Monday to Sunday 6:00 am to 10:30 pm

71. Noise

All noise generated by the proposed development must be attenuated to prevent levels of noise being emitted to adjacent premises which possess tonal, beating and similar characteristics or which exceeds background noise levels by more than 5dB(A).

72. Fire Safety Statement - Annual

On at least one occasion in every 12 month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.

73. Sight Distances

Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath.

74. Parking

- a) All parking for people with disabilities is to comply with AS/NZS 2890.6:2009 Off-street parking for people with disabilities.
- b) Bicycle parking spaces are to be constructed and operated in accordance with AS 2890.3-1993
- c) Motorcycle parking spaces are to be constructed and operated in accordance with AS 2890.1-2004

75. Ongoing Waste Requirements

- a) All commercial tenants must keep written evidence on site of a valid contract with a licensed waste contractor(s) for the regular collection and disposal of the waste and recyclables that are generated on site.
- b) The site must have a sufficient number of bins to contain the volume of waste and recycling expected to be generated between collection services.

- END OF CONDITIONS -

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act, 1979*, *Environmental Planning and Assessment Regulation 2000*, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires:

- The issue of a construction certificate prior to the commencement of any works. Enquiries can be made to Council's Customer Services Branch on 9847 6760.
- A principal certifying authority to be nominated and Council notified of that appointment prior to the commencement of any works.
- Council to be given at least two days written notice prior to the commencement of any works.
- Mandatory inspections of nominated stages of the construction inspected.
- An occupation certificate to be issued before occupying any building or commencing the use of the land.

Tree and Vegetation Preservation

In accordance with Clause 5.9 of the *Hornsby Local Environmental Plan 2013* a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation

protected under the Hornsby Development Control Plan 2013 without the authority conferred by a development consent or a permit granted by Council.

Notes: A tree is defined as a long lived, woody perennial plant with one or relatively few main stems with the potential to grow to a height greater than three metres (3M). (HDCP 1B.6.1.c).

Tree protection measures and distances are determined using the Australian Standard AS 4970:2009, "Protection of Trees on Development Sites".

Fines may be imposed for non-compliance with both the Hornsby Local Environmental Plan 2013 and the Hornsby Development Control Plan 2013.

Long Service Levy

In accordance with Section 34 of the Building and Construction Industry Long Service Payments Act 1986, a 'Long Service Levy' must be paid to the Long Service Payments Corporation or Hornsby Council.

Note: The rate of the Long Service Levy is 0.35% of the total cost of the work.

Note: Hornsby Council requires the payment of the Long Service Levy prior to the issue of a construction certificate.

Disability Discrimination Act

The applicant's attention is drawn to the existence of the *Disability Discrimination Act*. A construction certificate is required to be obtained for the proposed building/s, which will provide consideration under the *Building Code of Australia*, however, the development may not comply with the requirements of the *Disability Discrimination Act*. This is the sole responsibility of the applicant.

Dial Before You Dig

Prior to commencing any works, the applicant is encouraged to contact *Dial Before You Dig* on 1100 or www.dialbeforeyoudig.com.au for free information on potential underground pipes and cables within the vicinity of the development site.

Advertising Signage – Separate DA Required

This consent does not permit the erection or display of any advertising signs. Most advertising signs or structures require development consent. Applicants should make separate enquiries with Council prior to erecting or displaying any advertising signage.

Telecommunications Act 1997 (Commonwealth)

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

Asbestos Warning

Should asbestos or asbestos products be encountered during demolition or construction works, you are advised to seek advice and information prior to disturbing this material. It is recommended that a contractor holding an asbestos-handling permit (issued by *WorkCover*

NSW) be engaged to manage the proper handling of this material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

Alternatively, telephone the *WorkCover* Asbestos and Demolition Team on 8260 5885.

Food Authority Notification

The *NSW Food Authority* requires businesses to electronically notify the Authority prior to the commencement of its operation.

Note: NSW Food Authority can be contacted at www.foodnotify.nsw.gov.au.

Council Notification – Food Premises

Prior to the commencement of the business, the operator is requested to contact Council's Environmental Health Team to arrange an inspection for compliance against the relevant legislation and guidelines outlined in this approval.

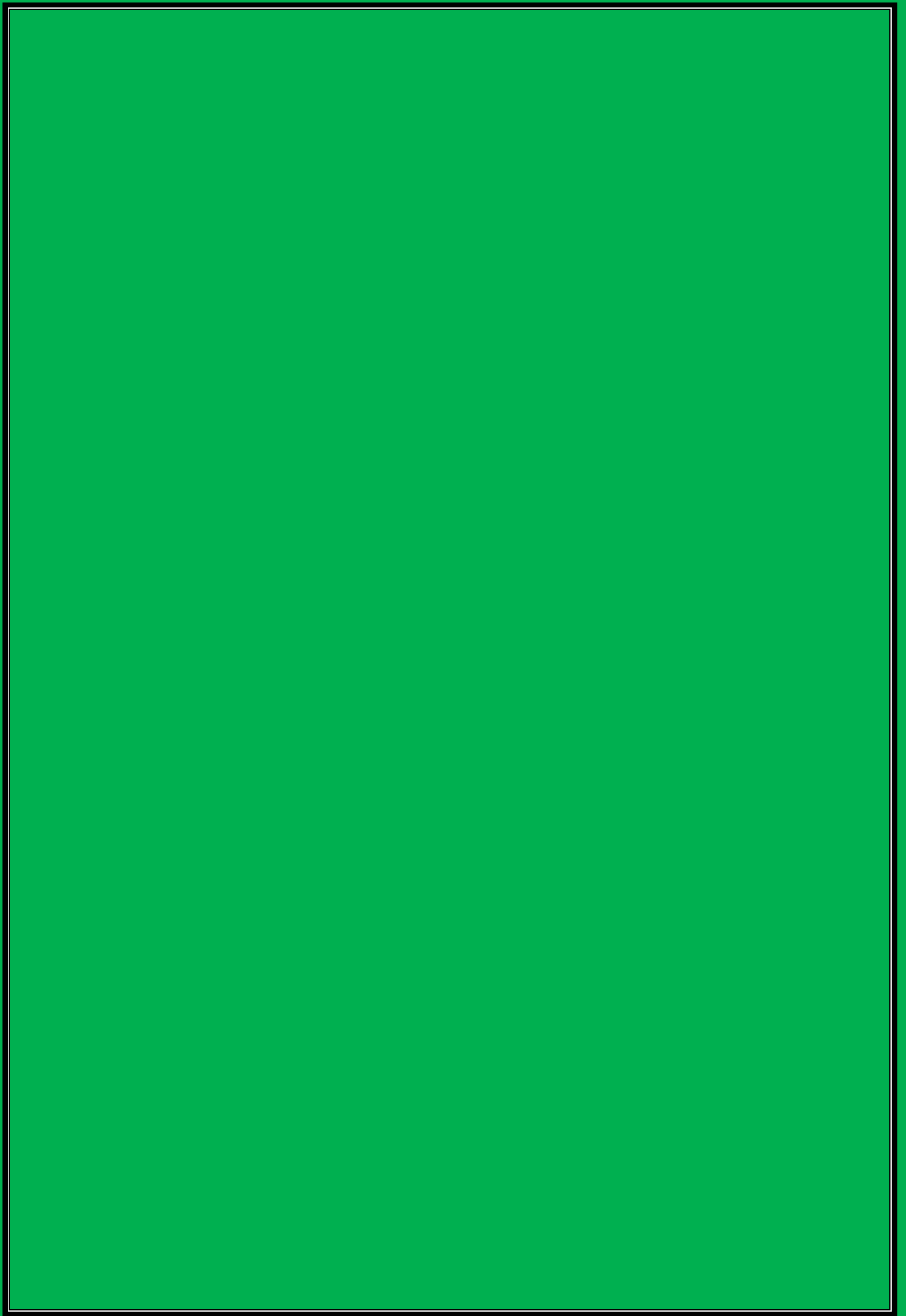
Note: Council's Environmental Health Officer can be contacted on 02 9847 6745.

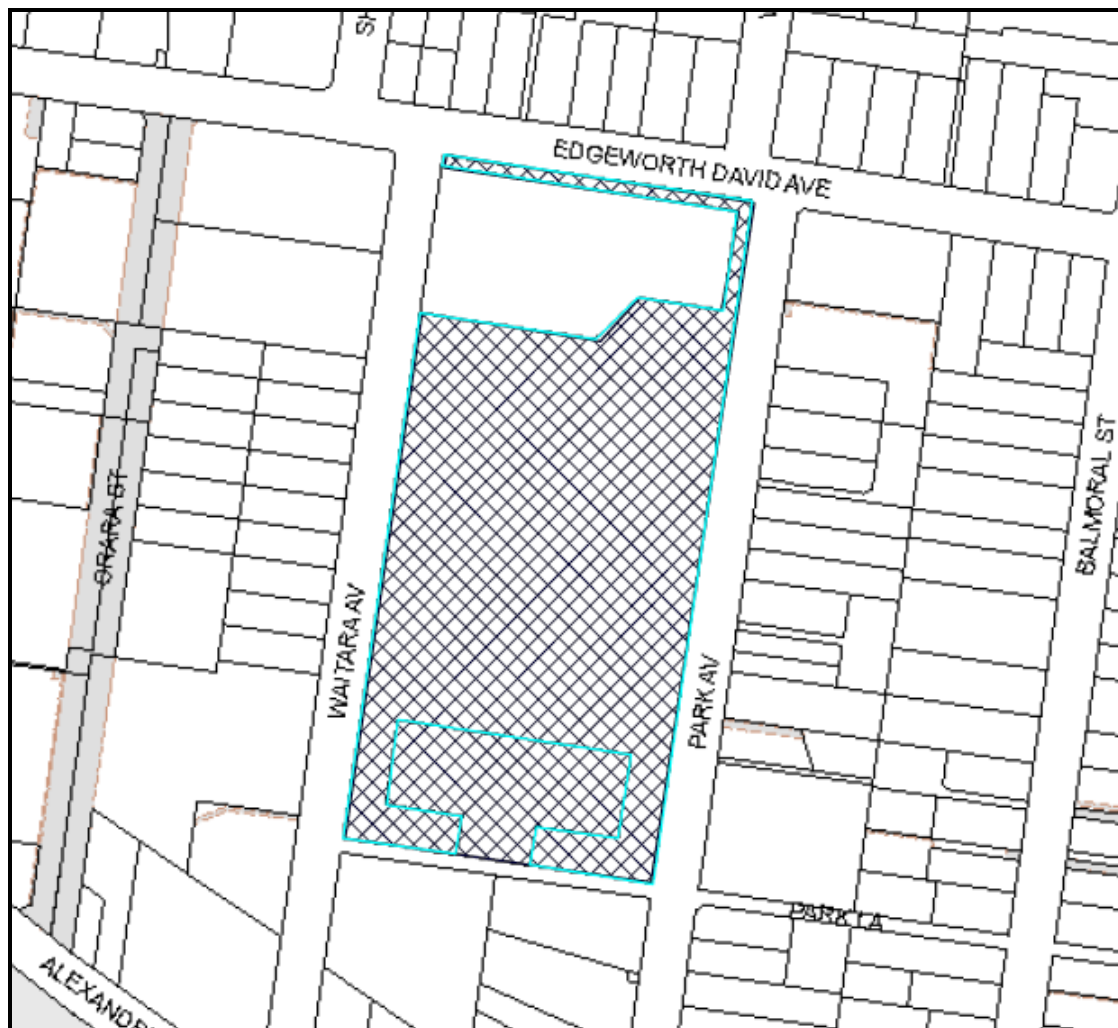
Attachment 1

Locality Plan

2015SYW142 (DA/849/2015)

Hornsby PYC





LOCALITY PLAN

DA/849/2015

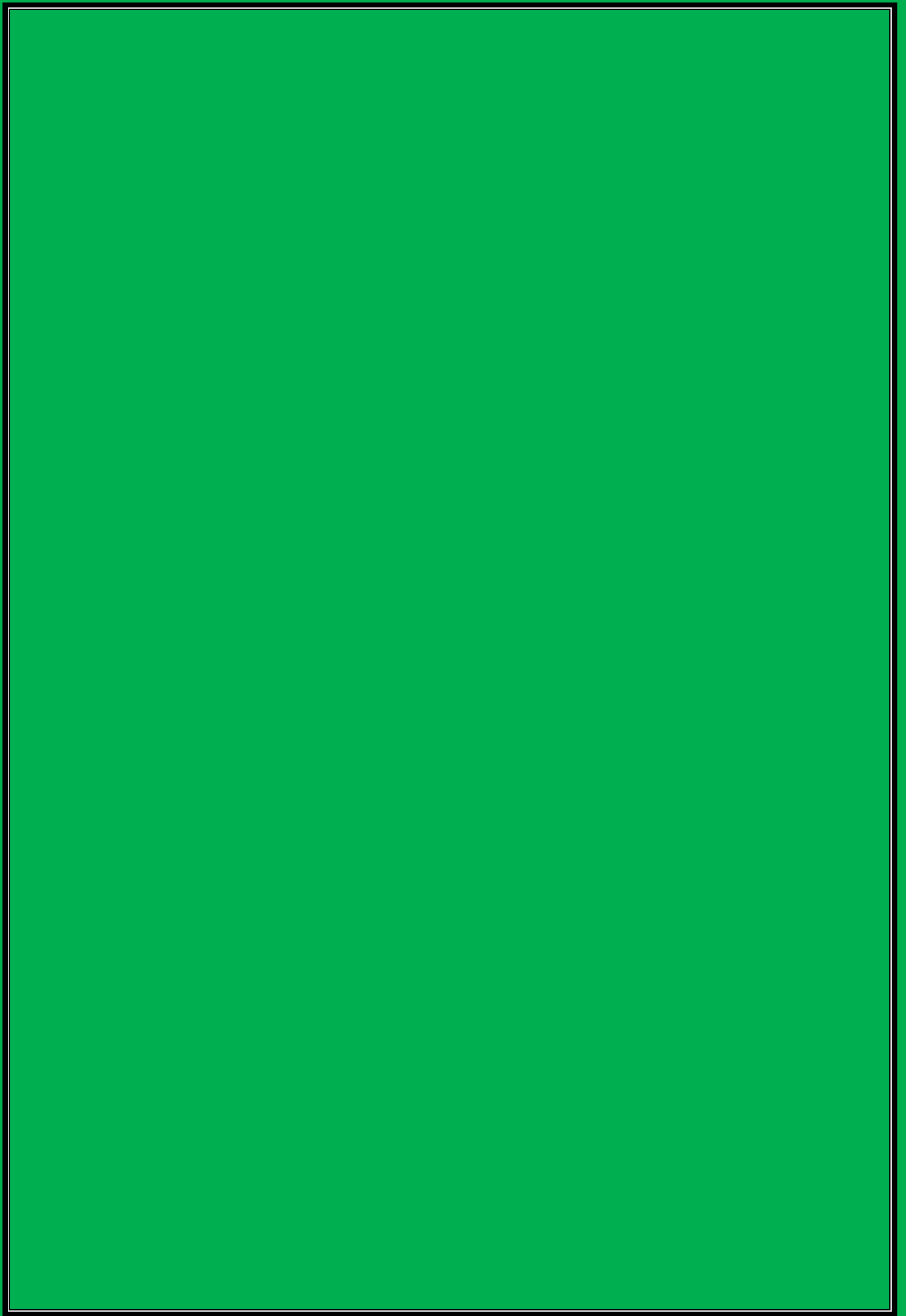
20X Waitara Avenue and 1 Park Lane, Waitara

Attachment 2

Architectural Plans

2015SYW142 (DA/849/2015)

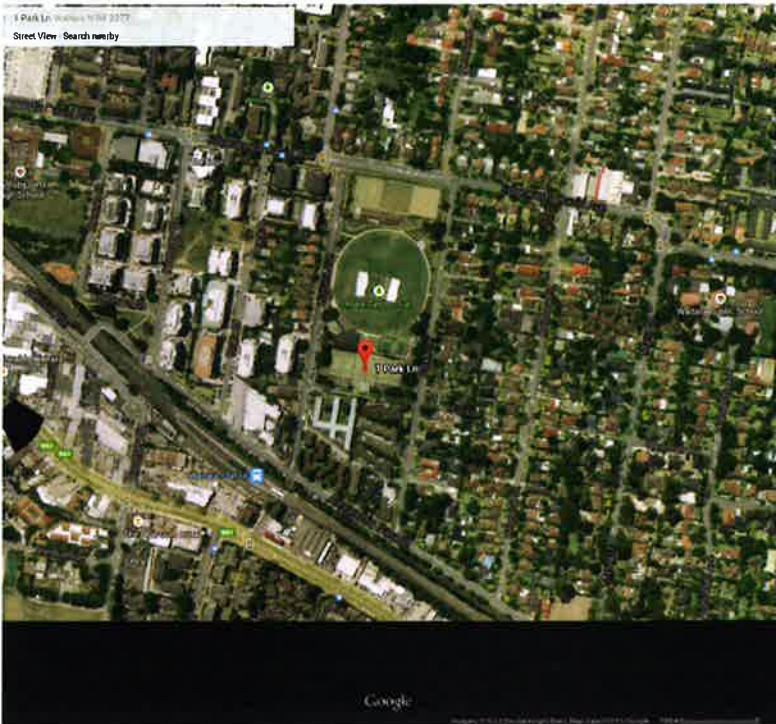
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DRAWING SCHEDULE		REV	DATE
Dwg No.	DRAWING NAME		
A.000	COVER SHEET		
A.050	SITE PLAN		
A.051	SITE ANALYSIS		
A.060	DEMOLITION PLAN		
A.100	BASEMENT CAR PARK FLOOR PLAN		
A.101	GROUND FLOOR PLAN		
A.102	LEVEL 01 FLOOR PLAN		
A.103	ROOF PLAN		
A.400	SECTIONS		
A.500	ELEVATIONS EAST + WEST		
A.501	ELEVATIONS NORTH + SOUTH		
A.1020	SHADOW DIAGRAM - JUNE 22ND 9.00AM		
A.1021	SHADOW DIAGRAM - 22ND JUNE 12.00PM		
A.1022	SHADOW DIAGRAM - 22ND JUNE 3.00PM		
A.1030	MATERIALS BOARD		

DEVELOPMENT INFORMATION

SITE AREA:	
LOT 300 DP 832745	- 28,190.7m ²
LOT 301 DP 832745	- 4,227.7m ²
BUILDING GROSS FLOOR AREA:	
BASEMENT	- 2,813.4m ²
GROUND FLOOR	- 3,700m ²
LEV 01 FLOOR	- 1,307.7m ²
TOTAL	= 7,821.1m ²



LOCATION PLAN NOT TO SCALE



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ISSUE	DATE	BY

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e reception@smscorp.com.au

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BG & E

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Email: graham@hdyg.com.au

CLIENT:

PCYC | POLICE CITIZENS YOUTH CLUBS

PROJECT NAME:

NEW GYMNASIUM

PROJECT ADDRESS:

MARK TAYLOR OVAL,
LOT 300 + 301 DP832745,
WAITARA AVENUE, WAITARA NSW

DRAWING TITLE:

COVER SHEET

A1 PRINT SIZE

DATE: 06.07.2015	DRAWING NO.
SCALE: As indicated @ A1	A.000
JOB NO: W211	

DRAWN BY: Author CHECKED BY: S. JOHANSSON

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1 SITE PLAN
1 : 600

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 E / info@bgeng.com
 bgeng.com

**BG
&E**

DESIGN ARCHITECT:
For DA

CLIENT:  **PCYC** | POLICE CITIZENS
YOUTH CLUBS

PROJECT NAME: **NEW GYMNASIUM** NOTE: GRID NTH TO TRUE N
GRID CONVERGENCE -1°3'4"

PROJECT ADDRESS:
MARK TAYLOR OVAL,
LOT 300 + 301 DP832745,
WAITARA AVENUE, WAITARA NSW

DRAWING TITLE:

SITE PLAN

A1 PRINT SIZE

DATE: 06.07.2015	DRAWING NO.
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HYDRAULIC ENGINEER



ELECTRICAL ENGINEER

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G SOLUTIONS
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Glenhaven NSW 2156
Phone: (02) 6850 6602
Mobile: 0419 294 533
Email: info@trumsolutions.com.au


STRUCTURAL ENGINEER:

BC
& J

DESIGN ARCHITECT:

Expanding Design Group
AIRBORNE
1000 N. 10th Ave.
PO Box 1000
1000 N. 10th Ave.
1000 N. 10th Ave.

CLIENT:



**POLICE CITIZENS
YOUTH CLUBS**

PROJECT NAME:

PROJECT NAME:
NEW GYMNASIUM

45. 

PROJECT ADDRESS:

45,
AITARA NSW

DRAWING TITLE:

ANALYSIS

SITE ANALYSIS

[illegible]

DATE: 06.07.20

[illegible]

SCALE: 1:250 ©

JOB NO. 1A

JOB NO.:	V
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sch 80-158 133 140
ps 30-480
Missing Point 1505

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BGE
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DESIGN ARCHITECT

Facility Design Group

FOR DA

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PROJECT NAME:
NEW GYMNASIUM

PROJECT ADDRESS:
MARK TAYLOR OVAL,
LOT 300 + 301 DP832745,
WAITARA AVENUE, WAITARA NSW

DRAWING TITLE:

DEMOLITION PLAN

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DATE: 06.07.2015	DRAWING NO.
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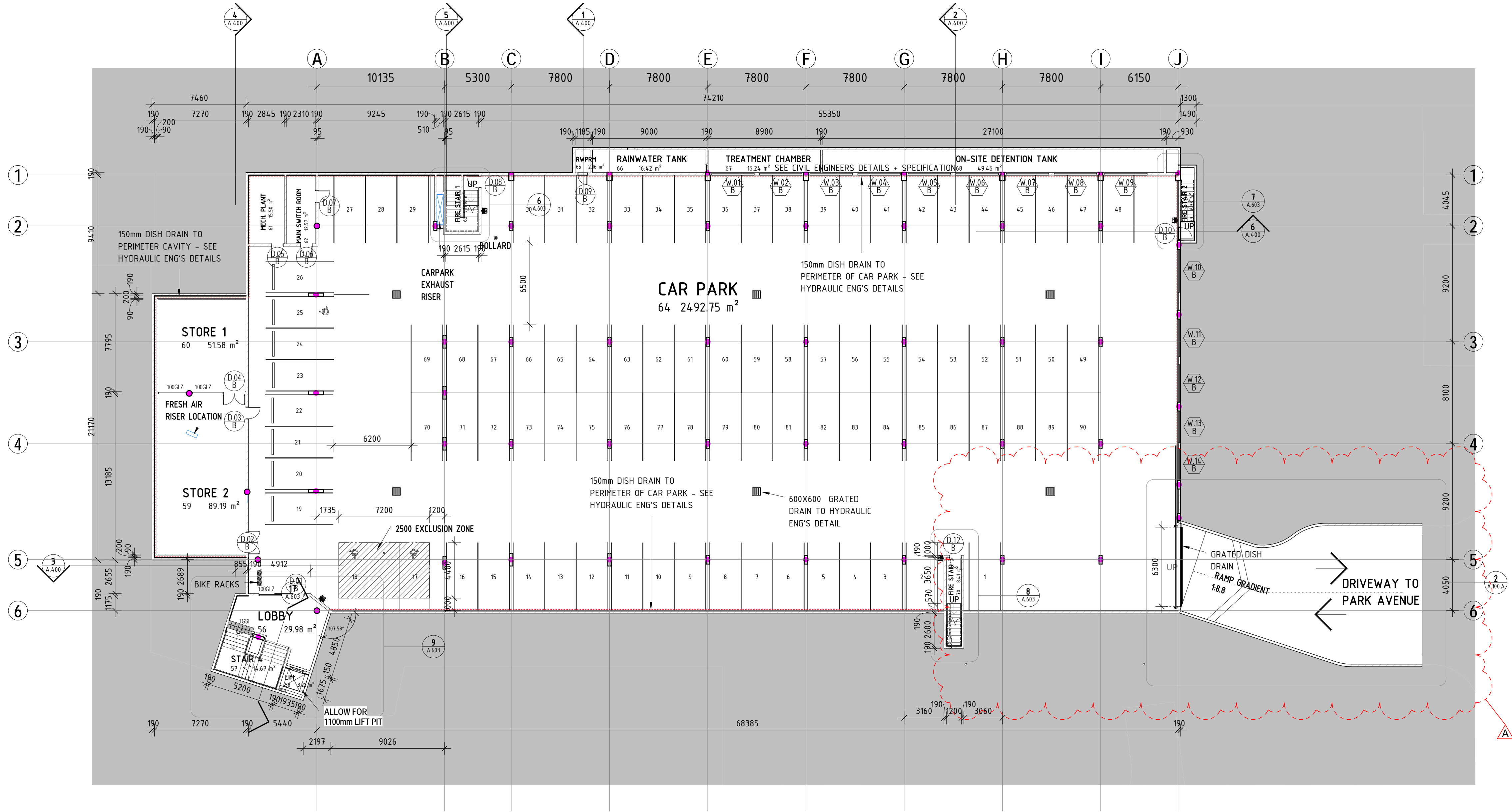
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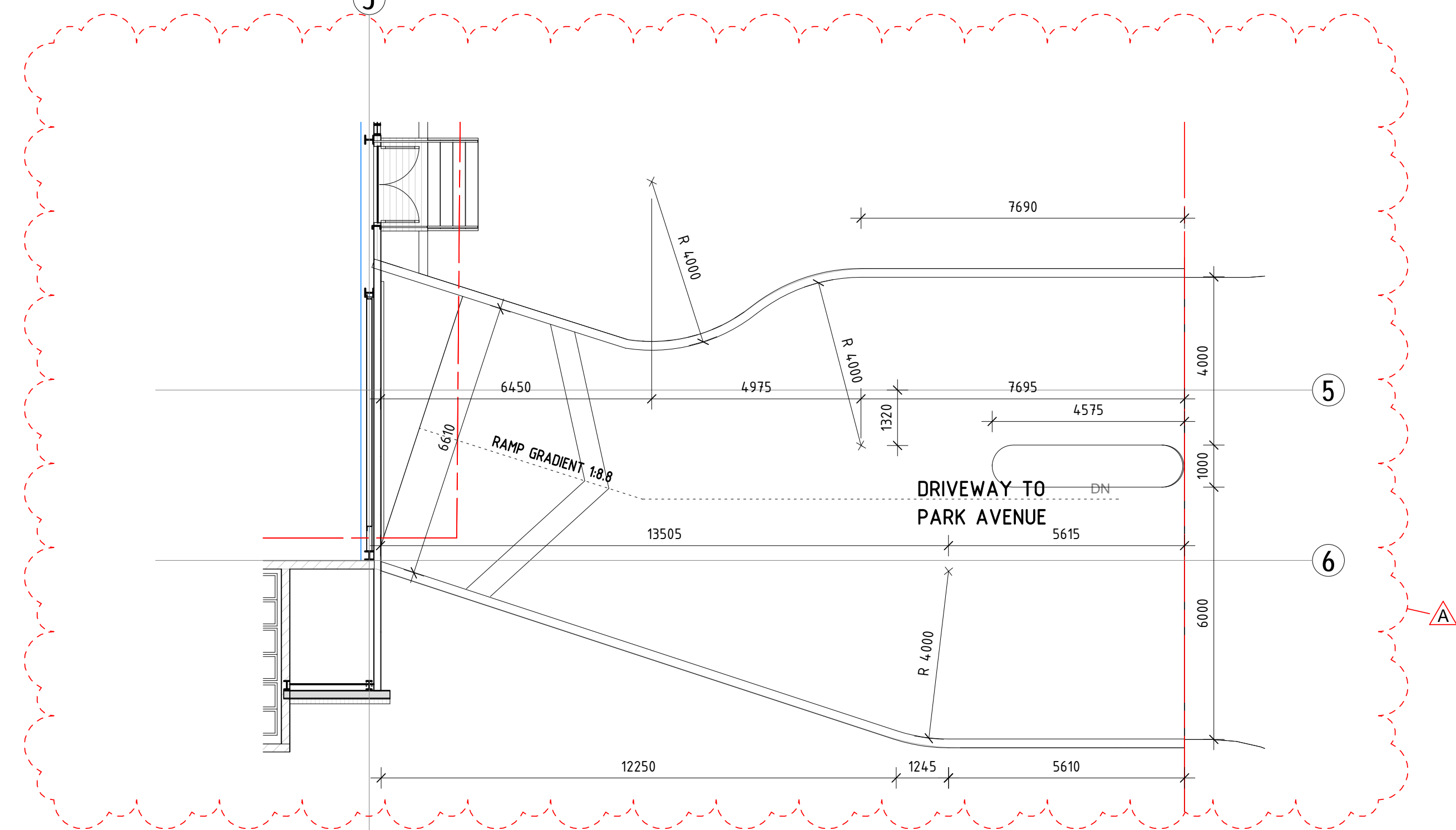
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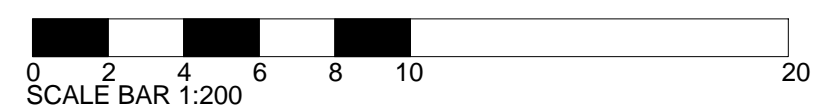
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1 BASEMENT CAR PARK
1 : 200



2 BASEMENT CAR PARK DRIVEWAY - PLAN DETAIL
1 : 100



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100 Pitt St NSW 2000
100 Pitt St NSW 2000
100 Pitt St NSW 2000
100 Pitt St NSW 2000

CLIENT:
PCYC POLICE CITIZENS YOUTH CLUBS

PROJECT NAME:
NEW GYMNASIUM

PROJECT ADDRESS:
MARK TAYLOR OVAL
LOT 300 + 301 DP832745,
WAITARA AVENUE, WAITARA NSW

DRAWING TITLE:
BASEMENT CAR PARK FLOOR PLAN

A1 PRINT SIZE

DATE: 07/10/2015 DRAWING NO.

SCALE: As indicated @ B1 **A.100.A**

JOB NO.: W211

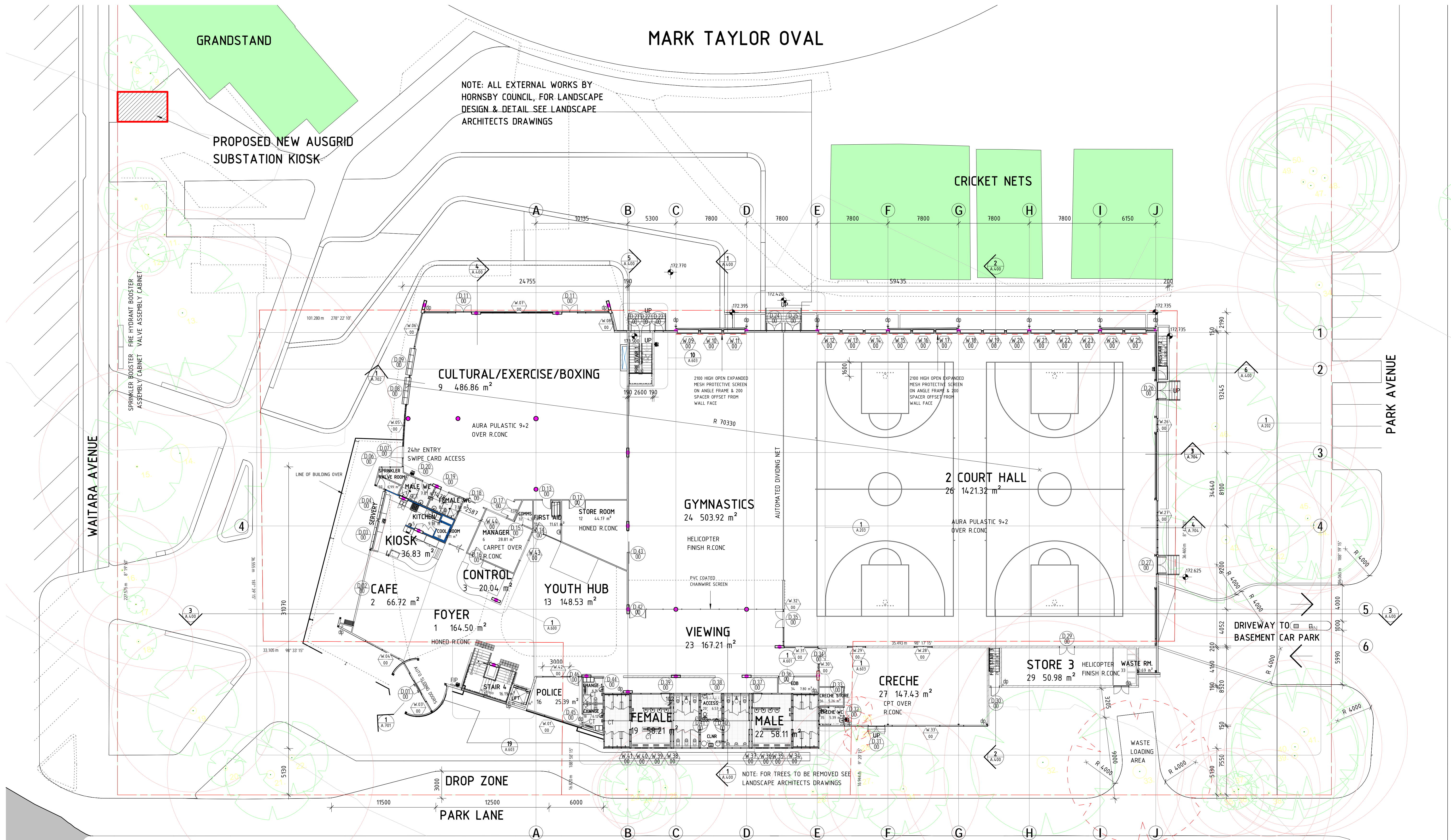
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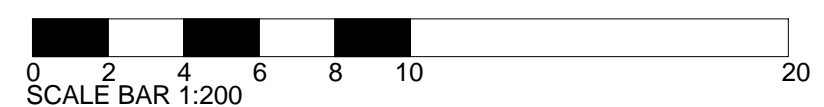
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1 Lev 00 GROUND FLOOR PLAN
1 : 200



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PROJECT NAME:
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DRAWING TITLE:
GROUND FLOOR PLAN

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Miles Point 1565
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e reception2sinstep

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PROJECT ADDRESS:
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LEVEL 01

[illegible]

DATE: 06/07

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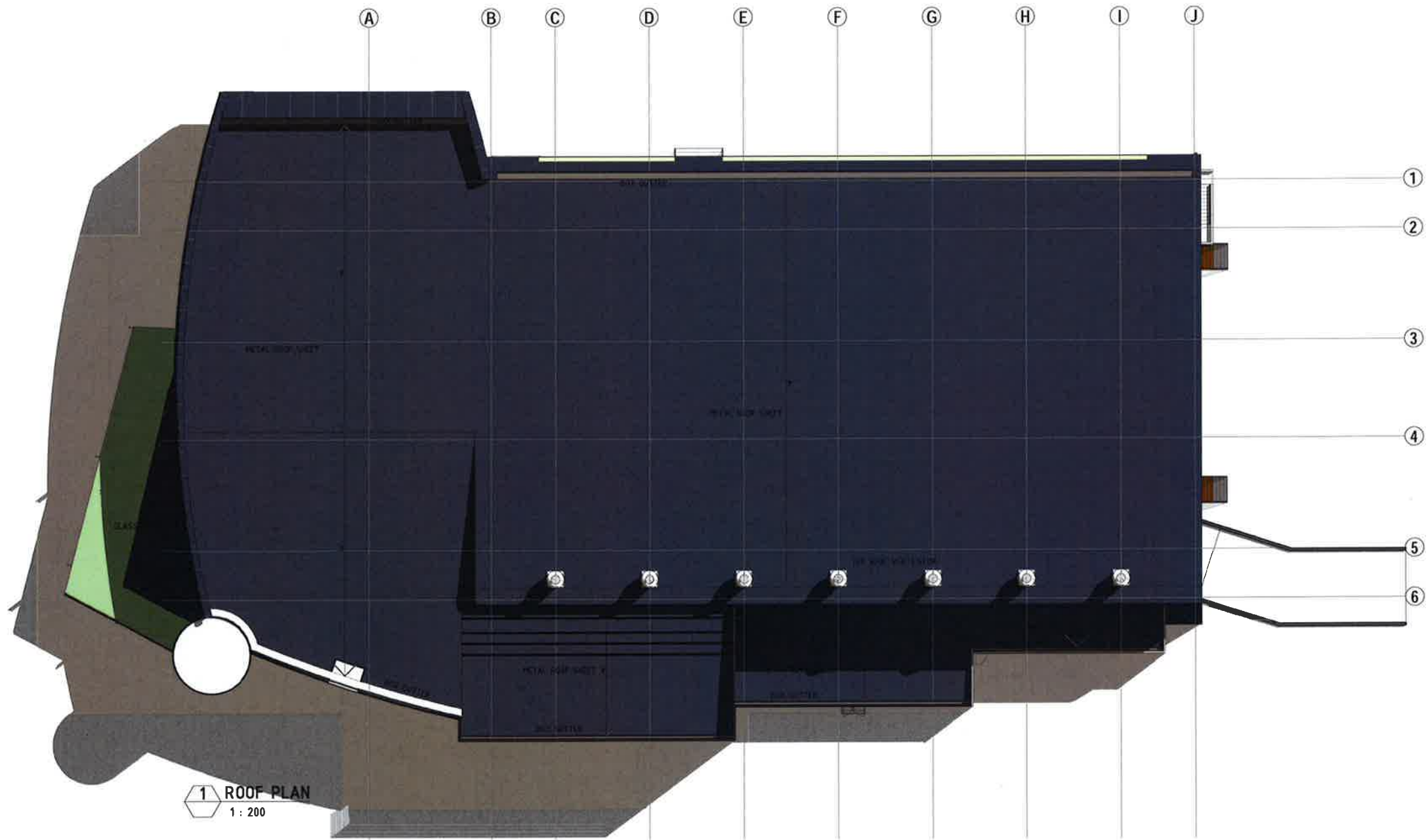
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1 ROOF PLAN
1 : 200

0 2 4 6 8 10 20
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PROJECT NAME:
NEW GYMNASIUM

PROJECT ADDRESS:
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WAITARA AVENUE, WAITARA NSW

DRAWING TITLE:

ROOF PLAN

A1 PRINT SIZE

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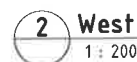
This architectural section drawing illustrates a building's internal structure and spaces. The drawing is oriented horizontally, with a vertical grid of letters (J, I, H, G, F, E, D, C, B, A) at the top. Key features include:

- Roof and Exterior Details:**
 - IVR ROOF VENTILATORS (located under grid lines I and H).
 - PRECAST CONC. WALL PANELS (under grid line H).
 - "RITEK" COMPOSITE PANEL ROOF SYSTEM (under grid lines G and F).
 - POWDER COAT ALUMINIUM FRAMED CURTAIN WALL (under grid line E).
 - "RITEK" COMPOSITE PANEL ROOF SYSTEM (under grid line C).
 - R.CONC UPTURN BEAM BALUSTRADE TO ENG'S DETAIL (under grid line A).
 - PRE-FINISHED METAL STANDING SEAM CLADDING OVER GAL. STEEL FRAME (on the right end).
- Internal Spaces and Rooms:**
 - 3 COURT HALL (24 x 12.75 m²) located under grid line G.
 - GYMNASIUM (24 x 12.75 m²) located under grid line F.
 - YOUTH HALL (13 x 12.75 m²) located under grid line D.
 - FOYER (13 x 12.75 m²) located under grid line C.
 - CAFÉ (13 x 12.75 m²) located under grid line B.
 - LEV. 00 Foyer (13 x 12.75 m²) located under grid line A.
 - LEV. 01 Foyer (13 x 12.75 m²) located under grid line A.
 - LEV. 02 Foyer (13 x 12.75 m²) located under grid line A.
- Structural and Foundation Details:**
 - CONC BLOCK MASONRY WALLS TO ENG'S DETAIL (under grid line G).
 - R.CONC SUSPENDED SLAB TO ENG'S DETAIL (under grid line F).
 - CHAINWIRE SCREEN (under grid line E).
 - AUTOMATIC SLIDING DOOR, CONNECTED TO FIRE ALARM (under grid line A).
 - DRIVEWAY RAMP MAX. GRADIENT 1:13.5 (on the left side).
 - LEV. 01 - Ground FFL (177.302).
 - LEV. 00 - Ground FFL (177.302).
 - Basement (177.302).
- Other Labels:**
 - "MULTI PURPOSE ROOM" (under grid line E).
 - LEV. 01 Foyer (13 x 12.75 m²) (under grid line A).
 - LEV. 02 Foyer (13 x 12.75 m²) (under grid line A).
 - LEV. 03 Foyer (13 x 12.75 m²) (under grid line A).

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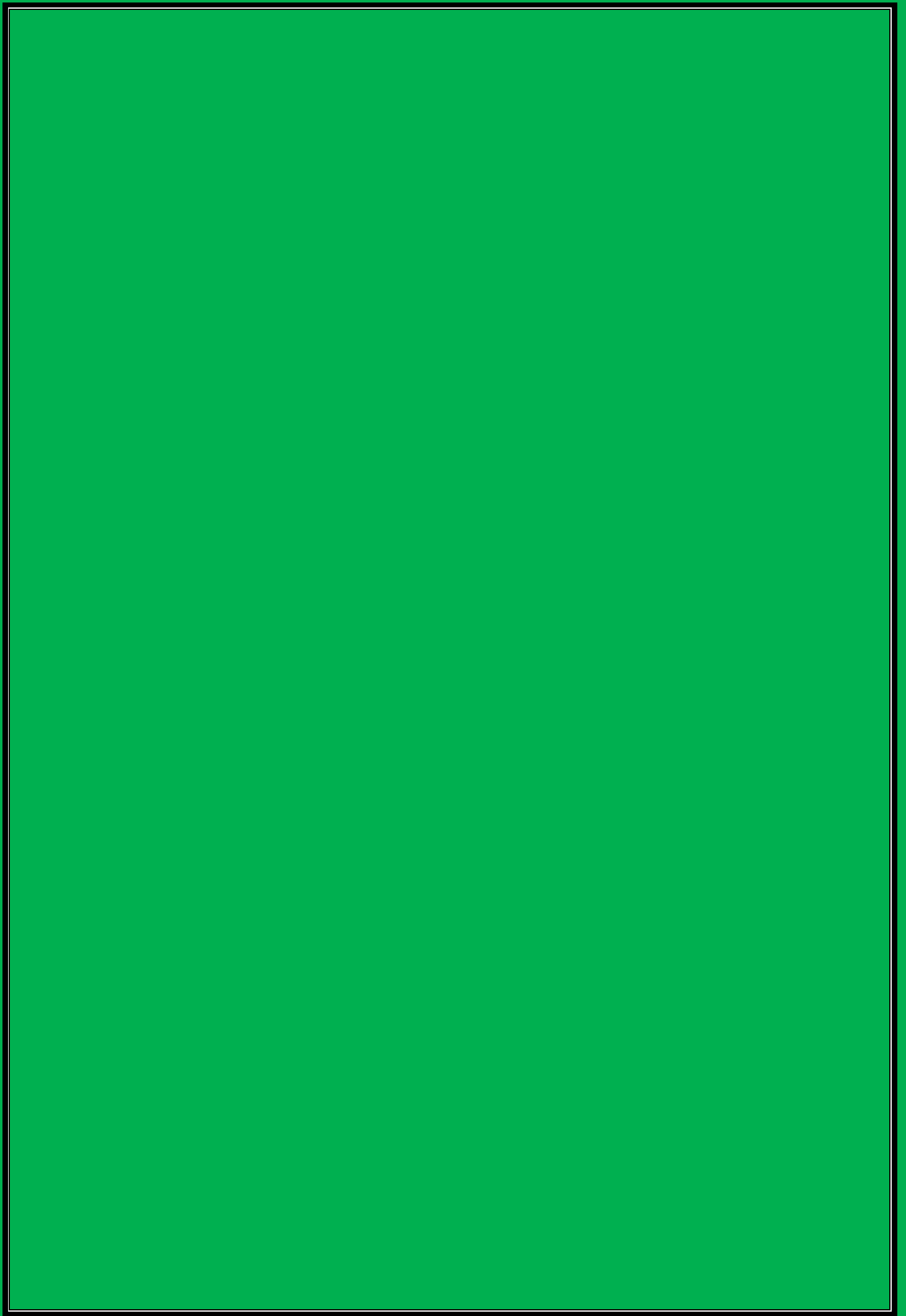
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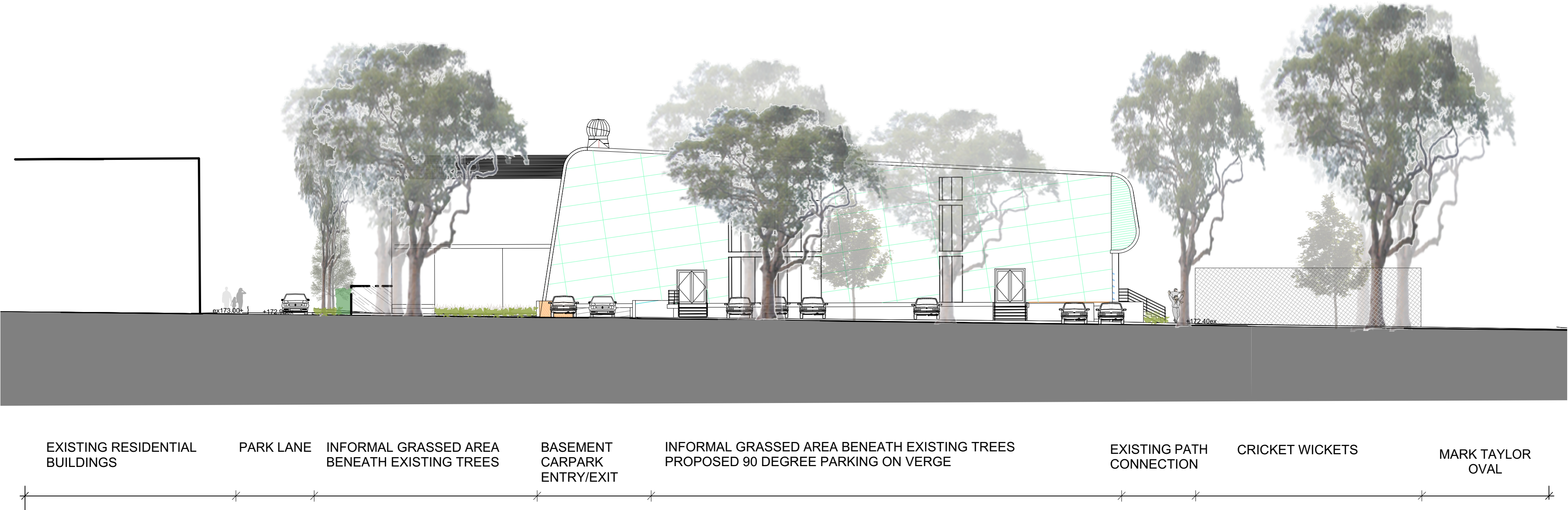
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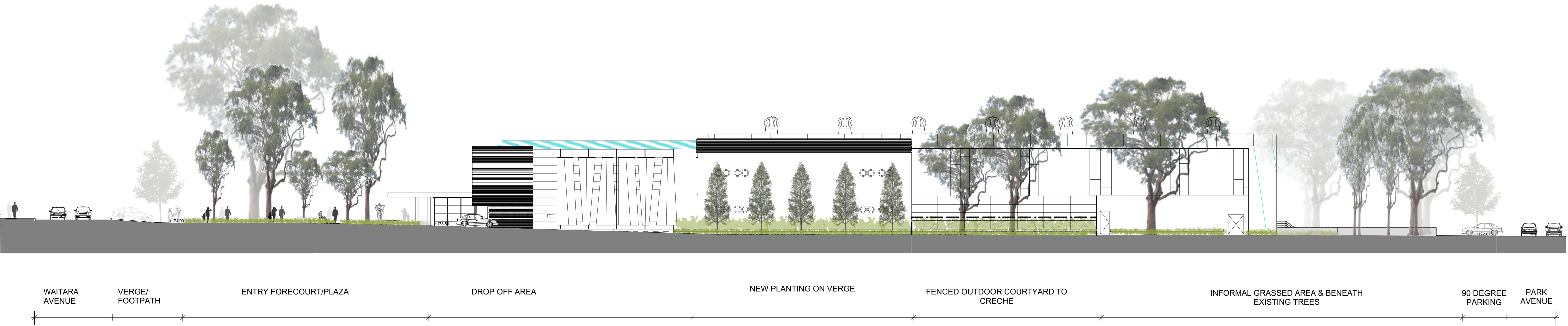
Landscape Plans

2015SYW142 (DA/849/2015)

Hornsby PYC





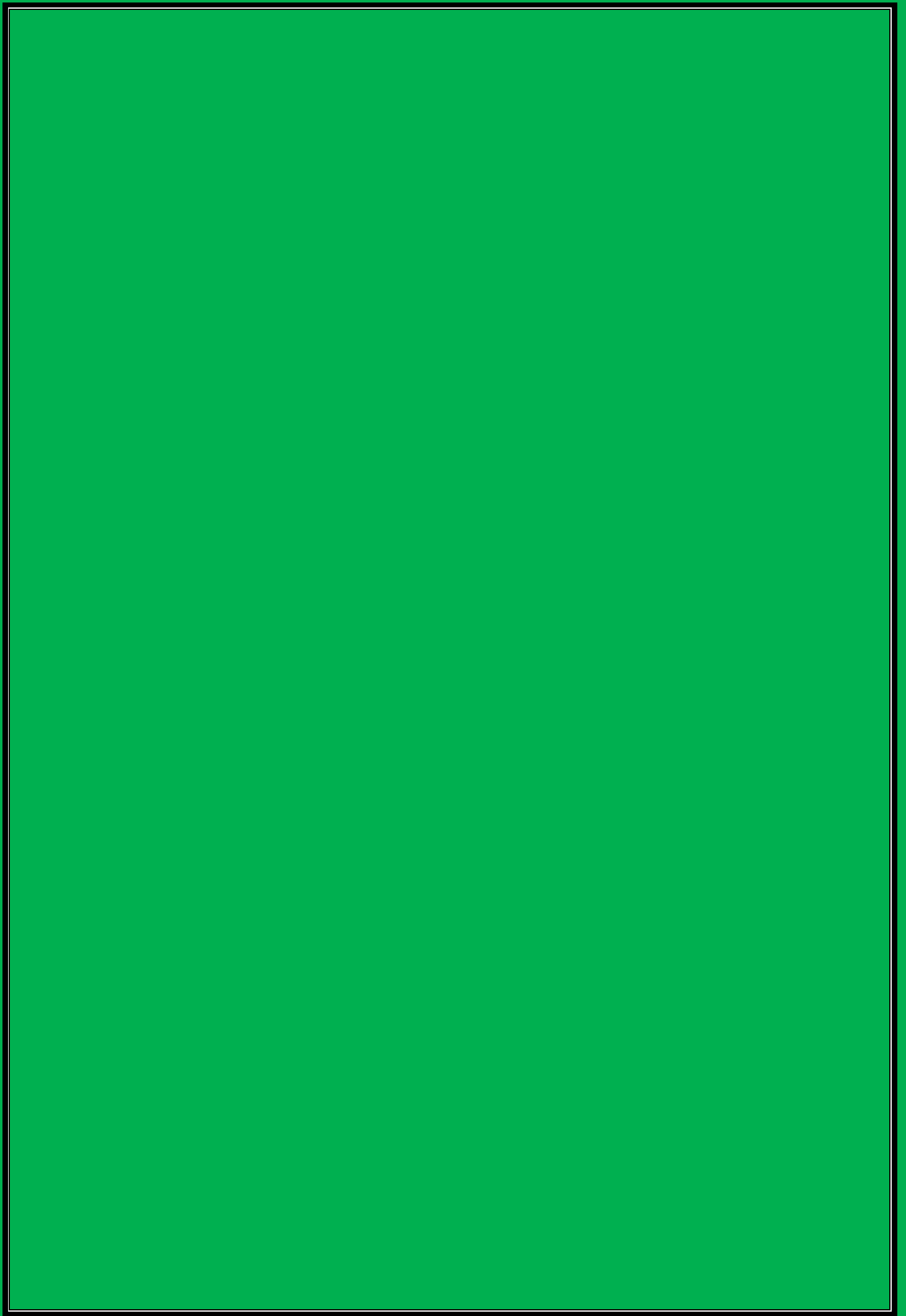


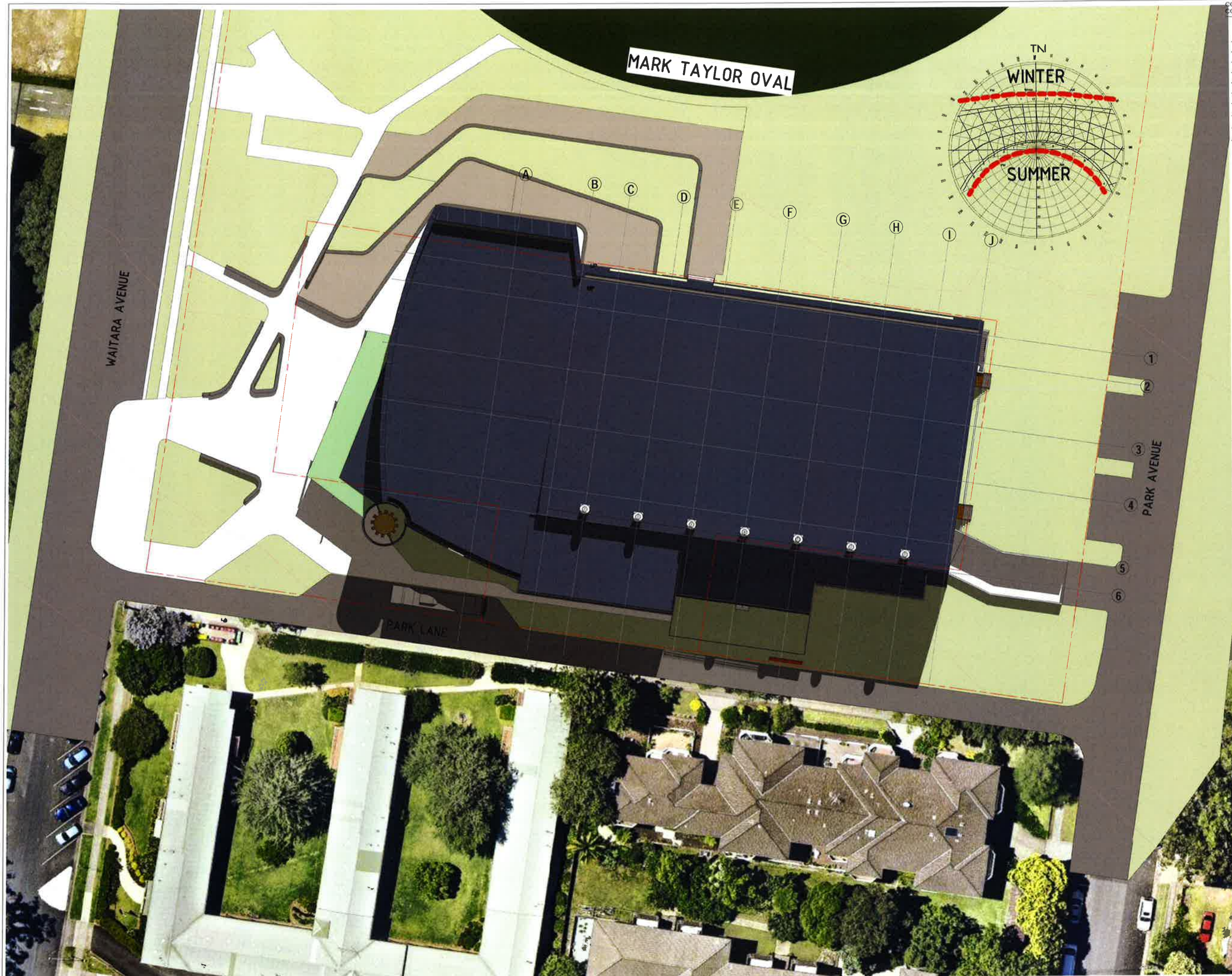
Attachment 4

Shadow Diagrams

2015SYW142 (DA/849/2015)

Hornsby PYC





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CLIENT:
PCYC
Police Citizens Youth Clubs

PROJECT NAME:
NEW GYMNASIUM

PROJECT ADDRESS:
MARK TAYLOR OVAL,
LOT 300 + 301 DP832745,
WAITARA AVENUE, WAITARA NSW

DRAWING TITLE:
SHADOW DIAGRAM -
22ND JUNE 12.00PM

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JOB NO.: W211

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