

**JOINT REGIONAL PLANNING PANEL  
HUNTER AND CENTRAL COAST**

<b>Panel Reference</b>	2017HCC046
<b>DA Number</b>	DA2017/01362
<b>Local Government Area</b>	NEWCASTLE
<b>Proposed Development</b>	Demolition of clubhouse and associated structures, erection of club rooms, associated change facilities, viewing areas, car parking and landscaping
<b>Street Address</b>	No.1/330 Turton Road, Broadmeadow (Lot 3235 DP821124)
<b>Applicant/Owner</b>	<b>Applicant</b> – Land Development Solutions Pty Ltd <b>Owner</b> - Newcastle International Sports Centre Trust - Venues NSW
<b>Date of DA lodgement</b>	30/10/2017
<b>Number of Submissions</b>	Nil
<b>Recommendation</b>	Approval
<b>Regional Development Criteria (Schedule 4A of the Act)</b>	In accordance with schedule 4A of the <i>Environmental Planning and Assessment Act 1979</i> the subject development is a Crown development that has a capital investment value over \$5 million. The Joint Regional Planning Panel is the determining authority.
<b>List of All Relevant s79C(1)(a) Matters</b>	<p><b>Environmental planning instruments: s79C(1)(a)(i)</b></p> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy No.55 - Remediation of Land</li> <li>• State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>• Newcastle Local Environmental Plan 2012</li> </ul> <p><b>Development Control Plan: s79C(1)(a)(iii)</b></p> <ul style="list-style-type: none"> <li>• Newcastle Development Control Plan 2012</li> </ul>
<b>List all documents submitted with this report for the panel's consideration</b>	<p><b>Attachment A</b> - Recommended conditions of consent</p> <p><b>Attachment B</b> - Documents submitted with the application</p>
<b>Report by</b>	Newcastle City Council
<b>Report date</b>	22/02/2018

**Summary of s79C matters**

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **Yes**

**Legislative clauses requiring consent authority satisfaction**

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **No**  
**(Has been addressed in the body of the assessment report)**

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

**Clause 4.6 Exceptions to development standards**

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

**Special Infrastructure Contributions**

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **No**

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

**Conditions**

Have draft conditions been provided to the applicant for comment? **Yes**

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

## ASSESSMENT REPORT AND RECOMMENDATION

### EXECUTIVE SUMMARY

Development Application No.2017/01362 has been lodged with Council, seeking consent for the demolition of existing clubhouse and associated structures, erection of clubrooms, associated change facilities, viewing areas, car parking and landscaping.

Details of the proposal include:

- Demolition of clubhouses and dugouts.
- Removal of demountable buildings and shipping containers from the site.
- Construction of three buildings:
  - Building A - Hockey pavilion A is a double storey (split level) building and will incorporate spectator seating, change rooms, toilets, gym, physiotherapy facilities, offices, first aid, function space, garbage areas and storage areas.
  - Building B - Hockey pavilion B is a double storey (split level) building and will incorporate spectator seating, change rooms, toilets, first aid, function space and storage.
  - Building C - Hockey pavilion C is a double storey (split level) building and will incorporate spectator seating, change rooms, toilets and storage areas.
- Construction of a boulevard through the centre of the site incorporating on-site vehicular access, pedestrian access, seating and sculptures.
- Construction of 165 car parking spaces:
  - Carpark 1 - 131 spaces
  - Carpark 2 - 9 spaces
  - Carpark 3 - 25 spaces
- Amendment and repaving of the pathway located on the south side of the site.

The proposal was placed on public exhibition from 3 November 2017 to 17 November 2017 in accordance with the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2000* and Section 8 of Newcastle Development Control Plan 2012. No public submissions have been received in relation to the proposal.

The applicant intends to construct the development in stages due to budgetary requirements and grant funding, however the application is considered to not be a '*staged development*' as identified in Clause 22 of State Environmental Planning Policy (State and Regional Development) 2011 or under Division 2A (concept development applications) of Part 4 of the *Environmental Planning and Assessment Act 1979*.

### 1. INTRODUCTION

This report provides an assessment of the development proposal for the demolition of the existing clubhouse and associated structures, erection of clubrooms, associated change facilities, viewing areas, car parking and landscaping at No.1/330 Turton Road, Broadmeadow.

The development application is reported to the Hunter and Central Coast Joint Regional Planning Panel for determination pursuant to Part 4 '*Regional Development*' of State Environmental Planning Policy (State and Regional Development) 2011 as the proposed development is listed within Schedule 4A of the *Environmental Planning and Assessment Act 1979*, being Crown development with a capital investment value of more than \$5 million. The capital investment value of the project is \$8.25 million.

## 2. BACKGROUND

Development Application No.221/87 was previously approved in 1988 for the establishment of a hockey complex comprising of two synthetic fields, seven grass fields and ancillary administration buildings on the site. In 2007, Development Application No 2007/0134 was approved for the construction of a synthetic hockey field, player change rooms and grandstand on the site.

The subject development application was lodged with Council on 30 October 2017, with the main objective to improve the amenity and facilities of the site. The applicant has provided the following statement:

*The development is an exciting opportunity for Newcastle International Hockey Centre (NIHC) to be recognised as an internationally renowned facility, with high-class sport and recreational facilities in one precinct, offering significant social, employment and economic benefits to the region.*

## 3. SITE DESCRIPTION

The site is known as Lot 3235, DP821124 being No.1/330 Turton Road, Broadmeadow (refer to **Figure 1**).

The site has an area of 5.951 hectares, being irregular in shape and part of Venues NSW proposed Hunter Sports and Entertainment Precinct.

The site is generally flat with a variable slope ranging from 7.5m to 11.0m (Australian Height Datum) from south west to east. There are several earth mounds to the south, east and central parts of the site.

Concrete drainage channels known as Lambton Ker-rai Creek bound the site to the north and Styx Creek to the south and east. Turton Road bounds the west side of the site. A major sports (rugby league and soccer) stadium is located close to the north and District Park (including tennis facilities) is located to the east. South of the site across Perth Road are several commercial premises that address Broadmeadow Road. West of the site across Turton Road are low-density residential developments.

Access to the site is currently from Turton Road and via a pedestrian bridge over Lambton Ker-rai Creek, from the car park of the adjacent major sports stadium. Turton Road is generally utilised for emergency services and maintenance.

A shared pedestrian and bicycle pathway exists in front of the site along Turton Road and turns close to the northern boundary of the site along Lambton Ker-rai Creek.



**Figure 1:** Aerial view of the site, with the site outlined in red.

#### 4. PROPOSAL

The proposed development includes:

- Demolition of clubhouses and dugouts.
- Removal of demountable buildings and shipping containers from the site.
- Construction of three buildings:
  - Building A - Hockey pavilion A is a double storey (split level) building and will incorporate spectator seating, change rooms, toilets, gym, physiotherapy facilities, offices, first aid, function space, garbage areas and storage areas.
  - Building B - Hockey pavilion B is a double storey (split level) building and will incorporate spectator seating, change rooms, toilets, first aid, function space and storage.
  - Building C - Hockey pavilion C is a double storey (split level) building and will incorporate spectator seating, change rooms, toilets and storage areas.
- Construction of a boulevard through the centre of the site incorporating on-site pedestrian access, paved open spaces, landscaping and seating.
- Construction of 165 car parking spaces.
- Amendment and repaving of the pathway located on the south of the site.

The development is proposed to be carried out in three stages to align with financial allocations.

The applicant provided the following description of the proposal:

*"The purpose of this application is to obtain consent for design and construction of three buildings, in a three-stage process, and associated car parking. The main hockey pavilion will also incorporate spectator seating, associated rooms and offices, as well as garbage and storage area"*

Photomontages of the proposed development are included in **Figure 2** and **3** below.



**Figure 2:** Photomontage of proposed pavilion A from carpark one.



**Figure 3:** Photomontage of proposed pavilion A from the south of existing playing field.

The submitted plans are included at **Appendix B**.

## **5. PLANNING ASSESSMENT**

### **5.1 Environmental Planning and Assessment Act 1979 (EP&A Act)**

#### **5.1.1 Section 23G – Joint Regional Planning Panels**

The combined effect of Section 23G and Schedule 4A (clause 5) of the EP&A Act and the provisions of State Environmental Planning Policy (State and Regional Development) 2011, requires the Joint Regional Planning Panel (JRPP) to determine applications for Crown development over \$5 million in capital investment value. The application submitted to Council nominates the capital investment value of the project as \$8,250,000.

#### **5.2 Section 79C Evaluation**

The proposal has been assessed under the relevant matters for consideration detailed in Section 79C(1) of the EP&A Act as follows:

##### **5.2.1 Section 79C(1)(a)(i) provisions of any environmental planning instrument**

###### *State Environmental Planning Policy (State and Regional Development) 2011*

This policy sets out the functions of regional panels in determining applications for regional development. Clause 20 and 21 of the SEPP require the Joint Regional Planning Panel to be the determining authority for development included in Schedule 4A of the EP&A Act. This includes applications for Crown development over \$5 million in capital investment value. The application is therefore submitted to the Hunter and Central Coast Joint Regional Planning Panel for determination.

###### *State Environmental Planning Policy (Infrastructure) 2007*

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) was introduced to facilitate the delivery of infrastructure across the State by improving regulatory certainty and efficiency.

The proposal was not required to be referred to Transgrid or Ausgrid in accordance with Clause 45(2).

Division 17 Roads and Traffic*Clause 101 Development with frontage to classified*

This clause applies to the development and aims to ensure the effective and ongoing operation and function of a classified road and to reduce the potential impact of traffic noise and vehicle emission for other existing developments.

The proposal was referred to NSW Roads and Marine Services (RMS) and the following comments have been provided:

*Roads and Maritime has reviewed the information provided and raises no objection to the proposed development, subject to inclusion of the following within the Conditions of Consent:*

- a) The site entry is to be designed as a driveway and not a road, maintaining right of way of the shared path fronting the site over vehicle entering and leaving the site,*
- b) Traffic calming measures should be installed onsite to slow vehicles approaching the shared pathway,*
- c) The landscaping along the front boundary adjacent to the site driveway may restrict vision to the shared pathway, and should be removed to increase sight to and from motorists leaving the site,*
- d) The current site driveway at the northern end of the site proposed to be emergency vehicle access only is to have a locked gate installed. This access is only to be used during emergency situations and not for convenient onsite manoeuvrability, and*
- e) Council is to forward the Section 138 for the driveway application to Roads and Maritime for concurrence and conditions in accordance with the Roads Act requirements.*

The draft conditions for the development have included the RMS comments discussed above.

*Clause 104 Traffic-generating development*

Schedule 3 of ISEPP relates to traffic generating development and requires certain applications to be referred to RMS. The application was required to be referred to the RMS as the proposal is for a sportsground with access to a classified road and includes over 50 parking spaces (165 proposed).

As previously indicated, RMS raises no objection to the proposal. A detailed assessment of the internal access arrangements on the site has been made by Council and is discussed later in this report.

*State Environmental Planning Policy No.55 (Remediation of Land) (SEPP No.55)*

SEPP No.55 requires consideration to be given to previous uses on the site and whether the site needs to be remediated for future uses. Clause 7(1)(b) and (c) of SEPP No.55 require that where land is contaminated, Council must be satisfied that the land is suitable in its contaminated state or will be suitable after remediation for the purpose for which the development is proposed.

Council records indicate that the site is unlikely to be contaminated, having been occupied and used as a Hockey Complex over many years. In addition, Council records indicate that contamination of the site was considered during the assessment (in 1987) of an application for the current use on the site and the submission of a report at the time indicated lead contamination well below the acceptable levels.

Stockpiling of waste material occurred on the site during the construction of the stadium on the adjacent site to the north. The material stockpiled was indicated in the Environmental



Management Plan and the report addressed a contaminated stockpile in the southwest corner of the site. The proposed development is clear of this stockpile.

Council's Senior Environmental Protection Officer has considered the proposal and provided the following comments:

*Council records indicate that the premises is subject to an Environmental Management Plan (EMP) prepared by RCA Australia dated January 2009 which addresses a contaminated stockpile located in the southwest corner of the site. The stockpile has been covered with a geofabric layer and capped with clean fill (primarily clay) and is now grassed. The RSU has reviewed the Statement of Environmental Effects prepared by Land Development Solutions dated October 2017 along with the Demo Site Plan prepared by EJE Architecture dated 13 December 2016 and notes that no works are proposed in proximity of the stockpile.*

*A review of Council records indicates that any contamination identified at the site was scrapped and placed in the stockpile in the southwest corner of the site. In accordance with State Environmental Planning Policy 55 - Remediation of Land, as no landuse change has been proposed the RSU will not require any further contamination assessment. While it is unlikely that the stockpile will be disturbed during the proposed development the RSU recommends that the EMP should be consulted prior to any earthworks to ensure the integrity of the stockpile is not compromised.*

*Any unexpected finds during the earthworks will be addressed by Councils standard condition of consent requiring the material to be classified in accordance with Department of Environment and Climate Change's (DECC) 'Waste Classification Guidelines Part 1: Classifying Waste'.*

Council's Environmental Protection Officers have raised no objections to the proposal and it is considered that, as there is no change of use and there is unlikely to be any disturbance of a contaminated stockpile, the proposal is satisfactory. Conditions are to be imposed regarding the general management of any removed materials from the site.

#### State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The SEPP aims to protect the biodiversity values of trees and other vegetation and improve amenity through tree preservation in non-rural areas.

Clause 9(1) and (2) of SEPP (Vegetation in Non-Rural Areas) applies to the site and requires consideration of impacted vegetation to be considered under a relevant Development Control Plan. On this basis Council's Development Control Plan in regards to vegetation removal must be considered in the assessment of the application, and this is discussed later in this report.

### **Regional Environmental Plan**

There is no regional environmental plan that is relevant to this proposal.

### **Newcastle Local Environmental Plan 2012 (NLEP 2012)**

#### Clause 1.3 – Land to which Plan applies

The subject development occurs within the land area identified on the 'Land Application Map' contained in NLEP 2012.

#### Clause 2.3 Land Use Table - Zoning

The site is zoned RE1 Public Recreation under NLEP 2012. The existing use of the site as a Hockey Complex is permissible in the zone and is consistent with the relevant zone objectives which include:

- *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.*

The proposal is consistent with the objectives of the zone. Additionally the proposal is considered to provide an enhancement to the natural environment by including stormwater treatment that is consistent with Council's water management policy and additional deep soil landscaping.

#### Clause 4.3 Height of Buildings

The subject site has no maximum height limit identified in NLEP 2012. The proposed buildings contribute to the desired built form in respect of the planning for the area as a sporting precinct. The distance to residential and other forms of development poses no impact with regard to solar access or bulk and scale.

#### Clause 4.4 Floor Space Ratio

The subject site has no maximum prescribed Floor Space Ratio identified in NLEP 2012. The proposed development has a relatively low Floor Space Ratio and is considered satisfactory.

#### Clause 5.10 Heritage Conservation

The subject site is not listed for its cultural heritage significance in Schedule 5, Part 1 of NLEP 2012 and it is not an identified archaeological site. Further, the site is not located within a Heritage Conservation Area or positioned adjacent to any heritage items.

#### Clause 6.1 Acid Sulfate Soils

The site and all surrounding properties are identified as Class 5 Acid Sulphate Soils. The proposal is considered acceptable in respect to Acid Sulphate Soils and no further information is required.

#### Clause 6.2 Earthworks

The minor earthworks proposed in association with the development have been considered in accordance with this clause, as demonstrated in the below table:

**Table 1: Assessment of earthworks**

Consideration	Comment
(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development,	Council's Engineer has reviewed the proposal and confirmed that stormwater will be appropriately managed as part of the application.
(b) the effect of the proposed development on the likely future use or redevelopment of the land,	The proposed works are consistent with the existing approved Hockey Complex and ongoing use of the site as a public recreation area.
(c) the quality of the fill or the soil to be excavated, or both,	The architectural plans indicate that earthworks are minor and retaining walls are less than 3 metres high.
(d) the effect of the development on the existing and likely amenity of adjoining properties,	The proposed works will not have any significant impacts on adjoining properties.
(e) the source of any fill material and the destination of any excavated material,	Standard conditions of consent are recommended to require that the works be completed appropriately.
(f) the likelihood of disturbing relics,	There are no known relics on the site, which

	has been subjected to significant disturbance in the past.
(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	The proposal includes appropriate safeguards in this regard. Standard conditions of consent are recommended.
(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	The proposal is considered to be satisfactory.

### **5.2.2 Section 79C(1)(a)(ii) any draft environmental planning instrument that is or has been placed on public exhibition**

There is no exhibited draft environmental planning instrument that is relevant to the application.

### **5.2.3 Section 79C(1)(a)(iii) any development control plan (and section 94 plan)**

The main planning requirements of relevance in the Newcastle Development Control Plan 2012 (DCP) are discussed as follows:

#### **4.01 Flood Management**

Proposed earthworks are generally consistent with the architectural and stormwater management plans. Council's Development Engineer has made the following comments:

*Council's current flood model for the Throsby and Styx Creek catchment which covers this site shows only minor flooding over the hockey centre site in a 1% Annual Exceedance Probability flood event (1 in 100 year flood). However Council's survey records indicate that the June 2007 flood event was significantly higher with flood levels overtopping Turton Road suggesting that large flood flows would have passed through or around the site. Observations from the hockey centre representatives suggest that the flow did not affect the hockey fields themselves which appear to be protected. The existing and proposed building sites are also raised above flood levels.*

*Since the 2007 flood a large fill mound has appeared at the back part of the site adjacent to Styx Creek. This appears to be limiting overland flow into the creek for large flood events. The current proposal proposes to construct a Boulevard which is seen as improving existing overland flow through the site.*

A condition is proposed to manage local flooding and ensure that the proposed development has no adverse offsite flood impacts.

#### **4.04 Safety and Security**

The proposed development is considered to be consistent with the principles of Crime Prevention through Environmental Design as appropriate measures are in place with regard to allowing for access control, territorial reinforcement and space management. Amendments to an existing Plan of Management for the site are considered necessary. A condition of consent is recommended to require an amended Plan of Management that considers Australia's Strategy for Protecting Crowded Places from terrorism, as prepared by the Australia-New Zealand Counter-Terrorism Committee.

#### **4.5 Social Impact**

The provision of improved recreation facilities on the site will result in positive social and economic outcomes for the local and regional community. The neighbours have also been considered in the design of the buildings, through minimising noise and lighting impacts and by providing improved access into the site from Turton Road.

### 5.1 Soil Management

A Sediment and Erosion Management Plan has been submitted with the application, providing measures to minimise sediments being removed from the site during the construction period. Conditions are recommended to ensure that such measures are in place for the entire construction period.

### 5.2 Land Contamination

Assessment of the history of the site being used for contaminating activities and storage of existing stockpiles was considered by Council's Environmental Protection Officer. An Environmental Management Plan is required for the demolition phase of the development (removal of the demountable buildings) to ensure the safe handling and disposal of potentially contaminated materials that may be uncovered during this process.

### 5.3 Tree Management

The proposal will impact on 15 private trees and includes the removal of three trees (refer to **Figure 4**). The specific trees are listed in the table below.

**Table 2: Tree Schedule**

Tree	Species	Retention Value
1 – to be removed	<i>Ficus microcarpa</i> – Small Fruited Fig	High
2	<i>Ficus microcarpa</i> – Small Fruited Fig	High
3	<i>Ficus microcarpa</i> – Small Fruited Fig	High
4	<i>Ficus microcarpa</i> – Small Fruited Fig	High
5	<i>Ficus microcarpa</i> – Small Fruited Fig	High
6	<i>Ficus microcarpa</i> – Small Fruited Fig	High
7	<i>Ficus microcarpa</i> – Small Fruited Fig	High
8	<i>Ficus microcarpa</i> – Small Fruited Fig	High
9	<i>Ficus microcarpa</i> – Small Fruited Fig	High
10	<i>Ficus microcarpa</i> – Small Fruited Fig	High
11	<i>Ficus microcarpa</i> – Small Fruited Fig	High
12	<i>Ficus microcarpa</i> – Small Fruited Fig	High
13	<i>Ficus microcarpa</i> – Small Fruited Fig	High
14	<i>Ficus microcarpa</i> – Small Fruited Fig	High
15 – to be removed	<i>Casuarina galuca</i> - Swamp She Oak	Moderate
16 – to be removed	<i>Callistemon viminalis</i> – Weeping Bottlebrush	Low

Two of three trees proposed to be removed have been assessed as moderate to high retention value. The removal of the three trees is considered satisfactory given the location of the proposed carpark and new site access.

The independent Arborist's response regarding all affected trees states:

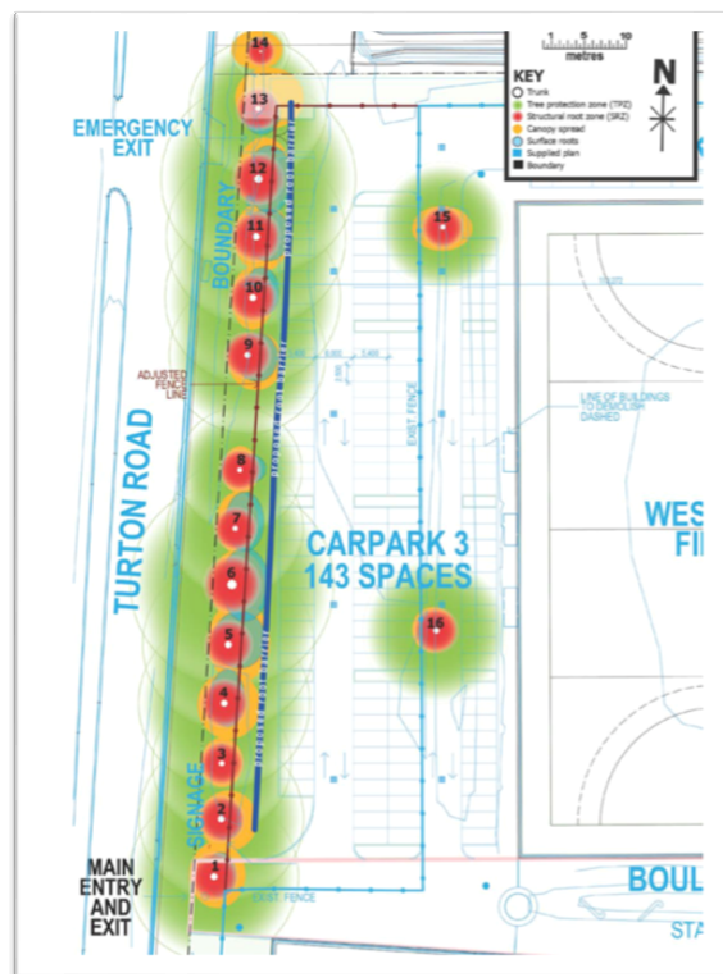
*Trees 2 to 10 will have no incursion within their Structural Root Zone (SRZ) for the car park construction. Trees 11, 12 and 13 will have a minor encroachment into their SRZ of less than 10%.*

*Fig trees are highly tolerant to root disruption. It is highly likely that root severance and/or shaving had occurred for the recent replacement of the footpath to their west sides and minimal, if any surface roots present. It can be seen that the trees have adapted to their proximity to the road and footpath and have developed their surface root network in other directions.*

*The proposed works are not anticipated to require major cutting of surface roots.*

The application includes a conceptual landscaping plan, which identifies the general areas and number of specimens to be planted as part of the proposal. The proposed tree planting throughout the site including the car parking areas and boulevard is a satisfactory compensation for any proposed tree loss on the site. It is considered that the proposal is satisfactory in relation to tree removal.

There are two Public trees impacted by the proposed access from Turton Road. The two trees are identified as Tree ID - 67185 - *Tristaniopsis laurina* (Watergum) and Tree ID - 67186 - *Tristaniopsis laurina* (Watergum). The loss of the trees is considered to not impact the existing amenity of the streetscape given the proposed planting on site associated with the proposed car parking and boulevard will significantly improve the site and immediate area. Conditions are recommended to ensure appropriate public tree removal by Council's City Greening Services.



**Figure 4:** Site plan indicating trees proposed to be removed (Source submitted Arborist Report, prepared by Area Tree Vet – Vivianne Bleiker)

#### 5.04 Aboriginal Heritage

An assessment in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW, 2010) has indicated that an Aboriginal Heritage Impact Permit is not required for the proposed development. Reference to the Aboriginal Heritage Information Management System confirmed that there are no sites of Aboriginal significance recorded on the land. The proposal is acceptable having regard to this section.

#### 5.05 and 5.07 Heritage Items and Heritage Conservation Areas

The site is not State listed or locally listed for any cultural heritage significance and it is not an identified archaeological site. The site is not located within a Heritage Conservation Area and/or positioned adjacent to heritage items.

It is considered that the proposal is acceptable in relation to heritage considerations.

#### 5.06 Archaeological Management

The site is not listed as an 'Archaeological site' in accordance with NLEP 2012.

#### 7.2 Landscapes, Open Space and Visual Amenity

A landscape concept plan prepared by a landscape architect has been submitted as part of the application. Compensatory planting is proposed to replace the trees that are to be removed as a result of the proposed development. The location of the planting within the car parking areas is considered to be beneficial for shading and managing contributory heat in the immediate area from the proposed car park.

#### 7.3 Traffic, Parking and Access

Council's Senior Development Engineer has assessed the proposal and the following comments have been provided:

*The traffic consultant has adopted a car parking rate Squash / Tennis courts. This has resulted in a rate of 1.5 spaces x the number of participants totalling 144 car spaces. The proposal is to provide a total of 165 spaces.*

The proposal is considered satisfactory and provides an adequate number of parking spaces for the use. Overall, the proposed development is considered to be suitable for local traffic conditions, with adequate pedestrian safety and traffic management measures incorporated into the design.

#### 7.5 Energy Efficiency

The proposal is acceptable in terms of energy efficiency. At the construction certificate stage the application will be required to demonstrate compliance with Section J of the Building Code of Australia with regard to energy efficiency.

#### 7.6 Stormwater

Council's Senior Development Engineer has assessed the proposal and the following comments have been provided:

*A new site drainage system is proposed and the Stormwater Management Plan provided demonstrates that stormwater quantity and quality requirement of Council's current DCP will be satisfied for the proposed site redevelopment.*

The proposed development complies with Council's policies relating to stormwater management. Conditions have been recommended to ensure that the proposed development meets the specified standards.

#### 7.08 Waste Management

The applicant has submitted the following details with regard to waste management on the site: *As illustrated on the architectural plans included at Appendix B, a garbage area is located on the lower level Hockey Centre A and direct access from the loading bay located adjacent to the garbage and storage area. Waste produced will not change from the current volumes produced as the number of playing fields is not increased. During larger state and national tournaments, additional waste removal can be undertaken by a private contractor.*

The proposal is considered satisfactory, with no changes to the existing arrangements required.

#### 8.00 Public Participation

The application was notified for a period of 14 days and no submissions were received.

#### Newcastle Section 94A Development Contribution Plan

The application attracts Section 94A Contributions pursuant to section 80A(1) of the *Environmental Planning and Assessment Act 1979* and the Newcastle Section 94A Development Contributions Plan. A contribution of 1% of the cost of development would be payable to Council as determined in accordance with clause 25J of the *Environmental Planning and Assessment Regulation 2000*.

#### **5.2.4 Section 79C(1)(a)(iiia) Planning agreements**

No planning agreements are relevant to the proposal.

#### **5.2.5 Section 79C(1)(a)(iv) the regulations (and other plans and policies)**

The application has been considered pursuant to the provisions of the *Environmental Planning and Assessment Act 1979 and Regulation 2000*. In addition, compliance with AS 2601 – Demolition of Structures is included in the recommended conditions of consent for any demolition work. The proposal can comply with Building Code of Australia and this can be addressed in documentation at Construction Certificate stage.

#### Hunter Regional Plan 2036

The Hunter Regional Plan provides an overarching framework to guide land use plans, development proposals and infrastructure funding decisions. The NSW Government's vision for the Hunter is to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart. The proposal is considered consistent with objectives within the plan by developing modern recreational facilities for the future.

#### **5.2.6 Section 79C(1)(a)(v) Coastal Management Plan**

No Coastal Management Plan applies to the site or the proposed development.

#### **5.2.7 Section 79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

The proposed development is considered to have a positive impact on the amenity and character of the area. The removal of older buildings from the site and replacement with modern structures will provide greater visual amenity to the locality, which is consistent with the built form of the nearby major sports stadium, the harness racing site and associated facilities. The

upgrade of the facilities will also have positive social impacts as it will allow additional sporting events to be held in Newcastle, which will have flow on economic benefits to the area.

There are minimal external impacts associated with the proposal as the development will provide over 200 parking spaces onsite and will not generate significant adverse impacts on local traffic.

The proposed development does not cause any overshadowing or privacy impacts on adjacent properties and does not result in any significant increase in odour, noise or lighting impacts when compared to the existing facilities and operations on the site and adjacent sites.

#### **5.2.8 Section 79C(1)(c) the suitability of the site for the development**

The site, which has been used as a hockey complex since the 1980s, is considered to be suitable for the use and is of sufficient size to enable the proposed development to occur without any significant adverse impacts on the neighbours and the character of the locality.

The proposal will generate social and economic benefits through the inclusion of modern recreational facilities that will be used by the local, regional, state, national and international communities.

#### **5.2.9 Section 79C(1)(d) any submissions made in accordance with this act or the regulations**

The application was publicly notified in accordance to the Regulations and no submissions were received.

#### **5.2.10 Section 79C(1)(e) the public interest**

The proposed development is in the public interest as it will provide improved recreational facilities, primarily for the local and regional community. The development also aligns with the State Government's vision of a Sports and Entertainment Precinct in the immediate area.

### **6. CONCLUSION**

The proposal is considered to be acceptable against the heads of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*.

### **7. RECOMMENDATION**

THAT the Hunter and Central Coast Joint Regional Planning Panel approve DA2017/01362 (2017HCC046) for demolition of clubhouse and associated structures, erection of club rooms, associated change facilities, viewing areas, car parking and landscaping at 1/330 Turton Road, Broadmeadow, pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979*, subject to the recommended conditions in **Attachment A**.