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| **COUNCIL ASSESSMENT REPORT ADDENDUM**  HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL | |

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| PANEL REFERENCE & DA NUMBER | PPSHCC-140  DA 2022/95 |
| PROPOSAL | Demolition of existing Grandstand and construction of new Grandstand, amenities, and function room. |
| ADDRESS | Lot 7010 DP 93327  3 Wilkinson Ave, Muswellbrook |
| AUTHOR | Sharon Pope – Director Environment and Planning |
| DATE | 2 April 2024 |

**Background**

This matter was considered by the Panel on 14 February 2024 and was deferred on 16 February 2024 as the Panel required further information to properly assess the development. The Applicant was asked to provide the following information:

1. Survey plan and documentation of flood levels.
2. Clarification of hours of operation.
3. Event management details for events between 1000 and 2000 persons including likely number of such events over the year.
4. A stormwater management plan that meets AS 3500 and Muswellbrook DCP 2009 requirements, including detention, potential reuse and GPT provision.
5. Details of how the function room will operate, including at what capacity, patron numbers, hours of operation and frequency of use; and
6. Pedestrian works that are needed before the building is occupied.
7. **Survey plan and documentation of flood levels**

Flood information maps for the subject site are provided in Attachment A. The 1% AEP Flood level in this location is 146.05m AHD.

While the Grandstand is not considered to be a habitable structure, Muswellbrook DCP 2009 indicates that the ground floor level of office areas should be at or above the 1% AEP Flood level to minimise the risk of damage from flooding.

Site survey information indicates the current ground level of the Grandstand site is 147.02m AHD, which is approximately one metre above the 1% AEP flood level.

The Wilkinson Ave access is inundated in the 1% AEP Flood, however there is a flood free evacuation path across the playing fields to Bell Street. The Flood Study indicates that there is a 12-hour warning time for a 1% AEP Flood in the adjoining Hunter River and a flood warning system is currently being installed for Muscle Creek at Bell Street. Information on the Muscle Creek flood warning system should be kept in the Changerooms, Function Room and offices once operational. A condition of consent has been included to capture this requirement.

1. **Clarification of hours of operation.**

The Applicant has advised that the hours of operation of the Facility will be:

Fields and Amenities (sportsgrounds)

* Sunday to Thursday 8.00 am to 10.00 pm
* Friday, Saturday and public holidays 8.00 am to 11.00 pm

Buildings and car parks (facilities)

* Sunday to Thursday 7.00 am to 11.00 pm (amplified music 8:00am to 10:00pm)
* Friday, Saturday and public holidays 7.00 am to 12.00 am (amplified music 8:00am to 11:00pm)

Conditions of consent have been included to capture these operating hours.

3. **Event management details for events between 1000 and 2000 persons including likely number of such events over the year.**

The Applicant has provided an updated suite of generic event management plans that can be adapted to any proposed events:

* Event Management Plan for Everyday Use (< 2,000);
* Event Management Plan 5,000 (< 5,000);
* Event Management Plan 7,500 (< 7,500); and
* Event Management Plan 10,000 (< 10,000)

The Applicant has advised that the likely number of events with between 1000 and 2000 people is anticipated to be 15 or less annually.

The Wilder Street bridge is closed to vehicles under “normal” conditions, allowing use by pedestrians and cyclists only. All vehicles must access the site from Wilkinson Ave under normal conditions. Wilder Street bridge is only open for vehicle movements for large events exceeding 5000 people, and then it operates as a one-way street between the roundabout in Olympic Park to Maitland Street.

Parking under normal conditions is available on the Olympic Park site, in Bell Street, Wilder Street, Maitland Street and Haydon Street. Olympic Park is accessible by pedestrians and cyclists, with hourly town bus services also passing nearby. The lack of objections made by nearby residents when the development application was notified is taken to mean that parking is currently not an issue most of the time. The increased Grandstand size is unlikely to affect visitor numbers under “normal” use scenarios as it is the number of playing fields that generates visitor numbers for training and watching games.

4. **A stormwater management plan that meets AS 3500 and Muswellbrook DCP 2009 requirements, including detention, potential reuse and GPT provision.**

The Applicant has discussed stormwater management requirements with Council’s Chief Engineer and advised that the stormwater management plan proposed meets AS 3500 and that rainwater tanks will be used to capture roof water for re-use and stormwater detention to ensure no adverse impacts.

Council’s Chief Engineer has advised that the development meets the site discharge indicator (SDI) based on the overall Olympic Park Area, according to the calculations provided and verified. The Chief Engineer has requested conditions of consent that require:

* A Gross Pollutant Trap (GPT) is to be designed and installed to the Chief Engineer’s written approval as part of Construction Certificate requirements.
* The GPT device is to be provided with a suitable concrete pad for access for maintenance by a service vehicle.
* The GPT device is to be maintained at all times, with a product drawing of the device to be provided as part of Works As Executed Requirements.

Given the amount of land available for the installation of a stormwater system and water quality control devices, the Chief Engineer has advised that the detailed design may be submitted for approval with the construction certificate. Conditions of consent have been included.

*5.* **Details of how the function room will operate, including at what capacity, patron numbers, hours of operation and frequency of use.**

The Applicant has advised that the function room will not be a licenced club nor will it be available for commercial use. The senior rugby league club will likely have a limited sports liquor licence restricted to their sports games only. The club and any specific event organisers will need to apply for a licence through NSW Liquor and Gaming for other events.

The Applicant advises that the function room and facility generally will operate like any other Council community facility managed through the terms and conditions of Council’s Sportsground and Facilities Booking form (which has been uploaded for reference on the planning portal).

The users will include casual bookings by community members, schools, and user groups including:

* individual community bookings, for example, a birthday party.
* school bookings associated with the use of the sportsgrounds; and
* activities that support user groups, for example, committee meetings, and presentations.

The capacity limit is 250 and bookings of this size would not likely exceed more than 12 bookings annually based on:

* usage patterns at other Council community facilities,
* Council resources available to manage bookings, and
* constraints imposed by seasonal bookings for sport.

Amplified noise would not be allowed Sunday to Thursday before 8:00 am and after 10:00 pm; and on Friday, Saturday, and public holidays before 8:00 am and after 11:00 pm.

The noise assessment submitted with the development application made an assessment based on a worst-case scenario of a large regional sporting events. During such events, it is anticipated that there will be elevated levels of noise resulting from traffic, crowds, public address systems and whistles. The Applicant advises that a function of 250 people in the Function room and adjoining outdoor spaces are not likely to generate the same noise as a large regional event.

A condition of consent is proposed to limit the number of different size events at the facility. This will provide neighbours with some certainty on the maximum number of times there may be elevated noise levels (and more demand for on-street parking) due to the use of the Facility. An assessment of the real impacts, rather than modelled impact, would be possible post-construction, if the Proponent was to seek an increase in the number of events held on the site.

6. **Pedestrian works that are needed before the building is occupied**

Pedestrian footpath connections have been constructed throughout the Olympic Park precinct connecting the Muswellbrook Town Centre from the Bridge Street underpass through the precinct to Bell Street and on to Maitland Street (New England Highway). Some of these works were undertaken since the development application was lodged. A pedestrian connection from Olympic Park to Maitland Street, along Wilder Street, has been identified as a priority.

Council’s Chief Engineer has requested that Street Tree Planting is to occur along the main pathways, as shown on the Olympic Park Masterplan, prior to the issue of an occupation certificate, to provide shaded pedestrian access in the warmer months.

**Conclusion and Recommendation**

In view of the above considerations, it remains the recommendation of Council Officers that the proposed development be approved subject to the conditions of consent included in Attachment B to this memo. The recommended conditions have been changed since the 14 February 2024 Panel meeting to reflect new information that has been provided and to correct formatting.