

**JOINT REGIONAL PLANNING PANEL
(Hunter Central Coast Region)**

JRPP No	2016HCC049
DA Number	864/2016
Local Government Area	Central Coast Council
Proposed Development	Indoor Sporting Facility, Grandstand and Cafe
Street Address	20 Lake Road, Tuggerah - Lot 1 DP 1186260.
Applicant/Owner	Central Coast Council
Number of Submissions	1
Regional Development Criteria (Schedule 4A of the Act)	Clause 4 – Council Related Development with a CIV exceeding \$5 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy 44 – Koala Habitat Protection</i> • <i>State Environmental Planning Policy 55 – Remediation of Land</i> • <i>Wyang Local Environmental Plan 2013</i> • <i>Wyang Development Control Plan 2013</i> <ul style="list-style-type: none"> - <i>Chapter 2.11 - Parking and Access</i> - <i>Chapter 3.1 Site Waste Management</i>
List all documents submitted with this report for the panel's consideration	Annexure A – Assessing Officers Report Annexure B – Proposed Conditions of Consent Annexure C – Development Plans
Recommendation	Approval subject to conditions
Report by	Julie Garratley - Development Planner Emily Goodworth, Section Manager – Development Assessment Tanya O'Brien – Unit Manager, Development Assessment
Report date	15 March 2017

Assessment Report and Recommendation

CENTRAL COAST COUNCIL

For The Hunter Central Coast Joint Regional Planning Panel

DA/864/2016 – Stage 2 of Tuggerah Regional Sporting and Recreation Complex – Indoor Sporting Facility and Grandstand at Lake Road Tuggerah.

SUMMARY

A development application has been received for Stage 2 of the Tuggerah Regional Sporting & Recreation Complex which comprises the construction of an indoor sporting facility & grandstand at Tuggerah Regional Sports Complex, 20 Lake Road, Tuggerah.

The application has been assessed having regard to the matters for consideration detailed in Section 79C of the *Environmental Planning and Assessment Act 1979* and other statutory requirements.

Applicant	Central Coast Council
Owner	Central Coast Council
Application No	DA/864/2016
Description of Land	Lot 1 DP 1186260 Tuggerah Regional Sports Complex, 20 Lake Road, TUGGERAH NSW 2259
Proposed Development	Tuggerah Regional Sporting & Recreation Complex Stage 2 - Indoor Sporting Facility & Grandstand
Site Area	18.28 hectares
Zoning	RE1 Public Recreation
Existing Use	Single dwelling and ancillary buildings
Employment Generating	Up to 12 staff
Estimated Value	\$30,000,000

RECOMMENDATION

- 1** *That the JRPP grant consent to DA/864/2016 at Lot 1 DP 1186260, Tuggerah Regional Sports Complex, 20 Lake Road, Tuggerah for a Tuggerah Regional Sporting & Recreation Complex (Stage 2) incorporating indoor sporting facility & grandstand subject to the conditions provided in Attachment 1.*
- 2.** *That the JRPP advise those who made written submissions of the decision.*
- 3.** *That the JRPP advise those Government Authorities who made written submissions.*

PRECIS

Proposed Development	Construction of an indoor sporting facility and grandstand and as Stage 2 at the Tuggerah Regional Sporting and Recreation Complex located on the temporary training fields of approved Stage 1.
Permissibility and Zoning	The proposal is permissible as 'recreation facility (indoor) and recreation facility (outdoor)' under Wyong Local Environmental Plan 2013 (WLEP)
Relevant Legislation	Environmental Planning and Assessment Act 1979
Current Use	Vacant land, Single dwelling and ancillary buildings
Integrated Development	No
Submissions	One

INTRODUCTION

The Site and Surrounding Development

The site is located at Tuggerah within a locality which provides a mix of sporting facilities, large scale retail and light industrial uses. There are several residential dwellings located along the southern side of Lake Road. Tuggerah Railway Station is located approximately 350 metres to the west with Westfield Shopping Centre, Tuggerah Supa-Centre and Tuggerah Business Park in close proximity.



Figure 1: Aerial photo showing subject site and locality.

The Tuggerah Regional Sporting and Recreation Complex is located on the north side of Lake Road near the intersection of Bryant Drive and Lake Road. The site is irregularly shaped with a frontage to Lake Road of 553.9 metres and an area of approximately 18.28 hectares. The site is relatively flat and mainly covered with various grass types. There is a SEPP 14 wetlands identified to the northeast of the site approximately 200 metres from the proposed building.

The site contains a small single storey brick dwelling and associated out buildings which is proposed to be demolished with Stage 1 works. Other than the dwelling and outbuildings, the land is vacant and partly used for cattle grazing.

The site is serviced by water, sewer, telecommunications and power services. Public transport is available to the west at Tuggerah Train Station for both trains and buses.

The site is identified as partially flood affected and partially bushfire prone and potentially contains acid sulphate soils.



Figure 2: Aerial photo showing the subject site (edged red).



Figure 3: Existing dwelling and outbuildings.

HISTORY

The land has historically been used for grazing cattle and more recent years have seen a portion used as a community garden.

The land rezoned from E3 Environmental Management to RE1 Public Recreation under Amendment 20 to WLEP 2013 and was gazetted on 20 May 2016.

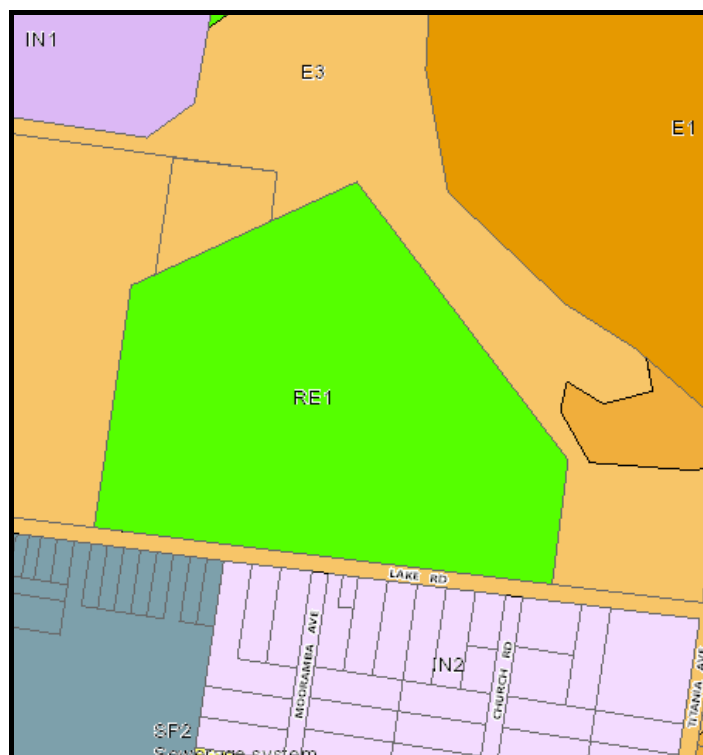


Figure 4: Zone map.

Summary of the proposed development

The proposed indoor sports facility and grandstand is Stage 2 works for the Tuggerah Regional Sporting Complex Stage 1 was previously being approved under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The site is owned and to be developed by Central Coast Council.

The proposed sports centre and grandstand are architecturally designed to be sympathetic to the location and the sporting uses within. The associated carpark was approved under the previous approval and all infrastructure and services will be implemented for the site during the construction of Stage 1. This development application is only for the indoor sports facility and the grandstand within the site.



Figure 5: 3D Image of proposal.

Stage 1 of the Central Coast Regional Sporting and Recreational Complex was approved under Part 5 of the EP&A Act. This approval includes construction of all fields, change room facilities, public toilets, canteen and kitchen facilities, storage and maintenance areas, carpark, bus bays and bus and car drop off areas along Lake Road. Stage 1 also includes upgrade of Lake Road and the Bryant Drive/ Lake Road intersection.

The Proposed Development

The application seeks approval for the erection of an indoor sports facility and grandstand as part of the Stage 2 works for the Tuggerah Regional Sporting Complex. The Tuggerah Regional Sporting Complex is to be developed in two stages. Stage 1 was approved under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and included the following:

- Eight (8) playing fields
- One (1) premier field
- One (1) training area
- Public amenities including change rooms, canteen and public toilets
- Machinery shed
- Public car & bus parking
- Two (2) cricket pitches

Stage 2 which is the subject of this DA includes:

- Indoor Sporting Facility
- Grandstand (associated with the premier field)

The proposed indoor sports centre will be centrally located within the regional sporting complex in the area identified in Stage 1 as temporary training fields.

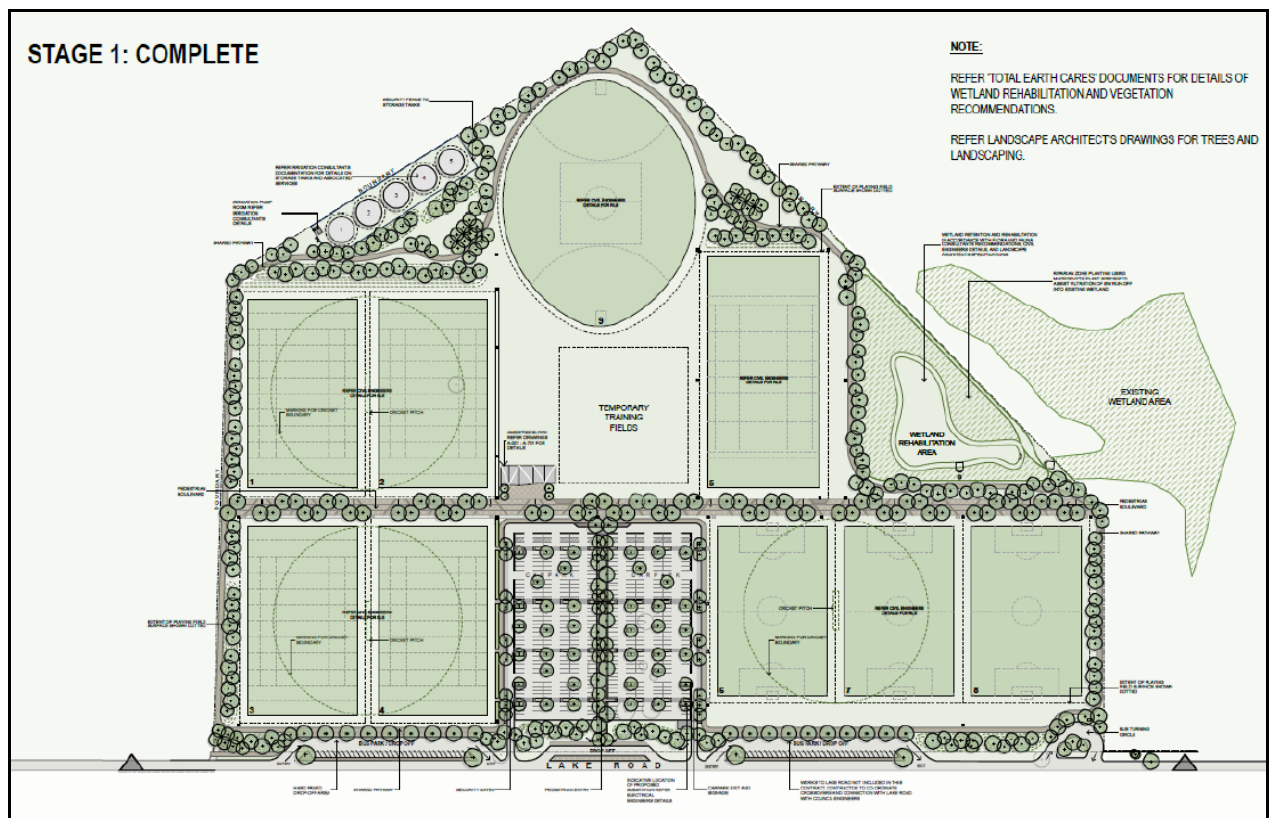


Figure 6: Site showing temporary playing fields (approved via Part 5).



Figure 7: Plan showing location of proposed indoor sports and grandstand adjacent to the premier field (development subject of this application shown edged in red + shaded pink).

The proposed built form includes the following elements:

- Building containing two and three storeys up to 14 metres in height;
- 8,380m² building footprint that includes the indoor sports centre and grandstand.

The building is to be constructed of steel / concrete frame, fibre cement and metal cladding, aluminium frame glazing and translucent cladding.



Figure 8: Proposed indoor sports centre.

The ground floor level will accommodate the following:

- six (6) multi-purpose netball / basketball / volleyball / badminton / futsal courts;
- amenities;
- storage rooms;
- ticket control room;
- café; and
- additional retractable/moveable seating for 1080 spectators.

The first and second floors will include the following:

- internal seating for 840 spectators (permanent);
- amenities;
- office / meeting spaces; and a
- Gymnasium.

Lift and stair access will be provided to each level.

The grandstand will be located on the eastern side of the indoor sporting centre and on the western side of the premier playing field.

The grandstand will provide seating for 1,679 people and will be constructed of steel / concrete frame, fibre cement and metal cladding, aluminium frame glazing and translucent cladding consistent with the indoor sports facility.

The proposed general hours of operation applied for are 6:00am to 10:00pm seven days a week.

It is expected that between 6 to 12 people will be employed to assist with daily operations. The proposed office space will be used for administering the building and by local sporting clubs.

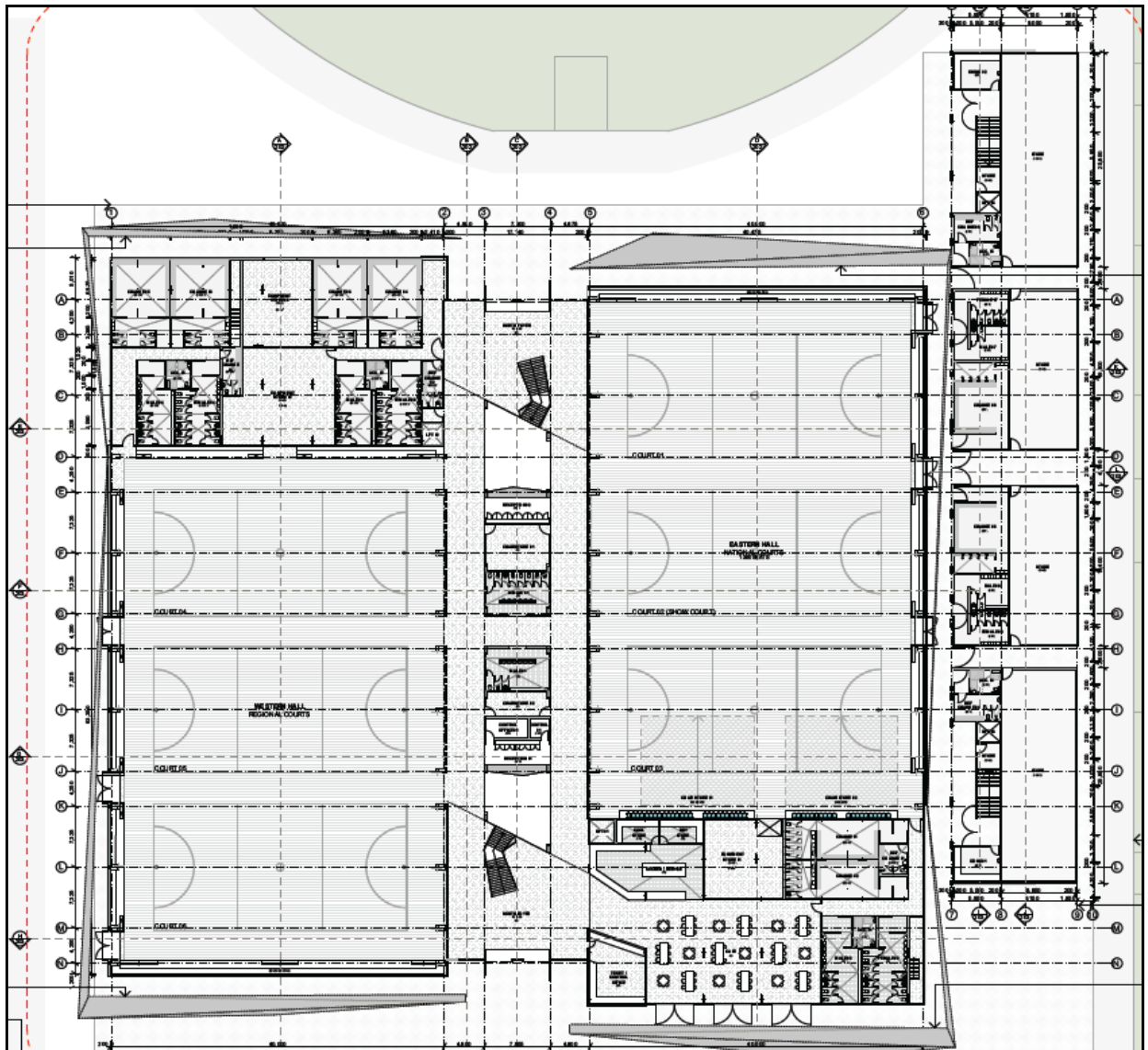


Figure 9: Proposed indoor sports centre – ground floor plan.

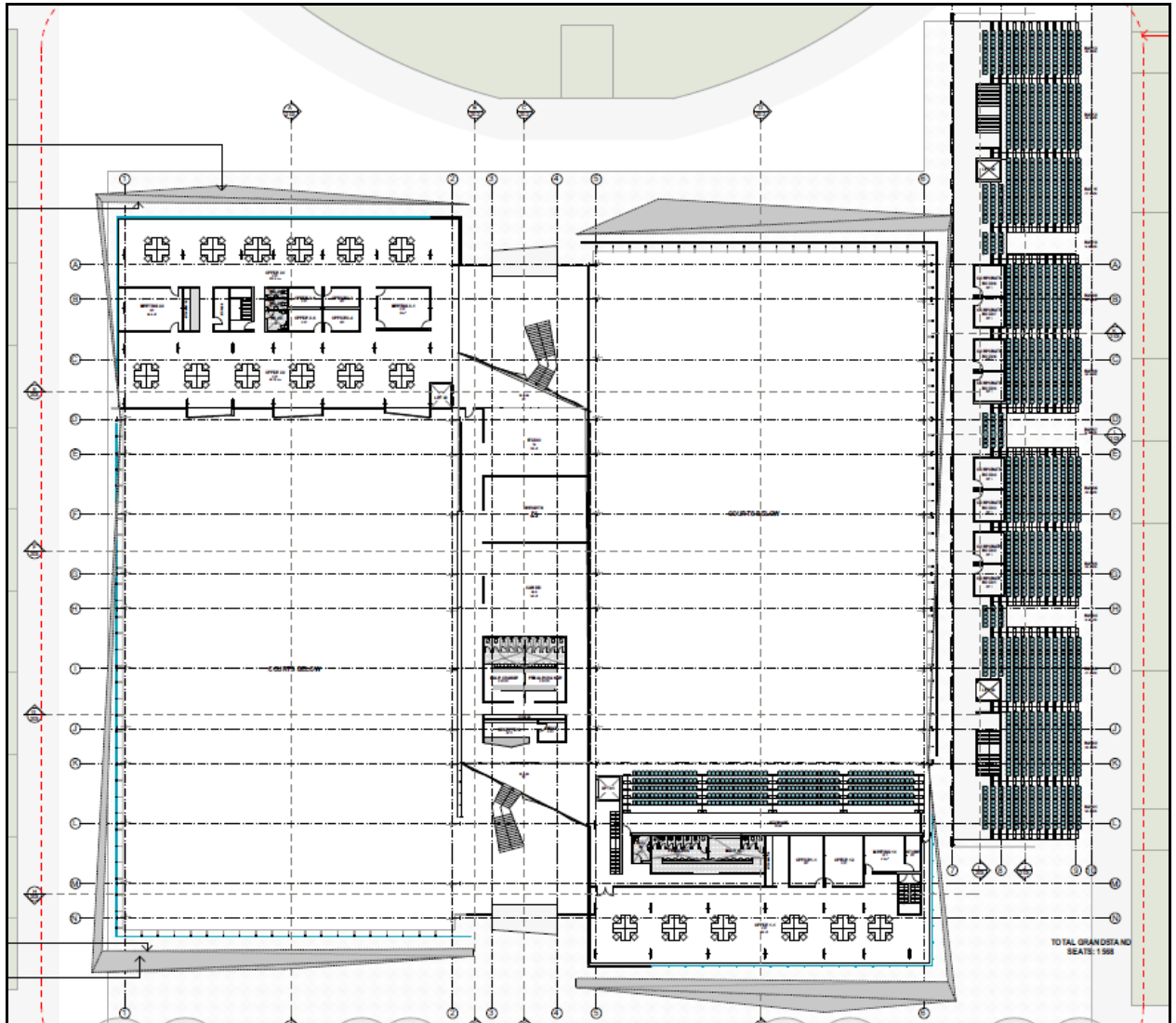


Figure 10: Proposed indoor sports centre - first floor plan.

VARIATIONS TO POLICIES

There are no variations to policies as a result of this application.

SUBMISSIONS

Any submission from the public.

The application was notified in accordance with Wyong Development Control Plan 2013 (WDCP 2013) – Chapter 1.2 Notification of Development Proposals from the 27 July 2016 to 10 August 2016 with one submission received. The general issues raised in relation to the proposal are discussed below.

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- The National Parks and Wildlife Service (NPWS) raised concerns regarding their current access arrangement to Tuggerah Nature Reserve and hence their effective management of the wetlands. The NPWS suggest that the proposed indoor sporting facility will block their agreed access to the nature reserve.

Comment:

The construction of the approved Tuggerah Regional Sporting and Recreational Complex – Stage 1 will remove the existing access the NPWS submission refers to. It is noted that there are other locations to access the wetland areas. This proposal does not impact upon the alternate access points. Council's Property Management Unit has advised that alternative access is currently being negotiated.

EXTERNAL CONSULTATION

Rural Fire Service

The application was referred to the Rural Fire Services (RFS) for comment. The RFS reviewed the application in accordance with Section 79BA of the *Environmental Planning and Assessment Act 1979* and provided recommended conditions of consent in their letter dated 8 August 2016. The recommended conditions are as follows:

Asset Protection Zones

1. At the commencement of building works and in perpetuity, the property around the indoor sporting complex and grandstand to a distance of 100 metres, shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

2. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Evacuation and Emergency Management

3. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

These are included within the proposed conditions of consent.

Department of Primary Industries - Water

The application was referred to the Department of Primary Industries – Water (DPI Water) for comment. The DPI Water noted that as a public authority, Central Coast Council is exempt from the need to obtain a controlled activity approval. They are however required to comply with the relevant guidelines and policies for controlled activities if required. Any works that

would be within proximity to waterfront land will be undertaken with the construction of Stage 1 and not as a result of this application. The proposed conditions do however, address runoff management and dust mitigation.

INTERNAL CONSULTATION

The application was referred within Council to the following officers and the issues raised in the referral process are discussed below and in other relevant areas of the report.

Principal Development Assessment Engineer

Council's Senior Development Assessment Engineer has advised that the engineering aspects of the concept proposal are satisfactory. The proposed indoor sporting facility and grandstand will require connection to the services which will exist on the subject site at completion of Stage 1. Stage 1 includes the installation of a sewer pump station and the completion of all infrastructure and services. No objection was raised to the proposal subject to the imposition of recommended engineering conditions of consent on any approval issued.

Urban Designer

The application was referred to Council's Urban Designer who reviewed the proposal and provided comments in support of the application. The materials and location of the building on the site were found to be suitable for the context of the site and located to prevent any unreasonable impacts on adjoining properties. The selection of building materials for the indoor facility was considered to accentuate the aesthetics of the building both internally and externally. The use of perforated screens allows natural lighting into the building enhancing the internal amenity.

Trade Waste

Council's Trade Waste Officer has reviewed the application and raised no objection to the proposal subject to recommended conditions.

Traffic Transportation Engineer

The application was referred to Council's Traffic and Transportation Engineer who initially raised concerns regarding the potential additional traffic impacts on the road network when all facilities are in use at the sporting complex. These issues have been addressed in an updated Traffic and Parking Impact Assessment Report. Subject to recommended conditions which include the implementation of a Plan of Management to manage special event traffic and parking, no further objection was raised.

Principal Building Surveyor

Council's Principal Building Surveyor has reviewed the application and raised no objection to the proposal subject to recommended conditions.

Environmental Health Officer

Council's Environmental Health Officer has reviewed the application and raised no objection to the proposal subject to recommended conditions.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

Climate Change

The potential impacts of climate change on the proposed development have been considered by Council as part of its assessment of the application.

This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope / combat / withstand these potential impacts. In this particular case, the following matters are considered to warrant further discussion, as provided below:

Sustainable building design: The proposal is for an indoor sporting facility and grandstand. The building is subject to Section J of the Building Code of Australia which triggers initiatives for energy efficiency.

Bushfire Protection: The site is identified as containing portions of bushfire prone land and was referred to the NSW RFS for comment who recommended conditions relating to bushfire mitigation measures to be included with any consent granted.

Reduced Car Dependence: There are bus stops located along Bryant Drive and at Tuggerah Railway Station which is approximately 350m to the west of the site. The railway station is located on the main northern railway and provides regular access to Newcastle and Sydney and various local stations.

Rising Sea Level: The site is located within a flood area and further comment has been made regarding this aspect of the proposal as a site constraint. Council's Senior Planning Engineer Hydrology confirmed that there will be no impact on the development as a result of sea level rise.

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the *Environmental Planning and Assessment Act 1979* and other statutory requirements, Council's policies and Clause 149 Certificate details, the assessment has identified the following key issues, which are discussed for Council's information.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES

a) Wyong Local Environmental Plan 2013

Permissibility

Under WLEP 2013, the site is zoned RE1 Public Recreation. The proposal is for an indoor sporting facility and grandstand with a café included in the indoor sports facility. The uses of the indoor sports facility and cafe are permissible in the zone under the definitions of “recreation facility (indoor)” and “food and drink premises”. The grandstand is ancillary to the approved and permissible outdoor facilities which are defined as “recreation facility (outdoor)”.

The relevant WLEP 2013 definitions follow:

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.

food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

Objectives of the Zone

Clause 2.3 requires the consent authority to have regard to the objectives of the zone when determining a development application. The objectives of the RE1 zone are as follows:

- *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 provide linked open space for ecosystem continuity, public access, local community recreation and waterway protection.*
- *To provide space for integrated stormwater treatment devices for flow and water quality management.*
- *To enable ancillary development that complements land zoned for recreational purposes*

The proposed development of an indoor sporting facility with café and grandstand are permissible and considered consistent with the objectives of the RE1 zone. The proposal enhances the previously approved outdoor sporting facility and ancillary works and completes the regional sporting complex. The use is compatible with the recreational setting of the land and provides for the recreational activities for the community.

Preservation of Trees or Vegetation

Clause 5.9 requires consideration of trees and vegetation on the site. The site is relatively clear however, it is noted that there will be no tree removal with the Stage 2 works. All required tree and vegetation removal will be undertaken as part of Stage 1.

Acid Sulphate Soils

The site is identified as containing Class 3 (pink) & 4 (purple) acid sulphate soils (ASS). The portion of land where the indoor sports complex and grandstand are to be located is within the area identified as Class 3 acid sulphate soils. A geotechnical investigation report was undertaken with the Stage 1 design and found that the soils are “acidic” but not actual “acid sulphate soils”. The site is to be filled during the Stage 1 works. If ASS is encountered during works, all works will cease until they can be treated in accordance with the ASS plan.

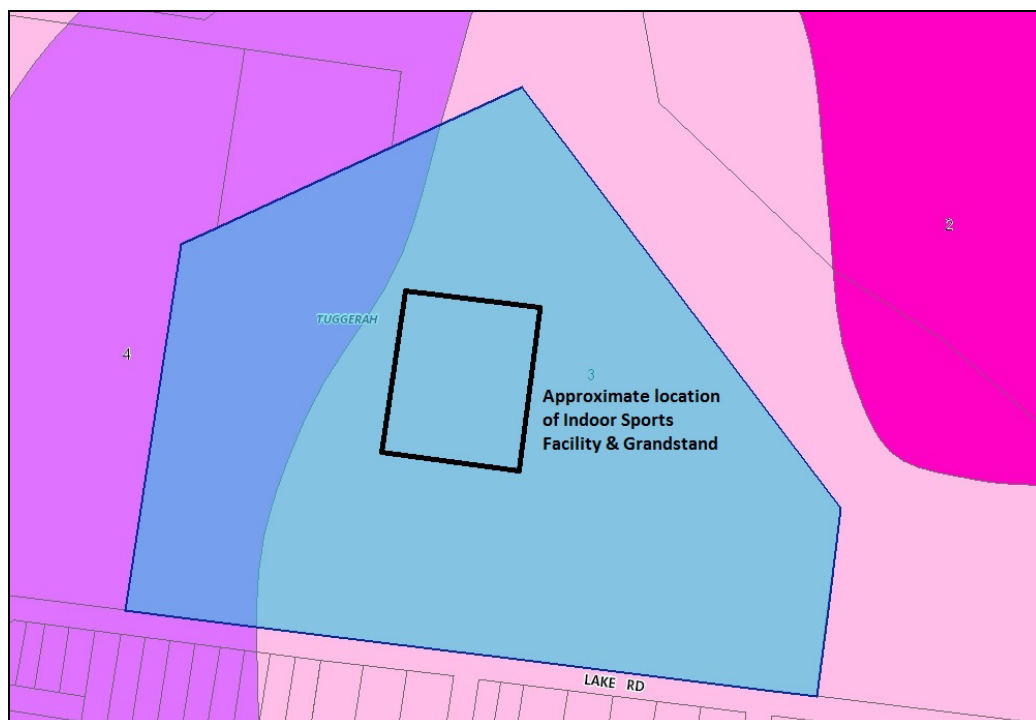


Figure 11: Acid Sulphate Soils (approximate development site shown edged black)

Flood Planning

Clause 7.2 of WLEP 2013 applies to the site as it is identified as flood planning land under Council's flood planning maps.

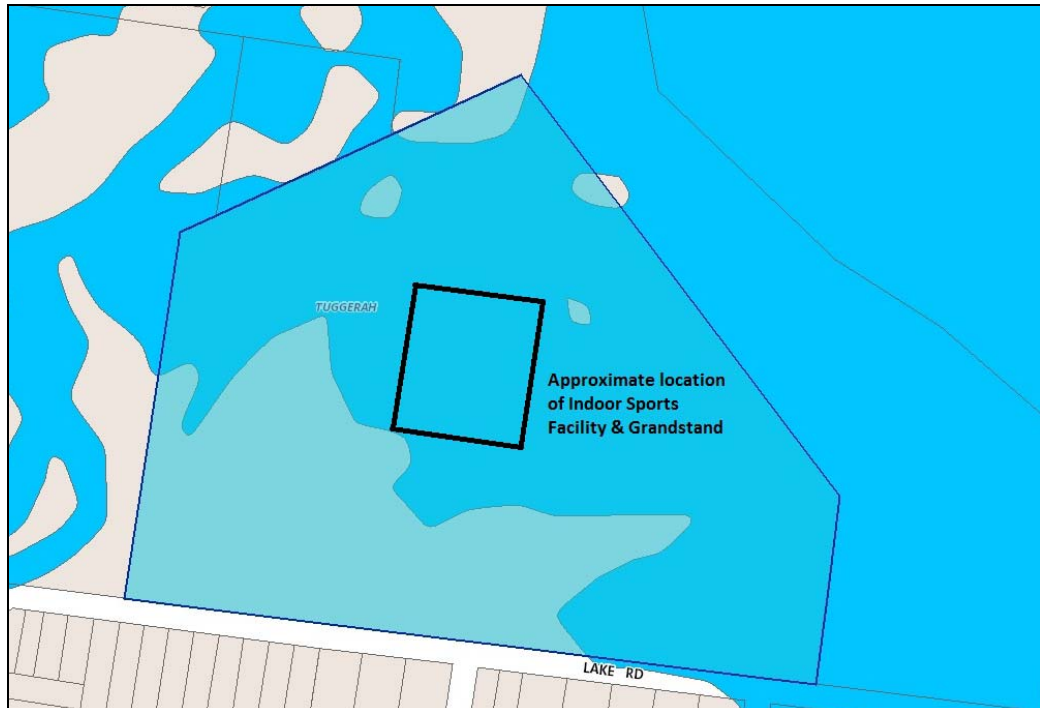


Figure 12: Flood mapping (approximate development site edged black).

Consent must not be granted to land identified by this clause unless the consent authority is satisfied that the development:

- *Is compatible with the flood hazard of the land: and*
- *Is not likely to significantly adversely affect flood behaviour resulting in worsened flood hazard to other development or properties, and*
- *Incorporates appropriate measures to manage risk to life from flood and*
- *Is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses, and*
- *Is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

As part of the Stage 1 approved works, the site will be filled generally above the flood planning level thereby removing the flood risk. The remaining flooding affectation has been addressed and considered to be negligible in this instance. Any electrical fittings, internal sewer fixtures and external overflow gully will need to be above the flood level and water tanks should be concrete. Appropriate conditions have been imposed.

Essential Services

Clause 7.9 requires that consent must not be granted to development unless the consent authority is satisfied that the required services that are essential for the development are available. The required services are available and will be established as part of Stage 1.

The proposal therefore, is compliant.

b) Relevant State Environmental Planning Policies (SEPPs)

SEPP No. 44 Koala Habitat Protection

The site is larger than 1 hectare so SEPP 44 must be considered. The issue of koala habitat was considered under Stage 1 with no potential habitat identified on the site as defined by SEPP No. 44.

SEPP No. 55 – Remediation of Land

Under the provisions of clause 7 of SEPP 55 the consent authority must not consent to the carrying out of development on land unless it has considered whether the land is contaminated. In relation to the subject land, the area was previously used for cattle grazing which is classified as an agricultural use and identified as a use that may cause contamination as per Table 1 of the "Contaminated Land Planning Guidelines". In this regard a Preliminary Assessment of the site was undertaken as part of Stage 1. The assessment found that there was no history of contamination on the site. However, Stage 1 recommended that prior to any works being undertaken on the site a management plan should be prepared to include procedures should any contamination be found during excavation works.

As such, arrangements for appropriate works have been established via the previous and active consent.

c) Relevant DCPs

Wyong Development Control Plan 2013 (WDCP)

WDCP Chapter 2.11 – Parking and Access

The parking for the whole development has been considered in Stage 1 with the provision of 448 car spaces including 24 disabled car spaces. Based on the requirements of the WDCP 2013, the proposed Stage 1 development needs a total of 450 car spaces which equates from the requirement of 50 car spaces per sporting field. In addition to the car parking spaces there will be 9 motorcycle parking spaces, 45 bicycle parking spaces and 14 bus parking bays. There is also overflow parking available which can accommodate 1690 car spaces. The overall parking provisions were considered satisfactory and supported in Stage 1.

The proposed indoor facility and grandstand is not proposing to provide any further parking. There are no parking requirements specific to an indoor sporting facility and grandstand in the WDCP 2013 therefore, a merit assessment has been applied. The Traffic and Parking Impact Assessment has estimated a rate of 20 car spaces per court based on nearby LGA

indoor facility requirements. The total number of car spaces required for the indoor facility is 120 in addition to the approved car park of 448 car spaces.

WDCP 2013 Chapter 2.11 requires motorcycle parking to be provided at a rate of one space per 50 car spaces. With 448 car parking spaces, motorcycle parking of 9 spaces should be provided. Bicycle parking is required to be provided at a rate of one bicycle space per 10 car spaces which requires 45 bicycle spaces. A condition of consent can be included to ensure the motor cycle and bicycle parking is provided on site.

The proposed car parking for the whole development is 448 car spaces which results in a shortfall of 128 car spaces when taking into account the indoor facility. The approved car parking numbers are considered adequate for the general daily use of the overall facility and parking is only likely to become an issue during special events.

It is noted that during the special events, the overflow parking could be utilised. The parking assessment has provided that the use of buses in larger events with a capacity of around 50 passengers each bus could mitigate the shortfall of car parking. Additionally, the close proximity of the bus and train services from the Tuggerah Railway Station would also provide an alternative mode of transport and assist with alleviating the need for car parking. There is car parking available near the site such as Tuggerah and Wyong train stations, Westfields, Baker Park and Wyong Race Club. While these areas would not be considered during the general daily operations of the complex. The parking assessment found that on a typical weekend scenario, the available parking and public transport would be sufficient to function in an acceptable manner.

Special events would require a specific Traffic Management Plan (TMP) which would be tailored to an event. The TMP may require additional public transport use, park and ride shuttles and the use of accredited traffic controllers. Any TMPs should also consider likely parking requirements and opportunity for activation of the overflow parking.

An appropriate condition requiring the preparation and implementation of a TMP for special events is proposed.

The proposed parking and access management is considered adequate for the overall sporting complex and hence Stage 2 for the proposed indoor sporting facility and grandstand.

WDCP Chapter 3.1 – Site Waste Management

A Site Waste Management Plan will be required as a condition of consent to ensure appropriate operational and construction waste management.

WDCP 2013 Chapter 3.3 – Floodplain Management

The provisions of WDCP 2013 Chapter 3.3 have been considered with stormwater plans being prepared in accordance with this chapter. Stage 1 includes filling the land to above the flood planning level thereby achieving consistency with the objectives of the Chapter 3.3. Low hazard access is available to Lake Road with Lake Road to be upgraded to provide a low hazard evacuation in a flood event as part of Stage 1 works.

WDCP 2013 Chapter 3.10 – Wetlands Management

The site of proposed Stage 2 is located outside the wetlands management area as shown in the figure below. The area of the site to be occupied with the indoor sports complex and grandstand will be cleared as part of Stage 1. A landscaped riparian zone will be implemented adjacent to the existing wetlands during Stage 1 which will buffer the wetlands from the fields.

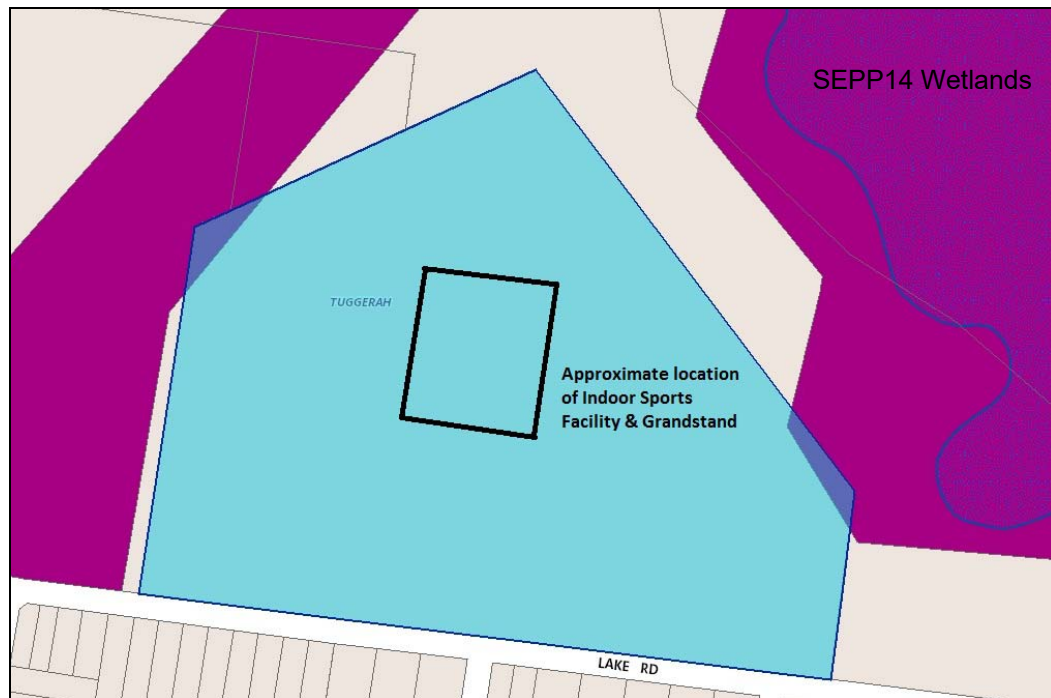


Figure 13: SEPP 14 Wetlands (approximate location of Stage 2 shown in blue).

Appropriate conditions are proposed to manage construction impacts on the wetland.

THE LIKELY IMPACTS OF THE DEVELOPMENT

a) Built Environment

A thorough assessment of the impacts of the proposed development on the built environment has been undertaken in terms of WDCP 2013 compliance and in terms of the submission received.

The development is complementary to the site and is a benefit to the local community. The development is centrally located and impacts on the locality are minimised.

As a result, the proposed development is considered to be satisfactory in terms of impacts on the built environment.

Site context and local setting

The location of the Tuggerah Regional Sporting and Recreational Complex is logistically well located with access to public transport and major transport links in close proximity. The locality comprises a mix of sporting facilities, large scale retail and light industrial uses with residential subdivisions nearby. The facility is well supported by onsite parking. It is noted that industrial streets in the locality will be less utilised during weekends. Also overflow parking is an option in the locality. The Tuggerah Regional Sporting and Recreational Complex is considered to fit with the local context and setting and well located on a regional level.

Energy efficiency, green solutions and sustainability

The building has been designed to satisfy energy efficiency and sustainability initiatives. The design of the building has considered the provision of natural ventilation to the main sports hall and stormwater collection and reuse. The building materials and design allows for natural light which reduces the need for artificial lighting during daylight hours.

Access, transport and traffic

The sports complex is aptly located in close proximity to public transport and major road linkages. The site is easily accessible with pedestrian paths and carparking to be formalised with Stage 1. The existing drainage and road infrastructure in the immediate vicinity of the site is to be upgraded and are included within Council's works program to be undertaken in conjunction with the construction of Stage 1. The road network can accommodate the additional traffic generated by the proposal with the peak times to occur during special events when a Traffic Management Plan will be implemented identifying appropriate traffic management and mitigation measures. The proposed number of parking spaces is considered acceptable for the proposed development.

Stormwater

The stormwater generated by the indoor sporting facility and grandstand will dispose into the stormwater system for the whole site will be installed with Stage 1. The Engineers have confirmed that the system has the capacity to accommodate the additional stormwater load.

Sewer

A sewer pump station is to be installed with Stage 1 and will accommodate the additional sewerage generated by the indoor facility. Details regarding sewer requirements will be included in the 306 letter issued under the *Water Management Act 2000*.

a) Natural Environment

There will be no significant impact upon the natural environment as a result of the proposal. The impacts on the natural environment have been dealt with under Stage 1. The clearing and grading of the site has been addressed via the previous Part 5 approval. All other relevant issues regarding the likely impacts of the development have been discussed throughout this report. In general, it is considered that the property is suitable for an indoor sporting facility and grandstand subject to conditions.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

A review of Council's Land Information mapping identifies the following constraints:

- Acid sulphate soils
- Partially flood prone
- Partially bushfire prone

Acid Sulphate Soils

The site is identified as having Class 3 and Class 4 acid sulphate soils (ASS). A geotechnical investigation report was undertaken with the Stage 1 design and found that the soils are "acidic" but not actual "acid sulphate soils". The site is to be filled during the Stage 1 works however due to the acidic nature of the soils it was recommended that treatment and footing design will need to be considered in accordance with a management plan. If ASS is encountered during works, all works will cease until they can be treated in accordance with the ASS. A condition of consent will be included requesting the preparation of an acid sulphate management plan.

Flooding

The site is identified as being partially flood prone according to Council's flood planning mapping. The site is approved to be filled with Stage 1 which will raise the ground level to above the flood planning level. The impact of flooding is negligible in regards to the building and surrounds. However certain elements of the building may need to be raised such as electrical circuit boards.

The existing road levels do not provide for safe evacuation from the site in a flood event. As previously mentioned Lake Road and Bryant Drive are on Council's works program to be upgraded during the construction of Stage 1. Once works are completed a safe evacuation route is available along Lake Road and Bryant Drive.

Bushfire

The site is identified as being partially bushfire prone according to the Bushfire Prone Land mapping. The Rural Fire Service (RFS) have recommended conditions regarding the imposition of asset protection zones to the building, adequate water supply and the implementation of emergency and evacuation arrangements. These matters have been included as proposed conditions.

There are no other constraints that would render the site unsuitable for the proposed development.

THE PUBLIC INTEREST (s79C(1)(e)):

Any Federal, State and Local Government interests and community interests.

The public interest is best served by promoting sustainable development that is orderly and economic. The proposed development is considered to be positive through the social, environmental and economic benefits the regional sporting complex will provide to the Central Coast. The development will provide employment opportunities for the construction

sector and will develop a much needed regional sporting complex that is of high quality technically and aesthetically. The proposal is considered to be of clear benefit to the community.

Heritage

The site was previously part of the heritage listed Pioneer Dairy site curtilage. The site has since been removed from the heritage register after extensive study research which determined that the heritage curtilage did not extend to this site.

The heritage listing was removed as part of Amendment 20 of WLEP 2013 which was gazetted in May 2016.

The Stage 1 assessment process included the preparation of an Aboriginal Heritage Assessment. Recommendations from that assessment will be followed with the development of Stage 1. Due to the construction of Stage 1, the construction of the indoor sports facility as Stage 2 is unlikely to create any additional impacts. The relevant legislative requirements in the event that any Aboriginal artefact is found will still apply. An appropriate condition is provided related to Aboriginal items.

OTHER MATTERS FOR CONSIDERATION

Contributions

The proposed indoor sporting facility and grandstand is not subject to Section 94 contributions. The proposed development is funded from Section 94 contributions, and the Developer (Council) will be completing the infrastructure required to service the development.

Water and Sewer Contributions

The proposed indoor sporting facility and grandstand is subject to water and sewer contributions as per the Water Management Act 2000. The fees applicable and details of water and sewer servicing will be included the 306 letter.

CONCLUSION

The proposal has been assessed using the heads of consideration in Section 79C of the *Environmental Planning and Assessment Act 1979*. It is considered that the development of an indoor sporting facility and grandstand will complement and enhance the sporting complex approved under Stage 1. The whole development will provide for a range of open space and recreational purposes that is well connected to transport linkages. The development will provide a suitably located regional sporting facility for the Central Coast that fits within the locality. It is considered that the proposed development is suitable for approval subject to conditions.

The proposal is recommended for approval.