

MEMO TO PANEL

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSHCC-257 – Central Coast – DA/2009/2023
PROPOSAL	Regional Animal Care Facility
ADDRESS	Lot 100 DP602992, 253 Old Maitland Road, Mardi
APPLICANT	ADW Johnson
OWNER	Central Coast Council
DA LODGEMENT DATE	17 November 2023
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Clause 3, Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> : Council related development over \$5 million
CIV	\$12,926,000 (excluding GST)
RECOMMENDATION	Approval subject to conditions
PANEL MEETING DATE	3 June 2025
PREPARED BY	J Tattam - Senior Development Planner
DATE OF MEMO	3 June 2025

SUPPLEMENTARY INFORMATION

This memo is to supplement the Assessment report to the Panel for consideration at the determination meeting of 3 June 2025. The memo provides additional information on the following matters raised by the Panel:

- Safety in regard to traffic movements on Old Maitland Road and safe vehicular access to and from the site.
- Plan of Management (PoM) – it was considered that the PoM needs to address a range of issues including noise mitigation and management more proactively, complaints handling, security (CPTED), and management of abandoned animals.
- Noise monitoring – the Panel requested that recommended Condition 6.7 be revised to provide a more robust mechanism to monitor noise and address any exceedances.

- d) Construction noise – the Panel requested that an additional condition be included in the draft conditions to mitigate the impacts of construction noise.
- e) Condition 4.9 – the Panel noted an error in recommended Condition 4.9 and requested that this be rectified.

a) Traffic Safety

Council's Principal Traffic and Transport Engineer has reviewed the proposal and the submitted Traffic Impact Assessment report by prepared by Intersect Traffic and notes the following:

- The proposed development would generate 11 vehicle trips per hour in Weekday morning and evening and 24 vehicle trips per hour in mid Saturday.
- Access to the site is currently via an at grade sealed intersection constructed as a short channelised right turn / basic left turn (CHR(s)/BAL) intersection which complies with the requirements of a Category 5 access as per Table 3.2 of Australian Standard AS2890.1-2004 Parking facilities – Part 1 Off-street car parking.
- Australian Standard requires a desirable sight distance of 111 metres from the access (80 km/h speed frontage) along both approaches on Old Maitland Road. Observed sight distance at the access was in excess of 200 metres north of the access and 130 metres south of the access, therefore, is compliant with the Australian Standard in this regard.
- A turn lane assessment as per Austroads requirements indicated the required access intersection is a CHR(s) / BAL intersection as is currently constructed.
- The existing site access is suitable for the proposed as it is compliant with both Australian Standards and Austroads requirements.

Based on the above information and assessment, Council's Principal Traffic and Transport Engineer has concluded that the existing access to the site is suitably located to provide a safe access for the proposed development as it is compliant with Australian Standard AS2890.1-2004 Parking facilities Part 1: Off-street car parking and Austroads requirements.

b) Plan of Management (PoM)

The Panel noted the PoM and Complaints Handling Policy that had been submitted by the applicant. However, it was considered that the PoM needs to address a range of issues more proactively. Therefore, a revised PoM is required to be submitted to the satisfaction of Council.

The following condition is recommended (**Condition 3.13**) Prior to Commencement of Any Works:

A revised Plan of Management shall be submitted to the satisfaction of Council. The revised Plan of Management shall include the following information:

- a) Noise – preventative management measures that will be employed to minimise and mitigate noise impacts on neighbours;*

- b) *Complaints handling procedure – detail how noise and other complaints shall be addressed, particularly if no staff are present on site eg, overnight/weekends.*
- c) *Security – detail Crime Prevention Through Environmental Design measures that will be employed at the facility and how these will be managed and enforced to ensure that the site is safe and secure at all times.*
- d) *Abandoned animals – detail the measures that will be employed to monitor and manage animals that are left/abandoned at the facility when staff are not present.*

c) Noise Monitoring

The Panel noted recommended Condition 6.7 in relation to noise monitoring but raised questions about what is to occur if exceedances result. The following revised **Condition 6.7** is recommended:

Provide Council's Environmental Protection Officer with an acoustic report for review and approval that assesses compliance with Condition 6.6. Noise generated by the development is to be measured against Table 1 during the third month of operation. Where non-compliances are identified, employ additional acoustic mitigation measures, and undertake further acoustic monitoring until compliance is met. If required, provide Council's Environmental Protection Officer with a supplementary report that demonstrates the ongoing operation does not exceed criteria.

d) Construction Noise

The Panel were concerned that construction noise could impact the acoustic amenity of the area on a temporary basis.

It is noted that the recommended conditions include a condition (**Condition 4.2**) to limit construction works to standard hours which is in line with industry standards.

The following further conditions are recommended to manage and monitor any impacts from construction activities:

- Prior to Commencement of Any Works (**Condition 3.14**):

Submit to Council's Environment Protection Officer for approval a Construction Environment Management Plan that outlines specific actions to be taken to prevent, control, and mitigate environmental impacts which includes reference to the Department of Environment & Climate Change NSW 'Interim Construction Noise Guideline' & NSW Environment Protection Authority 'Draft Construction Noise Guideline' during construction.

- During Works (**Condition 4.22**):

Undertake the operation and management of the site in accordance with the approved Construction Environmental Management Plan.

e) Condition 4.9

Recommended Condition 4.9 incorrectly references condition 2.15 (should reference condition 2.14). **Condition 4.9** is amended to read as follows:

Implement all erosion and sediment control measures and undertake works in accordance with the approved Soil and Water Management Plan required by Condition 2.14 of this consent. Update the plan as required during all stages of the construction or in accordance with the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004).

The recommended conditions have been revised in accordance with the above (with amendments in red) and are attached to this memo.