



# ATTACHMENTS

## LOCAL PLANNING PANEL MEETING

Wednesday 24 April 2024  
at 4:00pm



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**ATTACHMENT/S**

**REPORT NO. LPP3/24**

**ITEM 1**

- 1. CONSULTANT ASSESSMENT REPORT**
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**CONSULTANT ASSESSMENT REPORT**

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<b>DA No:</b>	DA/1406/2023 (Lodged on 08/01/2024)
<b>Description:</b>	Recreation Facility - Redevelopment of Cricket Pavilion
<b>Property:</b>	Waitara Park - Mark Taylor Oval, No. 20X Waitara Avenue, Waitara (Lot 300 DP 832745)
<b>Applicant:</b>	Minto Planning
<b>Owner:</b>	Hornsby Shire Council
<b>Estimated Value:</b>	\$3,650,447
<b>Ward:</b>	Ward B
<b>Clause 4.6 Request:</b>	Not applicable
<b>Submissions:</b>	Nil
<b>LPP Criteria:</b>	The application is required to be determined by the Hornsby Council Local Planning Panel as the proposal is on land owned by Hornsby Shire Council
<b>Author:</b>	Nicola Neil, Consultant Town Planner
<b>COI Declaration:</b>	No Council staff involved in the assessment of this application have declared a Conflict of Interest.

**RECOMMENDATION**

THAT Development Application No. DA/1406/2023 for alterations to an existing community facility and construction of a new community facility at Lot 300 DP 832745, Waitara Park - Mark Taylor Oval, No. 20X Waitara Avenue, Waitara be approved subject to the conditions of consent detailed in Attachment 2 of LPP Report No. LPP3/2024

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**EXECUTIVE SUMMARY**

- The application involves redevelopment of the cricket pavilion at Mark Taylor Oval, including demolition of the 1990s extension, minor internal alterations and additions to the original building, removal of some landscape elements, repurposing of the existing toilet block for storage, and construction of a new detached pavilion.
- The site is owned by Council. In accordance with Council's adopted Policy 'Proposed Council Developments' an independent assessment of the development application has been undertaken by Nicola Neil of Octagon Planning.
- The proposal complies with the relevant development standards and planning instruments including state environmental planning policies, Hornsby Local Environmental Plan 2013 and Hornsby Development Control Plan.
- No submissions have been received in respect of the application.
- The application is required to be determined by the Hornsby Council Local Planning Panel as the proposal is on land owned by Hornsby Shire Council.
- It is recommended that the application be approved.

**BACKGROUND**

Waitara Park has existed as a recreation facility since 1906. Waitara Oval was renamed Mark Taylor Oval in 2011 in honour of the former Australian cricket captain. The only notable recent development application within the park was DA/96/2021 for a new indoor cricket facility and reconfiguration of the existing outdoor practice nets on the eastern side of the park, which was approved by the Local Planning Panel on 13 May 2021. The indoor cricket facility has now been completed; works on the outdoor nets have been delayed by supply chain issues but are due to commence in the next few months. The Police Citizens Youth Club (PCYC) building is located in the southern part of the park on a separate Lot and DP. It was approved by Council in 2015 and the DA has since been modified.

**SITE**

The subject site is Waitara Park, a public recreation facility which comprises Mark Taylor Oval, grandstand, pavilion, indoor cricket facility, outdoor cricket nets, children's playground, tennis courts, fitness equipment and ancillary facilities. Recent redevelopment works to the oval itself began in late 2021 including ground resurfacing, sub-surface irrigation works, fencing, and new retaining walls and netting to the perimeter. Consistent with its use as a cricket oval, the site is generally flat.

The original grandstand pavilion was constructed in 1929 and later modified to enclose the sides and rear of the seating area. Male public toilets were added to the north-west elevation at an unknown date. Additions to the south-east and south-west elevations were constructed in the early 1990s. Within the original pavilion footprint is an entry hall, two change rooms each with their own showers, toilets and storage, an additional change/shower room on the ground floor, and a club room and grandstand seating on the first floor. The showers and toilets are within a 1990s addition to the south-west elevation. The club room was formed by partial enclosure of the grandstand. Within the south-eastern 1990s addition is a kiosk and storage rooms on the ground floor and a club room and balcony on the first floor.

The site forms part of a larger recreational facility bounded by Edgeworth David Avenue to the north, Park Avenue to the east, Park Lane to the south and Waitara Avenue to the west. Lot 1020 DP 752053 in the northern part of the site contains six outdoor tennis courts and a tennis academy. Lot 301 DP 832745 to the south contains the Police Citizens Youth Club (PCYC) Hornsby Ku-ring-gai building.

The park is largely surrounded by medium to high density housing, with a few remnant single dwelling houses to the north. The site is 300m north of Waitara Station and less than 1km from Hornsby CBD.

Mark Taylor Oval is identified as heritage item 783 under *HLEP* and the street trees along Edgeworth David Avenue are identified as heritage item 475. The site is not in a Heritage Conservation Area.

## PROPOSAL

The application proposes alterations and additions to the existing cricket pavilion and construction of a new pavilion:

- Demolition of the 1990s two-storey extension to the south-eastern façade of the original 1929 grandstand building and removal of the stair and ramp access.
- Demolition of the male public toilet (a later addition) on the north-western façade of the original building.
- Demolition of internal walls in the original building and removal of some fixtures and fittings
- Removal of three (3) trees, some soft landscaping, and removal of park benches, low stone wall, drinking fountain and light pole in front of the building.
- Demolition of internal walls and sanitary fixtures in the female public toilet building to the south.
- Construction of a new detached two-storey pavilion building in the same general location as the demolished 1990s addition, with a slightly larger footprint.
- The new pavilion comprises a kiosk, public toilets, umpire's room, storage and plant room on the ground floor, and a club room, scorer's room, kitchenette/storage and balcony on the first floor. The first floor is accessed by stairs and a lift.
- Repurposing of the female public toilet block for storage.
- New outdoor amenities and landscaping including handwash basin, BBQ facilities, bin storage, concrete paths and built-in bench seating.
- Installation of solar panels to the roof of the new pavilion building.

The new building will be constructed of reinforced concrete with glazed walls set behind aluminium batten screens, with a lightweight steel roof. The facility is to be leased to the Northern District Cricket Club (NDCC); documentation indicates that the original building will also be used by the Hornsby Rugby Club (HRC).

The Plan of Management submitted with the DA nominates hours of operation from 7am until 8pm on weekdays and 7am until 10pm on weekends. NDCC will be responsible for the management, booking, usage, cleaning, maintenance and security of the facility.

## ASSESSMENT

The development application has been assessed having regard to the Greater Sydney Region Plan - A Metropolis of Three Cities, the North District Plan and the matters for consideration prescribed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act). The following issues have been identified for further consideration.

### 1. STRATEGIC CONTEXT

#### 1.1 Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan

The Greater Sydney Region Plan - A Metropolis of Three Cities has been prepared by the NSW State Government to guide land use planning decisions over the next 40 years (to 2056). The Plan sets a strategy and actions for accommodating Sydney's future population growth and identifies dwelling targets to ensure supply meets demand. The Plan also identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

The NSW Government will use the subregional planning process to define objectives and set goals for job creation, housing supply and choice in each subregion. Hornsby Shire has been grouped with Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Ryde, Northern Beaches and Willoughby to form the North District. The Greater Sydney Commission has released the North District Plan which includes priorities and actions for Northern District over the next 20 years.

Part 4 of the Metropolis of Three Cities relates to Liveability. Relevant objectives are:

- Objective 6 - Services and infrastructure meet communities' changing needs
- Objective 7 - Communities are healthy, resilient and socially connected
- Objective 12 - Great places that bring people together
- Objective 13 - Environmental heritage is identified, conserved and maintained

The proposed development would be consistent with the Greater Sydney Region Plan - A Metropolis of Three Cities and the North District Plan, by enhancing the existing facilities at Waitara Park and removing unsympathetic additions to a heritage item (see sections 2.1.3 and 2.6.5 below for further discussion on heritage impacts).

## 2. STATUTORY CONTROLS

Section 4.15(1)(a) requires Council to consider “*any relevant environmental planning instruments, draft environmental planning instruments, development control plans, planning agreements and regulations*”.

### 2.1 Hornsby Local Environmental Plan 2013

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

#### 2.1.1 Zoning of Land and Permissibility

The subject land is zoned RE1 Public Recreation under the HLEP. The objectives of the RE1 zone are:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To protect and maintain areas of bushland that have ecological value.*

The proposal is consistent with the objectives as it uses land for recreational purposes and enhances the natural environment with new planting.

The proposed development meets the definition of a community facility:

**community facility** means a building or place—

- (a) *owned or controlled by a public authority or non-profit community organisation, and*
- (b) *used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*

The proposed development is permissible in the zone with Council's consent.

### 2.1.2 Principal Development Standards

Clauses 4.1, 4.3 and 4.4 of the HLEP provide controls for minimum lot size, maximum building height and maximum floor space ratio. The subject site is not mapped as subject to these controls. The proposed building is 8.806m. Maximum building heights for land surrounding the park range from 8.5m to the north to 32.5m to the south. The proposal is considered appropriate for the site.

### 2.1.3 Heritage Conservation

Clause 5.10 of the HLEP sets out heritage conservation provisions for Hornsby Shire. Mark Taylor Oval is identified as heritage item 783 under HLEP and the street trees along Edgeworth David Avenue are identified as heritage item 475. The Statement of Significance in the Office of Environment and Heritage database reads:

*Local park and oval dating from c1920's. Grounds retain elements from 1930's and cultural trees from c1920's & 1930's. Also conserving indigenous trees from c1920/30's. Of local significance.*

The item description in the database is as follows:

*Park on flat land with central oval and brick grandstand of utilitarian design from c1930's. Bank of tennis courts on southern end. Cultural planting includes mature Camphor Laurel trees (to 18m) and Radiata Pine (to 15m) on western side. Possibly planted c1920-30. Also line of characteristic Oleanders on east side possibly from c1950. The eastern side (northern end) shows a section of precast paving footpath laid as part of relief work for unemployed in the 1930's. This scheme was the initiative of local Councillor PC Law. [The site was included in a 1993 Heritage Study and the Statement of Significance was last updated in 2001.]*

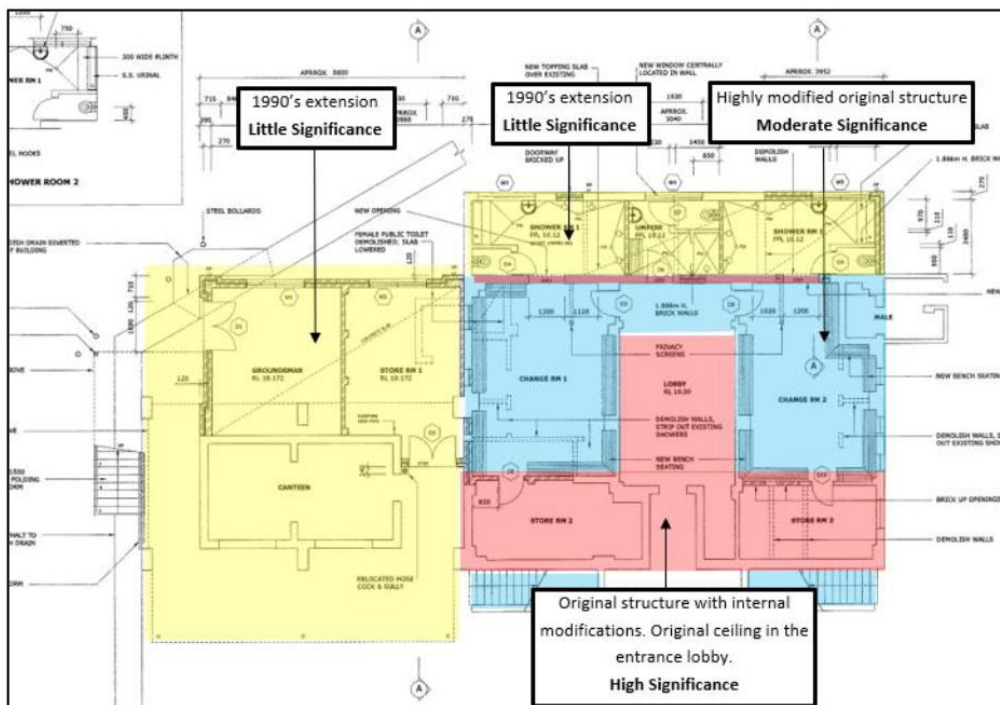
At the close of the nineteenth century, George Collingridge and other Waitara residents successfully petitioned the Minister for Lands to formally identify Waitara Park, which appears on the 1902 subdivision plan. In 1906 it was proclaimed as a park for recreation purposes and the land obtained by Council. A new oval was opened in December 1922. The grandstand in the south-western corner of the park was constructed around 1929.

The Northern District Cricket Club (NDCC) was formed in 1906 and has been based at Waitara Park since 1924. Several Australian test players have played club cricket for NDCC, including former Australian captain Mark Taylor, after whom the oval was renamed in 2011.

A Statement of Heritage Impact (SOHI) was submitted with the application. The SOHI includes a summary of a Fabric Analysis of the grandstand, noting that the external facades were generally in good condition. Attention was drawn to the arched entry doorway, foundation stones, timber mouldings, precast panels and original ceilings in the entrance lobby as particularly significant elements.

The following plan shows the heritage significance of the various parts of the building; the original structure (pink) has high significance, the highly modified original structure (blue) has moderate significance, and the 1990s extensions have little significance.





The SOHI includes an assessment of the heritage significance of the pavilion building. The assessment concludes that the building has high historic significance, associative significance, and high social significance. The building was not considered to have aesthetic significance, research potential, rarity or representativeness.

Under Clause 5.10 of HLEP the consent authority must consider the effect of the proposed development on the heritage significance.

The SOHI notes that all areas of high heritage significance will be retained under the proposal. The alterations and additions are “limited to fabric of little significance, or changes considered reasonable and appropriate to improve the building’s accessibility and functionality”. The author of this report concurs with the SOHI’s statement that the new pavilion will be distinct from the original grandstand and would be a respectful and compatible addition to the subject site. Further, the development is consistent with the site’s ongoing use as a community sporting facility that has seen a great deal of change over the past century. As noted in the SOHI, all significant heritage details and fabric will be retained, including face brickwork, stone plaques, arched entry, timber-framed window and decorative masonry architectural mouldings. All original and modified interiors within the 1920s grandstand envelope will be retained and conserved.

The author concurs with the SOHI’s statement that “the form, bulk, scale, and materiality of the proposed new pavilion addition is compatible with its historically significant partner and would represent a considered reflection of old and new. The proposed pavilion design does not seek to imitate the original, nor dominate or detract from its contributory value. Rather, the proposed height, mass, position, and orientation of the new pavilion proposed acts as a self-reflexive contemporary interpretation of the building’s original architectural typology”. Where the existing 1990s addition is a poorly executed copy of the original building, the proposed new pavilion is clearly contemporary which allows for easier interpretation as per Article 22.2 of the Burra Charter.

The partial demolition of the existing building would, as the SOHI points out, restore the building to its original scale (notwithstanding the small extension at the rear of the building which houses the toilets and showers).

Council's Heritage Planner reviewed the application in detail and concluded that the SOHI provides "an accurate description, significance assessment and historical background of the site, the existing grandstand building and the locality context". The proposed works are consistent with advice provided by Council in October 2020 that demolition of the grandstand wholesale would not be supported, but alterations "would be considered if the new work removed or replaced the existing alterations to the south elevation". Further discussion between Council's Principal Strategic Planner, Council's Landscape Team and the project manager ensued over the next three years. In October 2023, after several design revisions, Council's Heritage Team raised no heritage concerns and advised that:

- The existing pavilion is being retained with minor modifications to meet the current needs of the site with minimal heritage impact.
- The new pavilion is sensitively sited and designed to meet the General Design Requirements for Heritage Items under Section 9.1 of the HDCP as well as the Heritage NSW and NSW Government Architect's guidelines of new development in the context of heritage.
- The heritage advice provided during the design process has been respectfully incorporated into the final Pavilion design.

The Heritage Planner concurred with the SOHI and agreed with the positive aspects of the proposal including retention of the historic function of the site, appropriateness and sympathy of the design, demolition of modified, less significant fabric, compatibility with built form, bulk and scale, no negative impacts on lines of sight, clear legibility resulting from the detached nature of the new building, lack of impact on pedestrian links or accessibility, and improved community and amenity functionality. The Heritage Planner raised no objections to the proposal on heritage grounds subject to recommended conditions of consent.

#### **2.1.3.1 Plan of Management**

The proposal is consistent with the Waitara Park Plan of Management 2021 (PoM), which described the remaining major works for the park as construction of the indoor cricket training facility (commenced 2022), upgrading Mark Taylor Oval (commenced 2021) and upgrading the pavilion. The PoM specified the following works for the pavilion upgrade:

*Proposed replacement of existing aged facilities:*

- a. Ground floor: fully universal use change rooms storage rooms, canteen,*
- b. First floor: clubrooms for NDCC and HJRU/HRU*
- c. Second floor: scorers' room; camera area and commentary box; cricket museum; meeting rooms for cricket coaching, umpiring training and administration, and for community usage*

The PoM Masterplan also identifies the public toilets to be integrated into the redevelopment of the pavilion.

The proposal is consistent with the PoM as it will facilitate sporting activities in the community and provide facilities to meet the current and future needs of the local community and wider public.

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**2.1.4 Earthworks**

Clause 6.2 of the HLEP states that consent is required for proposed earthworks on site. Before granting consent for earthworks, Council is required to assess the impacts of the works on adjoining properties, drainage patterns and soil stability of the locality.

A Geotechnical Assessment was submitted with the Development Application. Council's Environmental Protection Team reviewed this report and recommended conditions of consent to manage impacts.

**2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021**

The application has been assessed against the requirements of chapter 6 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.

**2.2.1 Chapter 6 Waterways**

The site is located within the catchment of Sydney Harbour. The aim of this chapter is to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained. This chapter provides general planning considerations and strategies to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained.

The plan addresses matters related to biodiversity, ecology and environment protection; public access to, and use of, foreshores and waterways; maintenance of a working harbour; interrelationship of waterway and foreshore uses; foreshore and waterways scenic quality; maintenance, protection and enhancement of views and boat storage facilities.

Subject to the implementation of sediment and erosion control measures and stormwater management to protect water quality, the proposal would have minimal potential to impact on the Sydney Harbour Catchment and would comply with the requirements of chapter 6 of the Biodiversity and Conservation SEPP.

**2.3 State Environmental Planning Policy (Resilience and Hazards) 2021**

The application has been assessed against the requirements of Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021.

**2.3.1 Chapter 4 Remediation of Land**

Section 4.6 of the Resilience and Hazards SEPP states that consent must not be granted to the carrying out of any development on land unless the consent authority has considered whether the land is contaminated or requires remediation for the proposed use.

Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. If the land requires remediation to be undertaken to make the land suitable for the proposed use, Council must be satisfied that the land will be remediated before the land is used for that purpose.

An examination of Council's records and aerial photography has determined that the site has been used as a park for over one hundred years. The proposed development involves minimal earthworks associated with slab construction. It is not likely that the site has experienced any significant contamination, and further assessment under Chapter 4 of the Resilience and Hazards SEPP is not required.

#### 2.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

The application has been assessed against the requirements of State Environmental Planning Policy (Transport and Infrastructure) 2021.

The SEPP provides for certain proposed developments known as Traffic-Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence. There are no referral thresholds for recreation facilities under Schedule 3 and therefore the proposal falls under the category of "any other purpose". In this case, referral is required for developments generating 50 or more motor vehicles per hour for roads that connect to a classified road (Edgeworth David Avenue connects to the Pacific Highway at Hornsby). Given that there is no intensification of use as the pavilion redevelopment is to cater for existing users of the park - NDCC in summer and HRC in winter - it is not expected that the development in and of itself will increase traffic movements to and from the site.

#### 2.5 Section 3.42 Environmental Planning and Assessment Act 1979 - Purpose and Status of Development Control Plans

Section 3.42 of the *Environmental Planning and Assessment Act 1979* states that a DCP provision will have no effect if it prevents or unreasonably restricts development that is otherwise permitted and complies with the development standards in relevant Local Environmental Plans and State Environmental Planning Policies.

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

#### 2.6 Hornsby Development Control Plan 2013

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

HDCP - Part 7 Community Uses			
Control	Proposal	Requirement	Complies
Not located on battle-axe allotments or in cul-de-sacs, or near intensive, offensive or hazardous land uses			Yes
Height	8.8m	8.5m	No
Site Coverage	<30%	30%	Yes
Setbacks	10m	6m	Yes
Landscaping to soften development			Yes
Located away from noise sensitive land uses			Yes
Does not encourage views onto residential areas			Yes

Overshadowing of adjoining open space		Max 50%	Yes
Sunlight to adjoining residential private open space		Min 3 hours	Yes
Clear pedestrian and cyclist entrances			Yes
Windows and lobbies oriented to overlook street and communal open space			Yes
Building design complements desired future character and includes consideration of a setbacks, materials, textures, colours, scale, height, bulk, roof form and pitch, landscaping, facades, window placement and balance between solid walls and openings			Yes

As detailed in the above table, there is one non-compliance with the HDCP controls which is discussed below along with a brief discussion on compliance with relevant performance requirements.

#### 2.6.1 Height

The DCP requires community buildings to be in accordance with the height and FSR controls contained in the LEP, and for the scale of buildings to be in accordance with the building form controls commensurate to the zone. The subject site is not mapped on the height or FSR maps and is zoned for recreation, so the height and site coverage controls for dwelling houses in Section 3.1 of the DCP apply.

That being the case, the maximum height would be 8.5m. The proposed building has a maximum height of 8.8m. The park is surrounded on three sides by R4 High Density Residential zoned land with maximum building heights of 16.5m to 32.5m (26.5m on the western side of Waitara Avenue, closest to the development site). The closest buildings to the pavilion are the three-storey PCYC building to the south and a nine-storey residential flat building to the west at 21-37A Waitara Avenue. Given this context, a minor height encroachment of 0.3m is considered acceptable.

#### 2.6.2 Part 1C.2.1 Transport & Parking

The facility will continue to be serviced by existing street parking. The redevelopment is not an intensification of use and there is not expected to be any significant increase in user numbers as a result of the development.

#### 2.6.3 Part 1C.2.3 Waste Management

The application was submitted with a Construction and Demolition Waste Management Plan which has been reviewed by Council's Waste Management Team and deemed satisfactory.

#### 2.6.4 Part 1C.2.9 Landscaping

The application was submitted with a Landscape Plan which includes new shrub planting comprising Kangaroo Paws, Lomandra tanika, and Philodendron xanadu. These plants are used elsewhere in Waitara Park and will therefore provide a cohesive landscape.

Council's Landscape Architect reviewed the plans and supports the application subject to conditions of consent.

### 2.6.5 Part 9 Heritage

The proposed development is consistent with the desired outcomes of the general design requirements under section 9.2.1 of the DCP. The development allows reasonable change to occur to heritage items, particularly to meet contemporary amenity of safety standards without unreasonably impacting heritage significance. The alterations and additions are sympathetic to significant features and do not dominate the heritage item.

In accordance with the prescriptive measures in section 9.2.1, the features that contribute to the heritage significance of the item are retained, new works are located to minimise adverse impacts on the setting of the item, and earlier additions that reduce the integrity and confuse the period of the building are to be removed. The new work complements the heritage item in terms of scale, proportion, bulk, massing and detail. There are no additions at the front of the building, and the additions are located away from the principal elevation and significant features of the item, being largely confined to the footprint of the earlier unsympathetic additions. There are no extensive blank or unarticulated walls to the addition, and internal layout changes in the original building are minimal so the evolution of the building is recognisable. Significant interior elements are retained. Face brick to the original building is proposed to remain, and new materials are compatible with old.

Council's Heritage Planner reviewed the application as discussed in section 2.1.3 above and raised no objection on heritage grounds.

### 2.7 Section 7.11/7.12 Contributions Plans

Hornsby Shire Council Section 7.11 Contributions Plan 2020-2030 and Section 7.12 Contributions Plan 2019-2029 do not apply to the development.

Section 7.11 of the *Environmental Planning and Assessment Act 1979* states:

- (1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring—
  - (a) the dedication of land free of cost, or
  - (b) the payment of a monetary contribution,or both.

Section 7.12 states:

- (3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.

Development contributions do not apply to the proposed development as it is a public amenity. It does not cause an increase in residential dwellings or commercial gross floor area and does not increase demand for public services, being a public facility itself.

### 3. ENVIRONMENTAL IMPACTS

Section 4.15(1)(b) of the Act requires Council to consider "*the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*".

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**3.1 Natural Environment****3.1.1 Tree and Vegetation Preservation**

The proposed development includes removal of three (3) trees in close proximity to the building footprint.

Council's Tree Management and Park Assets teams have reviewed the application and provided no objection subject to the inclusion of conditions of consent.

**3.1.2 Stormwater Management**

The proposed development will be connected to the existing stormwater infrastructure on the site.

Council's Engineer reviewed the application and raised no objection subject to the inclusion of conditions of consent.

**3.1.3 Waste**

A Waste Management Plan for the handling of demolition and construction waste was submitted with the Development Application.

Council's Waste Management Team reviewed the application and raised no objection subject to the imposition of recommended conditions of consent.

**3.2 Built Environment****3.2.1 Built Form**

Supporting documentation submitted with the application includes an Architectural Design Statement, which details the limitations of the existing facility and the design approach taken to improve the facilities while maintaining the heritage significance of the item. The statement identifies the main issues with the existing building as the entry to the 1920s building is not accessible, the male public toilet is not fit for purpose, the changing room showers and toilets lack accessible and gender inclusive facilities, the kiosk does not comply with food preparation standards, storage is insufficient for cricket and rugby, the clubroom on level one of the 1990s extension is only accessible via stairs, the public toilets are disconnected from the pavilion, there is no scorer's room, a lack of meaningful display area for club memorabilia, and the balcony doors do not allow for wide opening.

The Architectural Design Statement notes that the 1990s extension is not worthy of upgrade, while the 1920s building has heritage value. Rather than demolish the building wholesale, the design approach taken was to demolish the additions and construct a twin pavilion of complimentary modern design. This results in less building and less waste and maintains heritage values.

The design needed to balance public amenity, heritage values, universal access and guidelines for open space and sporting facilities. The twin building approach includes separation of buildings to reinstate the integrity of the 1920s grandstand as a standalone building, following the roof alignment of the original building, and activating the ground plane on all sides of the new building. The new building has a symmetrical floor plan like the original building and provides shelter around the perimeter of the building. The structure comprises a robust ground floor concrete podium with a lightweight prefabricated steel and timber structure above, allowing for material efficiency, fast construction, thermal mass and natural light and ventilation. The roof overhang provides weather protection and shade to the balcony and clubroom, while timber battens shade the western elevation. Solar panels are to be installed to the roof, which has an optimum north-easterly orientation.

The Architectural Design Statement satisfactorily demonstrates how the new pavilion meets the seven principles in the design excellence guidelines issued by the NSW Government Architect: better fit, better performance, better for community, better for people, better working, better value, better look and feel.

The proposed design is high performance and high quality and will deliver improved facilities for the sporting clubs and other users of the park.

Council's Building Surveyor has reviewed the proposal and provided no objection subject to the inclusion of conditions of consent.

### **3.2.2 Construction**

Council's Environmental Protection team have reviewed the application and noted that there was insufficient information with regards to construction and demolition waste management, noting that "detailed demolition and construction management plan is not provided with the application and there are no plans to demonstrate locations of waste storage, construction material storage, stockpile storage etc". However, it was noted that this can be required through a condition of consent.

### **3.2.3 Traffic**

No traffic and parking assessment was submitted with the proposed development. Given that the pavilion redevelopment is to cater for existing users of the park - NDCC in summer and HRC in winter - it is not expected that the development in and of itself will increase traffic movements to and from the site.

Council's Traffic Branch reviewed the proposal and recommended the DA be approved on traffic and parking grounds.

### **3.2.4 Noise**

An acoustic assessment accompanies the Development Application, which assesses use of the kiosk and mechanical plant, plus use of the club room until midnight with a capacity of 160 people. Council's Environmental Protection Team have reviewed the submitted information including the Operational Management Plan and support the proposal subject to recommended conditions of consent including hours of operation of 7am to 10.30pm.

### **3.3 Social Impacts**

The proposed pavilion redevelopment will improve the standard of sporting facilities in the area. The location is within walking distance of a densely populated area with excellent public transport links, which maximises the accessibility of the new facility. The design of the new pavilion is of a very high standard and will enhance the visual amenity of the park for other users of the park who may not be members of the sports clubs that utilise the pavilion.

## **4. SITE SUITABILITY**

Section 4.15(1)(c) of the Act requires Council to consider "*the suitability of the site for the development*".

The subject site has not been identified as bushfire prone or flood prone land. The site has been used as a recreation facility for over 100 years and is considered to be capable of accommodating the proposed development. The scale of the proposed development is consistent with the capability of the site and is considered acceptable.

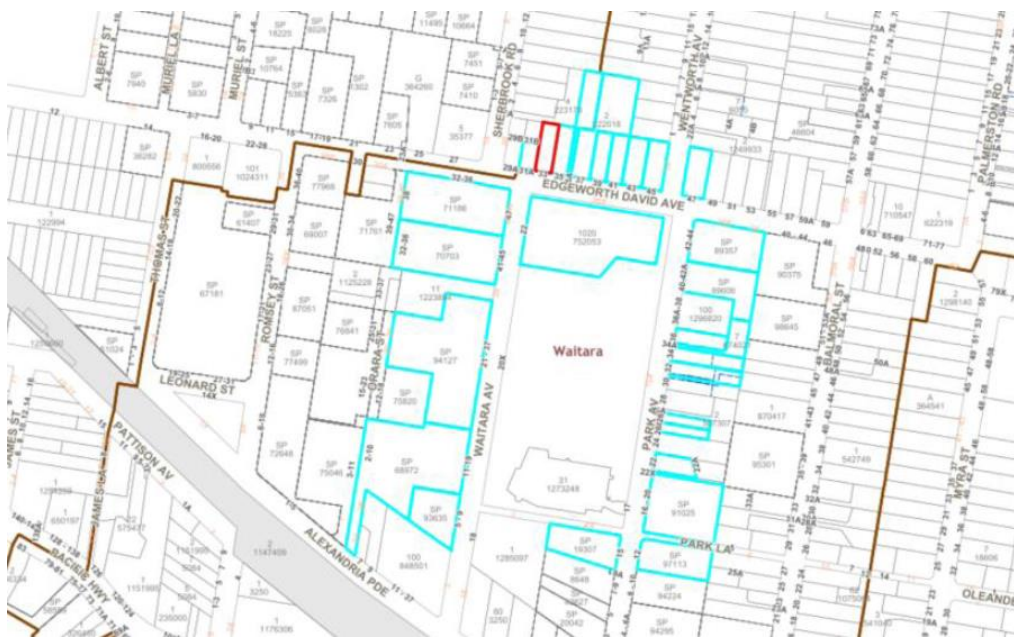


**5. PUBLIC PARTICIPATION**

Section 4.15(1)(d) of the Act requires Council to consider “any submissions made in accordance with this Act”.

**5.1 Community Consultation**

The proposed development was placed on public exhibition and was notified to adjoining and nearby landowners between 15 January and 12 February 2024 in accordance with the Hornsby Community Engagement Plan. During this period, Council received no submissions. The map below illustrates the location of nearby landowners that were notified of the development application.



**NOTIFICATION PLAN**

<b>PROPERTIES NOTIFIED</b>	<b>NO SUBMISSIONS RECEIVED</b>	
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**5.2 Public Agencies**

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

**6. THE PUBLIC INTEREST**

Section 4.15(1)(e) of the Act requires Council to consider “the public interest”.

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

The application is considered to have satisfactorily addressed Council’s criteria and would provide a development outcome that, on balance, would result in a positive impact for the community.

Octagon Planning

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Accordingly, it is considered that the approval of the proposed development would be in the public interest.

**CONCLUSION**

The application proposes redevelopment of the cricket pavilion at Mark Taylor Oval in Waitara Park.

The development generally meets the desired outcomes of Council's planning controls and is satisfactory having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Having regard to the circumstances of the case, approval of the application is recommended.

The reasons for this decision are:

- The proposed development complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development is consistent with the Waitara Park Plan of Management and associated Masterplan.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, solar access, amenity or privacy.

*Note: At the time of the completion of this planning report, no persons have made a Political Donations Disclosure Statement pursuant to Section 10.4 of the Environmental Planning and Assessment Act 1979 in respect of the subject planning application.*

**ATTACHMENT 1 - ITEM 1**

# Draft Conditions of Consent

## GENERAL CONDITIONS

Condition					
<b>1.</b>	<b>Approved Plans and Supporting Documentation</b>				
	The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:				
	<i>Approved Plans</i>				
	<b>Plan No.</b>	<b>Plan Title</b>	<b>Drawn by</b>	<b>Dated</b>	
				<b>Council Reference</b>	
	A000	Cover Page	Archer Office	15/11/2023	
	A020	Demolition Plan – Ground Floor	Archer Office	15/11/2023	
	A021	Demolition Plan – Level One	Archer Office	15/11/2023	
	A050	Staging Plan	Archer Office	No date	
	A100	Site Plan	Archer Office	15/11/2023	
	A101	Ground Floor Plan	Archer Office	15/11/2023	
	A102	Level One Plan	Archer Office	15/11/2023	
	A103	Roof Plan	Archer Office	15/11/2023	
	A201	North East and South East Elevations	Archer Office	15/11/2023	
	A202	South West and North West Elevations	Archer Office	15/11/2023	
	A301	Section AA and BB	Archer Office	15/11/2023	
	<i>Supporting Documentation</i>				
	<b>Document Title</b>	<b>Prepared by</b>	<b>Dated</b>	<b>Council Reference</b>	
	Schedule of Materials	Archer Office	15/11/2023	D08792483	
	Survey Plan Sheets 1 to 4	LTS	18/09/2023	D08792491	
	DA Accessibility Report Ref: 23000734	MBC Group	30/11/2023	D08792413	
	DA Acoustic Assessment Ref: 20230871.1/0812A/R1/WY	Acoustic Logic	08/12/2023	D08792420	
	Arboricultural Impact Assessment Rev C	Birds Tree Consultancy	26/2/2024	D08831896	
	Hazardous Building Materials Survey 65832/155,034 (Rev 0)	JBS&G	16/10/2023	D08792490	
	Statement of Heritage Impact Job No. 10069-R1	Heritage 21	08/12/2023	D08792475	

Dwg No. LA.01 Landscape Plan Rev C	Hornsby Shire Council	11/12/2023	D08792476
Section J Report Job No. P231014 Rev 1	Evolved Engineering	08/12/2023	D08792484
Stormwater Management Plan	Enscape Studio	10/10/2023	D08792489
Construction & Demolition Waste Management Plan Rev E	Elephants Foot	26/2/2024	D08831897
Operational Management Plan	Northern Districts Cricket Club	April 2024	D08860736
Operational Waste Management Plan Rev H	Elephants Foot	26/02/2024	D08831894

*Reason: To ensure all parties are aware of the approved plans and supporting documentation that apply to the development.*

## 2. Staged Development

The development is to be staged in accordance with the approved Staging Plan (A050) prepared by Archer Office, undated.

*Reason: To ensure all parties are aware of the staging of the development.*

## 3. Construction Certificate

1. A Construction Certificate is required to be approved by Council or a Principal Certifier prior to the commencement of any construction works under this consent.
2. The Construction Certificate plans must be consistent with the Development Consent plans.

*Reason: To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation.*

## 4. Removal of Trees

1. This development consent permits the removal of trees numbered T8, T9, T10 as identified on page 23 of Appendix D contained in the Arboricultural Impact Assessment Rev C prepared by Birds Tree Consultancy dated 26 February 2024.
2. No consent is granted for the removal of trees numbered T1, T2, T3, T4, T5, T6, T7, T11, T12, T13 as these trees contribute to the established landscape amenity of the area/streetscape.

*Note: The removal of any other trees from the site requires separate approval by Council in accordance with Part 1B.6 Tree and Vegetation Preservation of the Hornsby Development Control Plan, 2013.*

*Reason: To identify only those trees permitted to be removed.*

## 5. Tree Pruning

1. This development consent only permits the pruning of tree numbered T2 as identified in the Tree Location Plan Page 23 of the Arboricultural Impact Report Rev C prepared by Birds Tree Consultancy dated 26 February 2024.
2. Works can be undertaken in the form of canopy modification as follows:

Tree number	Work prescribed
T2	Remedial pruning is recommended to Tree 2 to remove long branch stubs left from previous pruning to minimise epicormic growth.

a. All specified pruning works must be less than 10 percent.

b. All pruning work must be undertaken by an arborist with minimum AQF3 qualifications.

*Note: The pruning of any other trees from the site requires separate approval by Council in accordance with Part 1B.6 Tree and Vegetation Preservation of the Hornsby Development Control Plan 2013.*

*Reason: To minimise the impact on trees to be retained.*

**DEMOLITION WORK  
BEFORE DEMOLITION WORK COMMENCES**

Condition
<p><b>6. Notice of Commencement for Demolition</b></p> <p>At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:</p> <ol style="list-style-type: none"> <li>1. Name</li> <li>2. Address,</li> <li>3. Contact telephone number,</li> <li>4. Licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor,</li> <li>5. The contact telephone number of council and</li> <li>6. The contact telephone number of SafeWork NSW (4921 2900).</li> </ol> <p><i>Note: The written notice to Council can be sent to <a href="mailto:devmail@hornsby.nsw.gov.au">devmail@hornsby.nsw.gov.au</a>.</i></p> <p><i>Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries.</i></p>
<p><b>7. Asbestos Removal Signage</b></p> <p>Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.</p> <p><i>Reason: To alert the public to any danger arising from the removal of asbestos.</i></p>

**DURING DEMOLITION WORK**

Condition	
<b>8. Demolition</b>	<p>To protect the surrounding environment, all demolition work must be carried out in accordance with Australian Standard AS2601-2001 Demolition of structures and the following requirements:</p> <ol style="list-style-type: none"> <li>1. Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan; and</li> <li>2. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by SafeWork NSW in accordance with the Work Health and Safety Regulation 2017 and be appropriately transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014; and</li> <li>3. On construction sites where any building contains asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and measuring not less than 400mm x 300mm must be displayed in a prominent position visible from the street.</li> </ol> <p><i>Reason: To ensure the appropriate removal and disposal of demolition materials.</i></p>

**ON COMPLETION OF DEMOLITION WORK**

Condition	
<b>9. Asbestos Clearance Certificate</b>	<p>Should any asbestos be encountered during demolition or construction works, a licenced asbestos assessor is required to provide a Clearance Certificate to the Principal Certifier prior to the issue of an Occupation Certificate, certifying that the asbestos has been removed and appropriately disposed of, and the site is now suitable for its approved use.</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials and the site is suitable for its approved use.</i></p>

**BUILDING WORK****BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

Condition	
<b>10. Heritage Interpretation Plan</b>	<p>An Interpretation Plan for Waitara Park and the original grandstand building must be prepared and submitted to Council's Heritage Planner (<a href="mailto:devmail@hornsby.nsw.gov.au">devmail@hornsby.nsw.gov.au</a>) for review and written approval in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. The plan is to be prepared by a suitably qualified and experienced heritage practitioner and respond to the interpretative design principles of the <a href="#">Hornsby Shire Council Heritage</a></li> </ol>

<p><a href="#">Interpretation Strategy and Action Plan.</a></p> <p>2. The plan must detail how information on the history and significance of the site will be provided for the public and specify the location, type, marking materials and contents of the interpretation being proposed.</p> <p><i>Reason: To provide information to the public regarding the heritage values of the site.</i></p>
<p><b>11. Building Code of Australia</b></p> <p>Detailed plans, specifications and supporting information is required to be submitted to the certifying authority detailing how the proposed building work achieves compliance with the National Construction Code - Building Code of Australia. All building work must be carried out in accordance with the requirements of the National Construction Code - Building Code of Australia.</p> <p><i>Reason: Prescribed condition - EP&amp;A Regulation section 69(1).</i></p>
<p><b>12. Fire Safety Schedule</b></p> <p>A schedule of all proposed essential fire safety measures to be installed in the building (e.g. hydrants, hose reels, emergency warning systems etc.) shall be submitted with the construction certificate application. The schedule shall distinguish between existing and proposed fire safety measures.</p> <p><i>Reason: To ensure all fire safety measures are identified to protect life and property.</i></p>
<p><b>13. Sydney Water – Approval</b></p> <p>This application must be submitted to Sydney Water for approval to determine whether the development would affect any Sydney Water infrastructure, and whether further requirements are to be met.</p> <p><i>Note: Building plan approvals can be obtained online via Sydney Water Tap In™ through <a href="http://www.sydneywater.com.au">www.sydneywater.com.au</a> under the Building and Development tab.</i></p> <p><i>Reason: To ensure the development is provided with the relevant utility services.</i></p>
<p><b>14. Identification of Survey Marks</b></p> <p>A registered surveyor must identify all survey marks in the vicinity of the proposed development. Any survey marks required to be removed or displaced as a result of the proposed development shall be undertaken by a registered surveyor in accordance with Section 24 (1) of the <i>Surveying and Spatial Information Act 2002</i> and following the Surveyor General's Directions No.11 Preservation of Survey Infrastructure.</p> <p><i>Reason: To identify and protect the State's survey infrastructure.</i></p>
<p><b>15. Stormwater Drainage</b></p> <p>The stormwater drainage system for the development must be designed for an average recurrence interval (ARI) of 20 years and be gravity drained in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. Connected to the existing internal drainage system.</li> <li>2. The stormwater drainage system must be designed by a qualified hydraulic engineer.</li> </ol>

<i>Reason: To ensure appropriate provision for management and disposal of stormwater.</i>	
<b>16. Appointment of a Project Arborist</b>	<p>To ensure the trees that must be retained are protected, a project arborist with AQF Level 5 qualifications must be appointed to assist in ensuring compliance with the conditions of consent and provide monitoring reports as specified by the conditions of consent.</p> <p>Details of the appointed project arborist must be submitted to Council and the Principal Certifier with the application for the construction certificate.</p> <p><i>Note: Copies of monitoring documentation may be requested throughout the development works and final certification is required prior to issue of the occupation certificate.</i></p> <p><i>Reason: To ensure appropriate monitoring of tree(s) to be retained.</i></p>
<b>17. Demolition and Construction Management Plan</b>	<p>To assist in the protection of the public, the environment and Council's assets, a separate Demolition and Construction Management Plan must be prepared by a suitably qualified environmental consultant in consultation with a qualified traffic engineer and AQF 5 arborist and submitted to Council's Compliance Team via Council's Online Services Portal for review and written approval.</p> <p>The Plan must include the following details:</p> <ol style="list-style-type: none"> <li>1. Description of the works <ol style="list-style-type: none"> <li>a. A description of the scope of works for all stages of development.</li> <li>b. Site plans for all stages of works including the location of site sheds, concrete pump, and crane locations, unloading, and loading areas, waste and storage areas, existing survey marks, vehicle entry, surrounding pedestrian footpaths and hoarding (fencing) locations.</li> <li>c. The plans shall be in accordance with all other plans submitted to Council as part of this development proposal.</li> <li>d. A statement confirming that no building materials, work sheds, vehicles, machines, or the like shall be allowed to remain in the road reserve area without the written consent of Hornsby Shire Council.</li> <li>e. If there is a requirement to obtain a Work Zone, Out of Hours permit, partial Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Hornsby Shire Council will be made to obtain such a permit.</li> <li>f. The Plan must state that the applicant and all employees of contractors on the site must obey any direction or notice from the Prescribed Certifying Authority or Hornsby Shire Council in order to ensure the above.</li> <li>g. The Plan must detail all responsible parties ensuring compliance with the document and include the contact information for developers, builder, principal certifier, and any emergency details during and outside work hours.</li> </ol> </li> <li>2. A Demolition and Construction Traffic Management Plan including the following: <ol style="list-style-type: none"> <li>a. The order of construction works and arrangement of all construction machines and vehicles being used during all stages.</li> <li>b. The plans shall be in accordance with all other plans submitted to Council as part of this</li> </ol> </li> </ol>



development proposal.

- c. The Plan shall be in compliance with the requirements of the Roads and Maritime Services *Traffic control at work sites Manual 2018* and detail:
    - i. Public notification of proposed works.
    - ii. Long term signage requirements.
    - iii. Short term (during actual works) signage.
    - iv. Vehicle Movement Plans, where applicable.
    - v. Traffic Management Plans.
    - vi. Pedestrian and Cyclist access and safety.
  - d. Traffic controls including those used during non-working hours. Pedestrian access and two-way traffic in the public road must be able to be facilitated at all times.
  - e. Details of parking arrangements for all employees and contractors, including layover areas for large trucks during all stages of works. The parking or stopping of truck and dog vehicles associated with the development will not be permitted other than on the site and the plan must demonstrate this will be achieved.
  - f. Proposed truck routes to and from the site including details of the frequency of truck movements for all stages of the development.
  - g. Swept path analysis for ingress and egress of the site for all stages of works.
  - h. The total quantity and size of trucks for all importation and exportation of fill on site throughout all stages of works, and a breakdown of total quantities of trucks for each stage of works.
  - i. The number of weeks trucks will be accessing and leaving the site with excavated or imported fill material.
  - j. The maximum number of trucks travelling to and from the site on any given day for each stage of works.
  - k. The maximum number of truck movements on any given day during peak commuting periods for all stages of works.
  - l. If there is a requirement to obtain a Work Zone, Out of Hours permit, partial Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Hornsby Shire Council will be made to obtain such a permit.
3. A Construction Waste Management Plan detailing the following:
- a. A table of information detailing cut and in-situ fill calculations for all stages for works. The table must include specified dimensions (WxLxD) and total cubic metres.
  - b. Details of the importation or excavation of soil and fill, the classification of the fill, disposal methods and authorised disposal depots that will be used for the fill.
  - c. A scaled site plan including levels of the extent of cut and fill on the site, forming part of the proposed development.
  - d. Asbestos management requirement and procedures for removal and disposal from the site in accordance with AS 2601–2001 – ‘The Demolition of Structures’, and the Protection of the Environment Operations (Waste) Regulation 2005.

<p>e. General construction waste details including construction waste skip bin locations and litter management for workers.</p> <p>4. A Tree Protection Plan (TPP) prepared by an AQF 5 Arborist in accordance with any approved Arboricultural Impact Assessment and tree location plans, detailing the following:</p> <p>a. A site plan showing tree protection zones (TPZ) and structural root zones (SRZ) of trees to be retained and specific details of tree protection measures inclusive of distances (in metres) measured from tree trunks.</p> <p>b. Construction methodology to avoid damage to trees proposed to be retained during construction works.</p> <p>c. Specifications on tree protection materials used and methods within the TPZ or SRZ.</p> <p>d. Location of dedicated material storage space on site outside of TPZ's and SRZ's for retained trees.</p> <p>5. An Erosion and Sediment Control Plan (ESCP) that describes all erosion and sediment controls to be implemented in accordance with the publication Managing Urban Stormwater: Soils &amp; Construction (4<sup>th</sup> Edition), which includes:</p> <p>a. A site survey which identifies contours and approximate grades and the direction(s) of fall.</p> <p>b. Locality of site and allotment boundaries.</p> <p>c. Location of adjoining road(s) and all impervious surfaces.</p> <p>d. Location of site access and stabilisation of site access.</p> <p>e. Provision for the diversion of run off around disturbed areas.</p> <p>f. Location of material stockpiles.</p> <p>g. Proposed site rehabilitation and landscaping; staging of construction works.</p> <p>h. Maintenance program for erosion and sediment control measures.</p> <p>i. Provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site)</p> <p>6. The CMP must detail all responsible parties ensuring compliance with the document and include the contact information for developers, builder, principal certifier, and any emergency details during and outside work hours.</p> <p><i>Note: The CMP must be lodged via Council's Online Services Portal at: <a href="https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx">https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx</a> and by selecting the following menu options: Applications &gt; New Applications &gt; Under 'Application Types': Management Plans.</i></p> <p><i>Reason: To document construction measures to protect the public and the surrounding environment.</i></p>
<p><b>18. Waste Management Details</b></p> <p>The following waste management requirements must be complied with:</p> <ol style="list-style-type: none"> <li>1. All bin carting routes must be devoid of steps.</li> <li>2. All bin carting routes must be an accessible path of travel in accordance with AS1428 Design and access for mobility.</li> </ol>

3. The proposed additional bin storage enclosure or a temporary bin enclosure must be constructed prior to demolition of the timber fence bin storage enclosure.
  4. An adequate supply of water and hose cock in a position where it cannot be damaged must be provided near the additional bin storage enclosure.
  5. The additional bin storage enclosure must provide screening of the bins to a height of no less than 1.5m. Screening must not rely on the growth of plants; however plantings may supplement it. The bin enclosure must be in character with the development and blend in with the building design and landscaping in terms of appearance, materials, bulk and scale, location and orientation.
  6. The floor of the additional bin storage must be constructed of concrete and finished so that it is non-slip, sealed and impervious.
  7. The driveway pavement must be designed and constructed to accommodate tyre drag and scuffing and to carry the load of a heavy rigid vehicle.
- Reason: to ensure all necessary infrastructure is provided for the efficient and effective management of waste for the full operational life of the development.*

**BEFORE BUILDING WORK COMMENCES**

	Condition
<b>19. Site Sign</b>	<ol style="list-style-type: none"> <li>1. A sign must be erected in a prominent position on any site on which any approved work involving excavation, erection or demolition of a building is being carried out detailing:                             <ol style="list-style-type: none"> <li>a. The name, address, and telephone number of the Principal Certifier,</li> <li>b. The name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and</li> <li>c. Unauthorised entry to the work site is prohibited.</li> </ol> </li> <li>2. The sign must be maintained during excavation, demolition and building work is being carried out and must be removed when the work has been completed.</li> </ol> <p><i>Reason: Prescribed condition EP&amp;A Regulation, section 70(2) and (3).</i></p>
<b>20. Protection of Adjoining Areas</b>	<p>A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:</p> <ol style="list-style-type: none"> <li>1. Could cause a danger, obstruction, or inconvenience to pedestrian or vehicular traffic.</li> <li>2. Could cause damage to adjoining lands by falling objects; and/or</li> <li>3. Involve the enclosure of a public place or part of a public place; and/or</li> <li>4. Have been identified as requiring a temporary hoarding, fence, or awning within the Council approved Construction Management Plan (CMP).</li> </ol> <p><i>Note: Notwithstanding the above, Council's separate written approval is required prior to the</i></p>

<p><i>erection of any structure or other obstruction on public land.</i></p> <p><i>Reason: To ensure public safety and protection of adjoining land.</i></p>	
<p><b>21. Toilet Facilities</b></p>	<p>1. To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.</p> <p>2. Each toilet must:</p> <ol style="list-style-type: none"> <li>a. Be a standard flushing toilet connected to a public sewer; or</li> <li>b. Be a temporary chemical closet approved under the <i>Local Government Act 1993</i>; or</li> <li>c. Have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>.</li> </ol> <p><i>Reason: To ensure adequate toilet facilities are provided.</i></p>
<p><b>22. Erosion and Sediment Control Measures</b></p>	<p>Install and maintain adequate sediment and erosion control measures for the duration of all works, until such a time that sediment, sediment laden water or any other material/substance can no longer migrate from the premises. The measures are to be installed and maintained in such a manner as to prevent sediment, sediment-laden water, or any other materials and substances migrating from the site onto neighbouring land, the roadway, waters and/or into the stormwater system, and in accordance with:</p> <ol style="list-style-type: none"> <li>1. The publication <i>Managing Urban Stormwater: Soils and Construction 2004</i> (4th edition) – ‘The Blue Book’.</li> <li>2. <i>Protection of the Environment Operations Act 1997</i>; and</li> <li>3. The approved plans</li> </ol> <p>Controls are to be monitored and adjusted where required throughout the works to ensure compliance with the above.</p> <p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning. If you are unsure how to achieve compliance with this condition during works, you may need to engage the services of a suitably qualified environmental, soil or geotechnical consultant to assist.</i></p> <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>
<p><b>23. Garbage receptacle</b></p>	<ol style="list-style-type: none"> <li>1. A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.</li> <li>2. The garbage receptacle must have a tightfitting lid and be suitable for the reception of food scraps and papers.</li> <li>3. The receptacle lid must be kept closed at all times, other than when garbage is being deposited.</li> <li>4. Food scraps must be placed in a garbage receptacle and not in demolition and construction waste bins.</li> </ol>

<i>Reason: to protect wildlife from injury by preventing foraging in building waste, and to ensure putrescible waste is disposed of appropriately.</i>	
<b>24. Waste Management Details</b>	<p>The following waste management requirements must be complied with:</p> <ol style="list-style-type: none"> <li>1. The construction security fence/hoarding must not block or impede access to the bin storage area used by the PCYC.</li> </ol> <p><i>Reason: to ensure on-going waste management is not impeded by construction works.</i></p>
<b>25. Garbage receptacle</b>	<ol style="list-style-type: none"> <li>1. A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.</li> <li>2. The garbage receptacle must have a tightfitting lid and be suitable for the reception of food scraps and papers.</li> <li>3. The receptacle lid must be kept closed at all times, other than when garbage is being deposited.</li> <li>4. Food scraps must be placed in a garbage receptacle and not in demolition and construction waste bins.</li> </ol> <p><i>Reason: to protect wildlife from injury by preventing foraging in building waste, and to ensure putrescible waste is disposed of appropriately.</i></p>
<b>26. Installation of Tree Protection Measures</b>	<ol style="list-style-type: none"> <li>1. Trees to be retained and numbered T1, T2, T3, T4, T5, T6, T7, T11, T12, T13 as identified on the Tree Location Plan Page 23 of the Arboricultural Impact Report Rev C prepared by Birds Tree Consultancy dated 26 February 2024 must have tree protection measures for the ground, trunk and canopy installed by the project arborist as follows: <ol style="list-style-type: none"> <li>a. For the duration of demolition works, in accordance with the Tree Protection Plan Page 23 of the Arboricultural Impact Report Rev C prepared by Birds Tree Consultancy dated 26 February 2024.</li> <li>b. For the duration of construction works, in accordance with Tree Protection Plan Page 23 of the Arboricultural Impact Report Rev C prepared by Birds Tree Consultancy dated 26 February 2024.</li> </ol> </li> <li>2. Tree protection fencing for the trees to be retained numbered T1, T2, T3, T4, T5, T6, T7, T11, T12, T13 must be installed by the engaged AQF 5 project arborist and consist of 1.8m high temporary fencing panels installed in accordance with Australian Standard AS4687-2007 Temporary fencing and hoardings.</li> <li>3. The installation of all required tree protection fencing must include shade cloth attached to the fencing to reduce transport of dust, particulates, and liquids from entering the tree protection zone.</li> <li>4. Tree crown protection measures are required and must be installed by the AQF 5 project arborist.</li> <li>5. The circumference of the trunk(s) must be wrapped in hessian material to provide cushioning for</li> </ol>

the installation of timber planks.  
*Reason: To minimise impacts on the water quality of the downstream environment.*

**DURING BUILDING WORK**

Condition	
<b>27. Hours of Work</b>	<p>1. All work on site (including, demolition, construction, earth works and removal of vegetation), must only occur between 7am and 5pm Monday to Saturday.</p> <p>2. No work is to be undertaken on Sundays or public holidays.</p> <p><i>Reason: To protect the amenity of neighbouring properties.</i></p>
<b>28. Environmental Management (Air Pollution)</b>	<p>The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. During construction, the Applicant must ensure that:</p> <ol style="list-style-type: none"> <li>Exposed surfaces and stockpiles are suppressed by regular watering.</li> <li>All trucks entering or leaving the site with loads have their loads covered.</li> <li>Trucks associated with the development do not track dirt onto the public road network.</li> <li>Public roads used by these trucks are kept clean; and</li> <li>Land stabilisation works are carried out progressively on site to minimise exposed surfaces.</li> </ol> <p><i>Reason: To minimise impacts to the natural environment and public health.</i></p>
<b>29. Street Sweeping</b>	<ol style="list-style-type: none"> <li>During works (including remediation, demolition, earth works and construction) and until exposed ground surfaces across the site have been stabilised, street sweeping must be undertaken following sediment tracking from the site.</li> <li>The street cleaning service must utilise a 'scrub and dry' method and be undertaken for the full extent of any sediment tracking.</li> </ol> <p><i>Note: The above Item does not permit for sediment and/or any other materials/substances to exit the site in a way that constitutes water pollution as defined in the Protection of the Environment Operations Act 1997 or in a manner that contravenes other conditions in this consent. The directions under this condition, however, serve to prevent further water pollution from occurring.</i></p> <p><i>Reason: To minimise impacts to the natural environment.</i></p>
<b>30. Council Property</b>	<p>To ensure that the public reserve is kept in a clean, tidy, and safe condition during demolition and construction works, no building materials, waste, machinery, or related matter is to be stored on the road or footpath.</p> <p><i>Note: This consent does not give right of access to the site via Council's park or reserve. Should</i></p>

<p><i>such access be required, separate written approval is to be obtained from Council.</i></p> <p><i>Reason: To protect public land.</i></p>	
<p><b>31. Soil Management (Excavation and Fill)</b></p>	<p>While site work is being carried out, the Principal Certifier or Council (where a principal certifier is not required) must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the Principal Certifier or Council (where a principal certifier is not required).</li> <li>2. Tipping dockets for the total volume of excavated material that are received from the licensed waste management facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate.</li> <li>3. Prior to fill material being imported to the site, a Waste Classification Certificate shall be obtained from a suitably qualified environmental consultant confirming all fill material imported to the site must be: <ol style="list-style-type: none"> <li>a. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>, or</li> <li>b. A material identified as being subject to a resource recovery exemption by the NSW EPA, or</li> <li>c. A combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ol> </li> <li>4. The required Waste Classification Certificate must be provided to the Principal Certifier prior to fill being imported to the site and made available to Council at its request.</li> </ol> <p><i>Reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</i></p>
<p><b>32. Maintenance of Public Footpaths</b></p>	<p>Public footpaths must be maintained for the duration of works to ensure they are free of trip hazards, displacements, breaks or debris to enable pedestrians to travel along the footpath safely.</p> <p><i>Reason: To maintain safe pedestrian movement.</i></p>
<p><b>33. Compliance with Construction Management Plan</b></p>	<p>The Council approved Construction Management Plan must be complied with for the duration of works, unless otherwise approved by Council.</p> <p><i>Reason: To ensure implementation of construction measures to protect the public and the surrounding environment.</i></p>

<p><b>34. Disturbance of Existing Site</b></p> <p>During construction works, the existing ground levels of open space areas and natural landscape features, including natural rock-outcrops, vegetation, soil, and watercourses must not be altered unless otherwise nominated on the approved plans.</p> <p><i>Reason: To protect the natural features of the site.</i></p>
<p><b>35. Prohibited Actions within the Fenced Tree Protection Zone</b></p> <p>The following activities are prohibited within the approved fenced tree protection zones unless otherwise approved by Council:</p> <ol style="list-style-type: none"> <li>1. Soil cutting or filling, including excavation and trenching.</li> <li>2. Soil cultivation, disturbance, or compaction</li> <li>3. Stockpiling storage or mixing of materials</li> <li>4. The parking, storing, washing, and repairing of tools, equipment, and machinery.</li> <li>5. The disposal of liquids and refuelling</li> <li>6. The disposal of building materials</li> <li>7. The siting of offices or sheds</li> <li>8. Any action leading to the impact on tree health or structure.</li> </ol> <p><i>Reason: To protect trees during construction.</i></p>
<p><b>36. Maintaining the Health of Trees Approved for Retention</b></p> <p>The appointed project arborist must monitor and record any and all necessary actions required to maintain tree health and condition for trees on the approved plans.</p> <p><i>Reason: To ensure appropriate monitoring of tree(s) to be retained.</i></p>
<p><b>37. Maintaining Tree Protection Measures</b></p> <p>Tree Protection Measures must be maintained by the project arborist for the duration of works.</p> <p><i>Reason: To protect trees during construction.</i></p>
<p><b>38. Approved Works within Tree Protection Zone incursions</b></p> <ol style="list-style-type: none"> <li>1. Where tree root pruning is required for the installation of piers, driveway or underground services, the pruning must be overseen by the AQF 5 project arborist and must be undertaken as follows:             <ol style="list-style-type: none"> <li>a. Using sharp secateurs, pruners, handsaws, or chainsaws with the final cut being clean.</li> <li>b. The maximum diameter of roots permitted to be cut is 30 mm.</li> </ol> </li> <li>2. To minimise impacts within the Tree Protection Zone (TPZ) of trees numbered T1, T2, T3, T4, T5, T6, T7, T11, T12, T13 on the approved plans, the installation of services must be undertaken as follows:             <ol style="list-style-type: none"> <li>a. The AQF 5 project arborist must be present to oversee the installation of any</li> </ol> </li> </ol>



<p>underground services which enter or transect the tree protection.</p> <p>b. The installation of any underground services which either enter or transect the designated TPZ must utilise directional drilling only.</p> <p>OR</p> <p>c. The installation of any underground services which either enter or transect the designated TPZ must be undertaken manually.</p> <p>d. For manually excavated trenches the AQF 5 project arborist must designate roots to be retained. Manual excavation may include the use of pneumatic and hydraulic tools.</p> <p><i>Reason: To protect trees during construction.</i></p>
<p><b>39. Building Materials and Site Waste</b></p> <p>The stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, wastewater or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent of any tree to be retained.</p> <p><i>Reason: To protect trees during construction.</i></p>
<p><b>40. Unexpected Finds</b></p> <p>Should the presence of asbestos or soil contamination, not recognised during the application process be identified during any stage of works, the applicant must immediately notify the Principal Certifier and Council (compliance@hornsby.nsw.gov.au).</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials.</i></p>
<p><b>41. Compliance with Acoustic Report</b></p> <p>All construction control measures nominated in section 5.3.2 of the DA Acoustic Assessment Ref: 20230871.1/0812A/R1/WY, prepared by Acoustic Logic, dated 8 December 2023 must be implemented.</p> <p><i>Reason: To ensure the operational measures implemented protect the amenity of the local area.</i></p>
<p><b>42. Erosion and Sediment Control</b></p> <p>1. Works are not to result in the discharge of sediment and or run-off onto the adjoining properties or public land.</p> <p>2. The person having the benefit of this consent must ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site.</p> <p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.</i></p> <p><i>Reason: To minimise impacts on neighbouring properties and public land.</i></p>
<p><b>43. Soil and Water Management (Stockpiles)</b></p> <p>1. Stockpiles of topsoil, sand, aggregate, soil or other material shall be protected with adequate sediment controls and must not be located on any drainage line or easement, natural watercourse, footpath or roadway.</p> <p>2. The storage of stockpiled topsoil, sand, aggregate, soil or other materials must not result in the</p>

discharge of sediment or run-off onto the adjoining properties or public land.

*Reason: To minimise impacts on the water quality of the downstream environment.*

#### 44. Storage and Removal of Waste

1. All demolition and/or construction waste must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.
2. All garbage and recyclable materials generated during work must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.

*Reason: To ensure the site is maintained to an appropriate standard cleanliness and prevent any nuisance or danger to health, safety or the environment.*

#### 45. Waste Management Details

Requirements of the approved Waste Management Plan shall be complied with during all site preparation works, demolition and throughout all construction works. When implementing the Waste Management Plan, the developer is to ensure:

1. The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the *Protection of Environment Operations Act 1997*
2. All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the *Protection of Environment Operations Act 1997*
3. Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by SafeWork NSW
4. All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it
5. All materials and resources that are to be stored on site during construction works are contained on the site. The provisions of the *Protection of Environment Operations Act 1997* must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses
6. The storage of waste and recycling containers must be within the boundaries of the development site at all times and should be secured within hoarding. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works
7. Additionally, written records of the following items must be maintained during the removal of any waste from the site and such information submitted to the Principal Certifying Authority within fourteen days of the date of completion of the works:
  - a. The identity of the person removing the waste.
  - b. The waste carrier vehicle registration.
  - c. Date and time of waste collection.
  - d. A description of the waste (type of waste and estimated quantity).

<p>e. Details of the site to which the waste is to be taken.</p> <p>f. The corresponding weighbridge tip docket/receipt from the site to which the waste is transferred (noting date and time of delivery, description (type and quantity) of waste).</p> <p>g. Whether the waste is expected to be reused, recycled or go to landfill.</p> <p><i>Note: In accordance with the Protection of the Environment Operations Act 1997, the definition of waste includes any unwanted substance, regardless of whether it is reused, recycled or disposed to landfill.</i></p> <p>8. From the commencement of works on site, until such time as the final occupation certificate is issued, the applicant is required to monitor the construction area and the immediate vicinity regularly for litter and illegal dumping. The applicant is to arrange removal of said material where required to avoid contamination of waterways and bushland as well as mitigating any further instances or compounding of illegal dumping.</p> <p>9. The on-going collection of waste from occupied buildings (both on-site and elsewhere) must not be impeded by construction works.</p> <p>10. Access to the bin storage bay used by the PCYC must not be obstructed at any time.</p> <p>11. Hoarding/construction security fence, demolition and construction waste, construction materials, skip bins, work vehicles or any other obstacle must not block or impede access to the bin storage used by the PCYC and must not prevent or impede on-going waste collection services from taking place.</p> <p><i>Reason: to ensure waste is efficiently and effectively managed during the demolition and construction stages of the development</i></p>
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**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

Condition
<p><b>46. Damage to Council Assets</b></p> <p>To protect public property and infrastructure, any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with AUS-SPEC Specifications (<a href="http://www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions">www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions</a>). Rectification works must be undertaken prior to the issue of an Occupation Certificate, or sooner, as directed by Council.</p> <p><i>Reason: To ensure public infrastructure and property is maintained.</i></p>
<p><b>47. Certification of Acoustic Measures</b></p> <p>Before the issue of an occupation certificate, a suitably qualified person must provide a compliance report to the Principal Certifier and Council demonstrating that the acoustic measures have been installed in accordance with the recommendations of the DA Acoustic Assessment Ref: 20230871.1/0812A/R1/WY, prepared by Acoustic Logic, dated 8 December 2023.</p> <p><i>Reason: To protect the amenity of the local area.</i></p>

<p><b>48. Preservation of Survey Marks</b></p> <p>A certificate by a Registered Surveyor must be submitted to the Principal Certifying Authority, certifying that there has been no removal, damage, destruction, displacement or defacing of the existing survey marks in the vicinity of the proposed development or otherwise the re-establishment of damaged, removed, or displaced survey marks has been undertaken in accordance with the Surveyor General's Direction No.11 Preservation of Survey Infrastructure.</p> <p><i>Reason: To protect the State's survey infrastructure.</i></p>
<p><b>49. Construction of Engineering Works</b></p> <p>All engineering works identified in this consent are to be completed and a Compliance Certificate issued prior to the release of the Occupation Certificate.</p> <p><i>Reason: To ensure engineering works are completed.</i></p>
<p><b>50. Completion of landscaping</b></p> <p>A certificate must be provided by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.</p> <p><i>Reason: To ensure landscape works are completed.</i></p>
<p><b>51. Fire Safety Statement – Final</b></p> <p>In accordance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, upon completion of the building, the owner must provide Council with a certificate in relation to each fire safety measure implemented in the building.</p> <p><i>Reason: To ensure all fire safety measures are implemented to protect life and property.</i></p>
<p><b>52. Replacement Tree Requirements</b></p> <ol style="list-style-type: none"> <li>1. The trees approved for removal under this consent, being trees numbered T8, T9, T10 must be offset through replacement planting of a minimum of 3 trees.</li> <li>2. All replacement plantings must be species selected from the 'Trees Indigenous to Hornsby Shire (as of 1 September 2011)' document available for viewing on the Hornsby Council's website <a href="http://www.hornsby.nsw.gov.au/environment/flora-and-fauna/tree-management/indigenous-trees">http://www.hornsby.nsw.gov.au/environment/flora-and-fauna/tree-management/indigenous-trees</a></li> <li>3. The location and size of tree replacement planting must comply with the following: <ol style="list-style-type: none"> <li>a. All replacement trees must be located in either the front or rear setbacks and planted 4 metres or greater from the foundation walls of the approved development.</li> <li>b. The pot size of the replacement trees must be a minimum 45 litres.</li> <li>c. All replacement trees must be a minimum of 3 metres in height.</li> <li>d. All replacement trees must have the potential to reach a mature height greater than 10 metres.</li> </ol> </li> </ol> <p><i>Reason: To ensure replacement planting to maintain tree canopy.</i></p>

<p><b>53. Final Certification</b></p> <p>The AQF 5 Project arborist must submit to the Principal Certifier a certificate that includes the following:</p> <ol style="list-style-type: none"> <li>1. All tree protection requirements complied with the as approved tree protection plan for the duration of demolition and/or construction works; and</li> <li>2. All completed works relating to tree protection and maintenance have been carried out in compliance with the conditions of consent and approved plans; and</li> <li>3. Dates, times, and reasons for all site attendance; and</li> <li>4. All works undertaken to maintain the health of retained trees; and</li> <li>5. Details of tree protection zone maintenance for the duration of works.</li> </ol> <p><i>Note: Copies of monitoring documentation may be requested throughout the development works.</i></p> <p><i>Reason: To ensure compliance with tree protection commitments.</i></p>
<p><b>54. Certification of Heritage Interpretation Plan Implementation</b></p> <p>A Certificate prepared by a suitably qualified and experienced heritage practitioner is to be provided to the Principal Certifier (PC) certifying that the approved Interpretation Plan has been implemented prior to the issue of the Occupation Certificate.</p> <p><i>Reason: To ensure information to the public regarding the heritage values of the site are implemented.</i></p>
<p><b>55. Waste Management Details</b></p> <p>The following waste management requirements must be complied with:</p> <ol style="list-style-type: none"> <li>1. Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifier must ensure arrangements are in place for delivery of bins for the ongoing use of the site and for regular scheduled commercial waste collection services to commence within 7 days of occupation.</li> <li>2. A report must be prepared by an appropriately qualified person, certifying the following: <ol style="list-style-type: none"> <li>a. A comparison of the estimated quantities of each demolition and construction waste type against the actual quantities of each waste type. <p><i>Note: Explanations of any deviations to the approved Waste Management Plan is required to be included in this report</i></p> </li> <li>b. That at least 80% of the waste generated during the demolition and construction phase of the development was reused or recycled. <p><i>Note: If the 80% diversion from landfill cannot be achieved in the Construction Stage, the Report is to include the reasons why this occurred and certify that appropriate work practices were employed to implement the approved Waste Management Plan. The Report must be based on documentary evidence such as tipping dockets/receipts from recycling depots, transfer stations and landfills, audits of procedures etc. which are to be attached to the report.</i></p> </li> <li>c. All demolition and construction waste has been taken to site(s) that were lawfully permitted to accept that waste.</li> </ol> </li> </ol>

<p>3. The bin carting routes must be devoid of any steps, lips, wheel stops or any other obstruction.</p> <p><i>Note: Ramps between different levels are acceptable.</i></p> <p>4. The bin carting routes must be smooth hard surface, no less than 1.5m wide (including through any gates or doors) and have a gradient no steeper than 1:14.</p> <p>5. The additional bin storage bay must provide screening of the bins to a height of no less than 1.5m. The bins placed there must not be visible from the public domain.</p> <p>6. The floor of the additional bin storage bay must have a smooth and even surface that is finished so it is non-slip, sealed and impervious, and covered at all intersections. The walls must be finished with smooth faced non-absorbent material capable of being cleaned. The bin storage bay must include artificial lighting and adequate ventilation. The bin storage bay must be provided with a nearby tap with adequate supply of water and hose for cleaning.</p> <p>7. The club room kitchenette must be provided with an indoor waste/recycling cupboard for the interim storage of waste with two separate containers installed, one each for general waste and recyclable materials with sufficient volume for one day.</p> <p><i>Reason: to ensure all necessary infrastructure is provided for the efficient and effective management of waste for the full operational life of the development.</i></p>
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**OCCUPATION AND ONGOING USE**

Condition
<p><b>56. Hours of Operation</b></p> <p>The hours of operation of the premise are restricted to those times listed below:</p> <ol style="list-style-type: none"> <li>1. Monday to Friday 7 am to 8 pm</li> <li>2. Saturday and Sunday 7 am to 10 pm</li> <li>3. All persons including patrons and contractors must have left the premises by 10.30pm on days when an event occurs.</li> </ol> <p><i>Reason: To protect the amenity of the local area.</i></p>
<p><b>57. Number of patrons</b></p> <p>The premises is restricted to a maximum of 50 patrons on the premises at any time.</p> <p><i>Reason: To ensure the operational measures implemented protect the amenity of the local area</i></p>
<p><b>58. Compliance with Plan of Management</b></p> <ol style="list-style-type: none"> <li>a) All control measures and procedures nominated in the Operation Management Plan, prepared by Northern Districts Cricket Club, dated April 2024, must be implemented.</li> <li>b) Any amendments to the Operation Management Plan must be submitted to Council's Compliance Team via Council's Online Services Portal for review and written approval.</li> </ol> <p><i>Note: The Plan of Management must be lodged via Council's Online Services Portal at: <a href="https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx">https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx</a> and by</i></p>

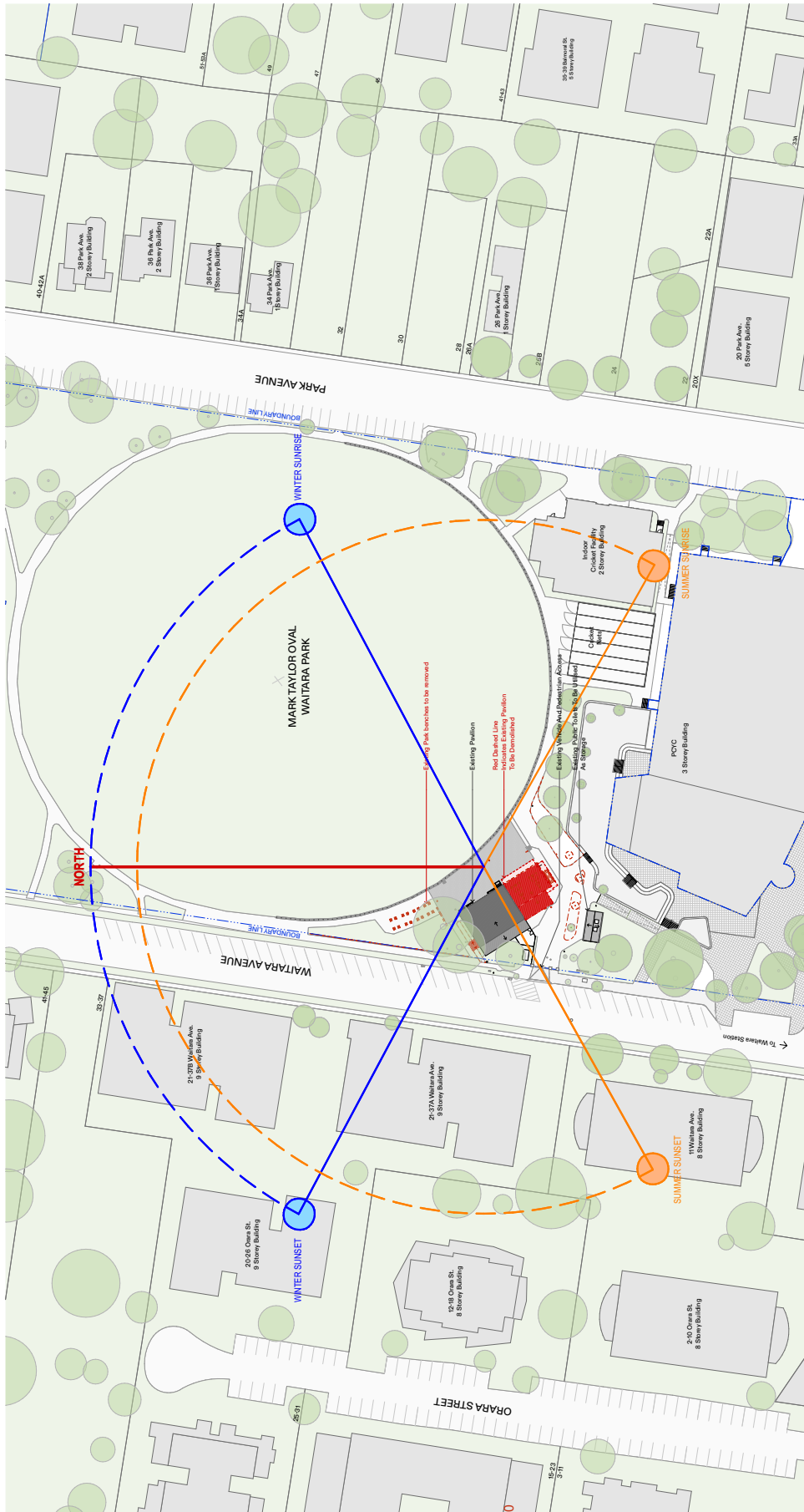
<p><i>selecting the following menu options: Applications &gt; New Applications &gt; Under 'Application Types': Management Plans.</i></p> <p><i>Reason: To ensure the operational measures implemented protect the amenity of the local area.</i></p>	
<p><b>59. Operational noise</b></p>	<p>1. The LA10(15minute) patron and music noise emitted from the use of the clubhouse must not exceed the background noise level (L90, 15minute) in any octave band frequency (31.5Hz to 8 kHz inclusive) by more than 5dB between 7am and 10pm, when assessed at the boundary of any residential accommodation or tourist and visitor accommodation.</p> <p>2. The LAeq(15minute) noise emitted from mechanical plant must not exceed the background noise level (L90) by more than 5 dB, when assessed at the boundary of any residential accommodation or tourist and visitor accommodation.</p> <p><i>Reason: To protect the amenity of the local area.</i></p>
<p><b>60. Deliveries Collection Hours</b></p>	<p>During ongoing use, all deliveries must only occur during the approved hours of operation.</p> <p><i>Reason: To protect the amenity of the local area.</i></p>
<p><b>61. Storage and Disposal of Waste Materials During Ongoing Use</b></p>	<p>During ongoing use of the premises:</p> <ol style="list-style-type: none"> <li>1. An adequate number and size of bins must be put on the premises for the storage of any waste that is generated (including for recycling),</li> <li>2. All garbage and recyclable materials generated from the premises must be stored wholly within any approved storage area and must not be stored outside the premises (including any public place) at any time.</li> <li>3. Arrangements must be implemented for the separation of recyclable materials from garbage.</li> <li>4. Any approved waste storage area must be appropriately maintained to prevent litter and the entry of pests.</li> <li>5. Where council does not provide commercial garbage and recyclable materials collection services: <ol style="list-style-type: none"> <li>a. A contract must be entered into with a licensed contractor to provide these services for the premises; and</li> <li>b. A copy of the contract must be kept on premises and provided to relevant authorities including council officers on request.</li> </ol> </li> <li>6. Where the collection of garbage and recyclable materials from the premises is undertaken by a licensed contractor, it must only occur between 7am and 6pm.</li> </ol> <p><i>Reason: To ensure proper handling of waste, garbage and recyclable materials generated during operation of the premises.</i></p>

<p><b>62. Fire Safety Statement - Annual</b></p> <p>On at least one occasion in every 12 month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.</p> <p><i>Reason: To ensure fire safety measures are maintained to protect life and property.</i></p>
<p><b>63. Landscape Establishment</b></p> <p>The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.</p> <p><i>Reason: To ensure the approved landscaping is established correctly for future viability.</i></p>

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Roads and neighbouring properties are shown indicatively

1 SITE ANALYSIS PLAN 1:500

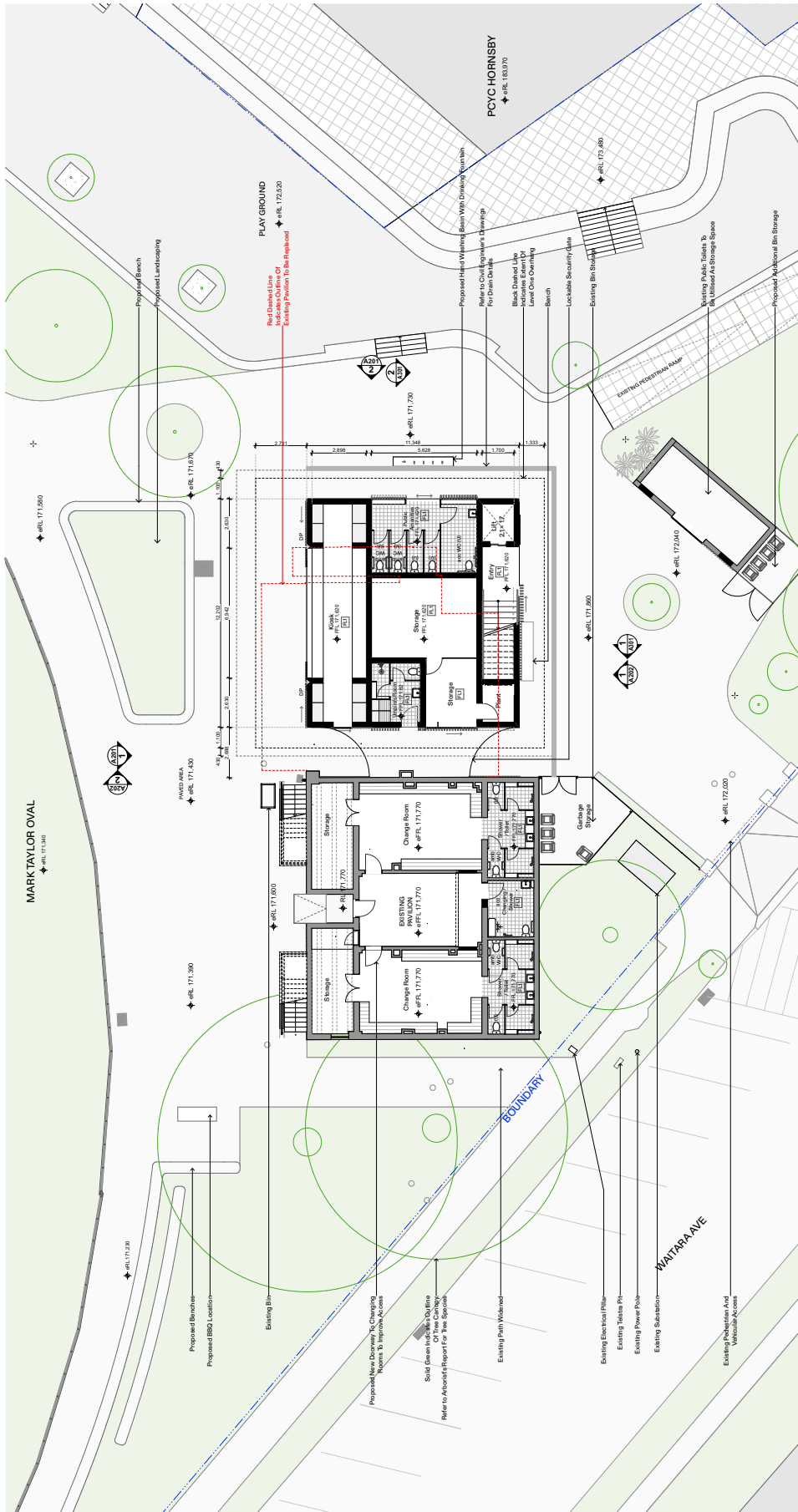
<p><b>Notes:</b> ALL DIMENSIONS SHOWN ARE IN METRES UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO CENTRELINE UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO CENTRELINE UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO CENTRELINE UNLESS OTHERWISE SPECIFIED.</p>	
<p><b>Scale:</b> 1:500</p>	<p><b>North:</b> (North Arrow)</p>
<p><b>Client:</b> MARK TAYLOR OVAL PAVILION</p>	<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION</p>
<p><b>Site:</b> 20 WATARA BLVD, WATARA, NSW 2077</p>	<p><b>Site Analysis Plan:</b> SITE ANALYSIS PLAN</p>
<p><b>Project Manager:</b> ARCHER OFFICE</p>	<p><b>Project Address:</b> 20 WATARA BLVD, WATARA, NSW 2077</p>
<p><b>Architect:</b> ARCHER OFFICE</p>	<p><b>Document No:</b> 2021</p>
<p><b>Project Manager:</b> ARCHER OFFICE</p>	<p><b>Document Title:</b> DEVELOPMENT APPLICATION</p>
<p><b>Client:</b> MARK TAYLOR OVAL PAVILION</p>	<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION</p>
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<p><b>Project Manager:</b> ARCHER OFFICE</p>	<p><b>Project Address:</b> 20 WATARA BLVD, WATARA, NSW 2077</p>
<p><b>Architect:</b> ARCHER OFFICE</p>	<p><b>Document No:</b> 2021</p>
<p><b>Project Manager:</b> ARCHER OFFICE</p>	<p><b>Document Title:</b> DEVELOPMENT APPLICATION</p>

# ATTACHMENT 3 - ITEM 1









**GROUND FLOOR PLAN**  
1:100

No.	Date	Issue	Author	By
1	12/03/2024	Issue for Approval	[Signature]	[Signature]

**Notes:**  
 1. ALL DIMENSIONS SHOWN ARE IN METERS UNLESS OTHERWISE SPECIFIED.  
 2. ALL DIMENSIONS SHOWN ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 3. ALL DIMENSIONS SHOWN ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
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 9. ALL DIMENSIONS SHOWN ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 10. ALL DIMENSIONS SHOWN ARE TO FACE UNLESS OTHERWISE SPECIFIED.

**Client:** MARK TAYLOR OVAL PAVILION  
**Project Name:** GROUND FLOOR PLAN  
**Project Number:** 2021  
**Document Stage:** DEVELOPMENT APPLICATION  
**Drawn by:** A 101  
**Checked by:** A

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**Scale:** 1:100

# ATTACHMENT 3 - ITEM 1

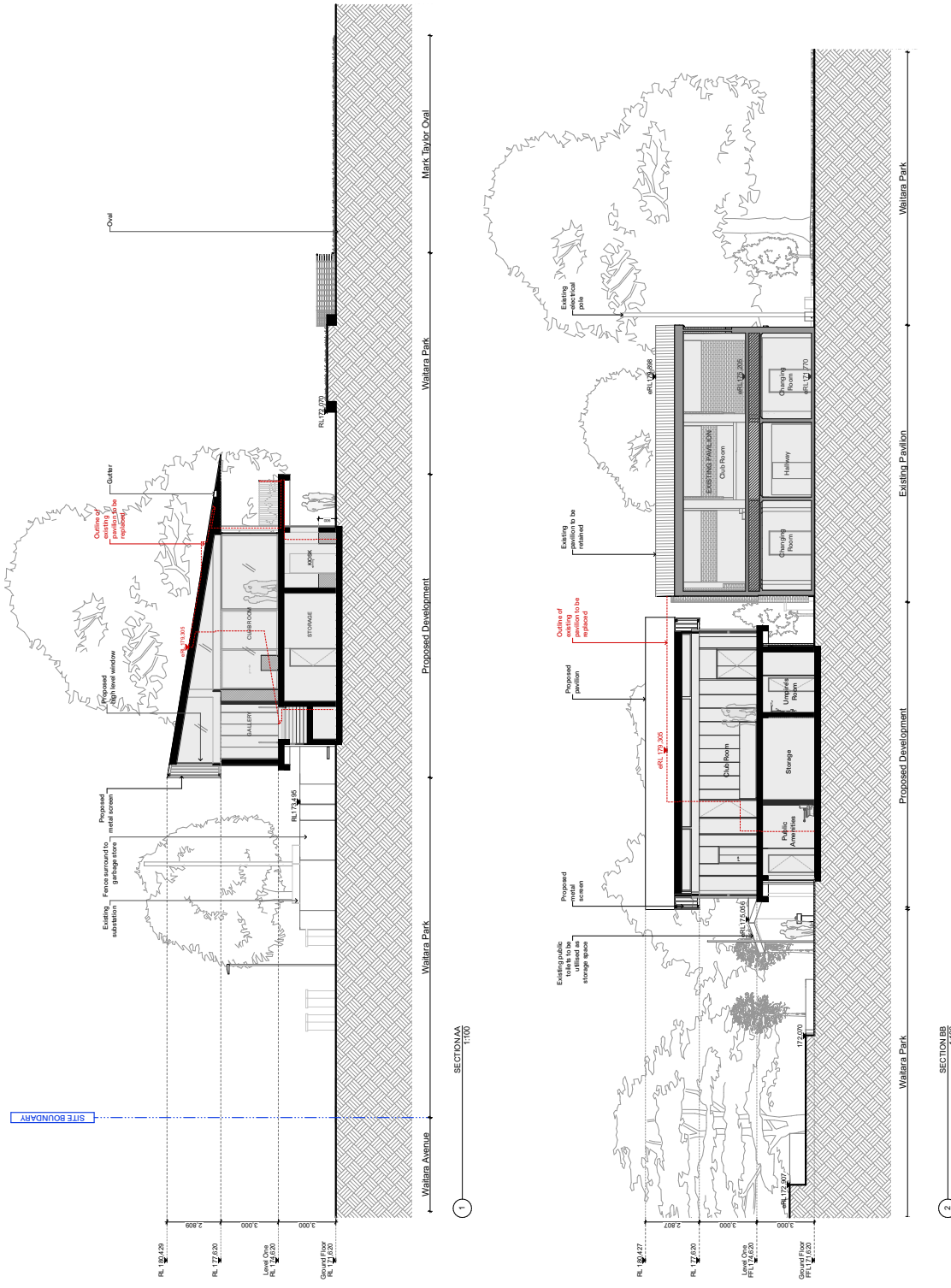












<p><b>Notes:</b> ALL DIMENSIONS SHOWN ARE IN METERS UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p>		<p><b>Client:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION                  SECTION AA AND BB</p>		<p><b>Project Number:</b> 2021                  Development Stage: DEVELOPMENT APPLICATION</p>	
<p><b>Architect:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Client:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Manager:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION                  SECTION AA AND BB</p>	
<p><b>Structural Engineer:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Client:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Manager:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION                  SECTION AA AND BB</p>	
<p><b>MEP Engineer:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Client:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Manager:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION                  SECTION AA AND BB</p>	
<p><b>Cost Estimator:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Client:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Manager:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION                  SECTION AA AND BB</p>	
<p><b>Quantity Surveyor:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Client:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Manager:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION                  SECTION AA AND BB</p>	
<p><b>Health &amp; Safety:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Client:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Manager:</b> ARCHER OFFICE                  30/11/2023                  15/04/2024</p>		<p><b>Project Name:</b> MARK TAYLOR OVAL PAVILION                  SECTION AA AND BB</p>	
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# ATTACHMENT 3 - ITEM 1





**Proposed future terraced seating, DOES NOT FORM PART OF DA SUBMISSION**

Existing pit to be incorporated into new concrete paving. No dig area due to structural coat zones. All new pavement to be above existing surfaces.

Existing Murrumbidgee hedge to be retained

Existing Murrumbidgee hedge to be retained

Proposed future raised grass planter with seating surrounds. (DOES NOT FORM PART OF DA SUBMISSION)

Existing flag pole to be relocated

Existing drinking fountain to be relocated next to scoreboard & new drinking fountain to be incorporated into external hand wash basin.

Proposed location for relocated flag pole

Concrete paving to tie in with existing

Existing tree to be retained with 11x Lomandra 'Tanika'

Existing tree and lawn area to be removed

**IMAGE 1: Existing garbage storage area to be relocated**

**IMAGE 2: Examples at Waitara Park of trees with low planting beneath**

**200LT TREE IN CONCRETE PATH (1)**  
SCALE 150 @ AT LA 01

3 HARDWOOD TIMBER STAKES TO EACH TREE. 2400MM X 50MM X 50MM TO STAKE TO ALLOW TREE TO MOVE FREELY

TREE AS SPECIFIED

SHRUBS AS SPECIFIED

75MM MULCH TO GARDEN BED

200MM GARDEN BED TOPSOIL

100MM CONCRETE PATH

300MM 100/20 SUB-BASE

300MM SUBSOIL

SUBSOIL DRAINAGE

RIP EX. SUBGRADE TO 150mm TO TREE PITS

**SHRUB DETAIL**  
SCALE 125 @ AT LA 01

PLANTING AS SPECIFIED

75MM MULCH TO GARDEN BED

PLANTING HOLE

300MM GARDEN BED TOPSOIL

RIP EX. SUBGRADE TO 150MM

EXISTING SUBGRADE

No.	BOTANICAL NAME	COMMON NAME	HEIGHT (m)	SPREAD (m)	DBH (mm)	TPZ (m)	ACTION
1	Tristanopsis laurina	Water Gum	18	16	124.5	15	RETAIN
2	Tristanopsis laurina	Water Gum	17	14	89.3	10.78	RETAIN
3	Tristanopsis laurina	Water Gum	3	2	100	2	RETAIN
4	Syncarpia glomulifera	Turpentine Tree	12	8	490.4	5.88	RETAIN
5	Tristanopsis laurina	Water Gum	3	1.5	80	2	RETAIN
6	Tristanopsis laurina	Water Gum	3	1	70	2	RETAIN
7	Tristanopsis laurina	Water Gum	3	2	70	2	REMOVE
8	Tristanopsis laurina	Water Gum	3	2	70	2	REMOVE
9	Tristanopsis laurina	Water Gum	4	2	100	2	REMOVE
10	Tristanopsis laurina	Water Gum	4	2	100	2	RETAIN
11	Ulmus parvifolia	Chinese Elm	6	2	14.0	2	RETAIN
12	Bucangania celastroides	Honey Gum	5	2	14.0	2	RETAIN
13	Embothrium coccineum	Chinaman Tree	6	7	277.8	3.33	RETAIN

Key: DBH (Diameter at Breast Height) in millimeters  
TPZ (Tree Protection Zone) in meters

BOTANICAL NAME	COMMON NAME	POT. SIZE	NUMBER
Angonanthos x hybrid	Kangaroo Paw	200mm	9
Lomandra 'Tanika'	Tanika	200mm	38
Philodendron 'Xanadu'	Xanadu	200mm	14

**PLANT SCHEDULE**

Design not to be amended without authorisation by Manager Parks & Recreation

**LEGEND**

EXISTING TREE TO BE RETAINED AND PROTECTED (REFER ARBORISTS REPORT)

EXISTING PLANTING TO BE RETAINED

EXISTING TIMBER SCREEN TO BE RETAINED

EXISTING STRUCTURES / PATHWAY / GARDEN BED TO BE REMOVED

EXISTING LIGHT POLE TO BE RETAINED IN CURRENT LOCATION

PROPOSED

EXTENT OF WORKS

CONCRETE FOOTPATH

TIMBER SCREEN

EXISTING LIGHT POLE TO BE REMOVED / NEW LIGHT POLE LOCATION

PROPOSED SHRUBS

TREE TO BE REMOVED

**LIST OF EXISTING TREES**

No.	BOTANICAL NAME	COMMON NAME	HEIGHT (m)	SPREAD (m)	DBH (mm)	TPZ (m)	ACTION
1	Tristanopsis laurina	Water Gum	18	16	124.5	15	RETAIN
2	Tristanopsis laurina	Water Gum	17	14	89.3	10.78	RETAIN
3	Tristanopsis laurina	Water Gum	3	2	100	2	RETAIN
4	Syncarpia glomulifera	Turpentine Tree	12	8	490.4	5.88	RETAIN
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10	Tristanopsis laurina	Water Gum	4	2	100	2	RETAIN
11	Ulmus parvifolia	Chinese Elm	6	2	14.0	2	RETAIN
12	Bucangania celastroides	Honey Gum	5	2	14.0	2	RETAIN
13	Embothrium coccineum	Chinaman Tree	6	7	277.8	3.33	RETAIN

**MARK TAYLOR OVAL GRANDSTAND**

**LANDSCAPE PLAN**

Project No: 100751

Sheet: 1 of 1

REC Drawing Number: LA.01

# ATTACHMENT 4 - ITEM 1

# Community Facility Building

## Waitara Oval, Waitara

# Operational Management Plan

April 2024

**ATTACHMENT 5 - ITEM 1**

## INTRODUCTION

This Operational Management Plan has been prepared in support of a Development Application submission to Hornsby Shire Council (HSC). The New Pavilion incorporating an upper level Community Space, is to be leased by Northern Districts Cricket Club (NDCC) and will be used by various groups relating to Cricket and general community.

NDCC will be responsible for the management, booking, usage, cleaning, maintenance and security of the Upper level of the facility. The lower level contains public toilets, storage and shared canteen facilities.

## FACILITY DETAILS

### 1.1 Name

It is envisaged that the Pavilion building will not have an isolated name within this development, however it will look to come under and adopt the Mark Taylor Oval name.

### 1.2 Location

The site is located at Waitara Oval, Waitara Ave, Waitara. Immediately surrounded by a mix of medium density residential apartment buildings.

The Site is located approximately 22kms North West of the Sydney CBD and is a part of the Hornsby Shire Council area and is in close proximity to a number of services that will support the Facility. These facilities include;

- Hornsby Train Station – 250m
- Hornsby Westfields – 400m

### 1.3 Hours of Operation

The Pavilion, particularly the community facility will have hours of operation as per the below:

- Monday to Friday – 7am to 10pm.
- Saturday to Sunday – 7am to 10pm



#### 1.4 Facility

The upper level of the Pavillion facility will include the following facilities and functions:

- Club room, incorporating Community use area
- Kitchenette.
- Storage areas
- Scorers' room.
- Balcony.
- Internal lift.

#### 1.5 Water and Environmental Approach

All roof water from the proposal is to be collected and piped to the existing drainage infrastructure located on site as depicted in the Stormwater Management Plan.

#### 1.6 Pedestrian and Vehicular Access

The Community Facility will continue to be serviced by the existing street parking which is considered to provide sufficient parking for the uses associated with the proposed community facility and existing uses.

#### 1.7 Fire & Safety

The site will have a dedicated fire and emergency safety management plan.

#### 1.8 Security

The proposal will not provide for views into surrounding residential properties. The proposed building is provided with ample setbacks to all boundaries and substantial separation to the surrounding residential properties.

Contractors working at site will be required to adhere to Hornsby Shire Council's standard procedures.

### 1.9 Waste Management

The facility currently shares a waste storage and management plan with the PCYC facility. Therefore, existing operations of the waste management services including the Sporting Facilities and PCYC facility, Hornsby will remain consistent with the proposed works.

Current bins and receptacles.

**General Waste:** 4 x 120L MGBs collected weekly

**Recycling:** 4 x 120L MGBs collected fortnightly

Bin sizes, quantities, and/or collection frequencies may be modified by the building manager once the proposed development is operational. Building management will be required to negotiate any changes to bins or collections with the collection service provider.

Staff will be responsible for waste management within each area of the Sporting facility during daily operations. This will be carried out back of house where possible.

On completion of each trading day or as required, nominated staff or contracted cleaners will transport all general waste and commingled recycling and place them into the appropriate collection bins.

#### 1.9.1 Waste Collection Procedures

All waste generated by this development will be collected by private contractor to an agreed schedule.

To service the bins, a private collection vehicle will park on Waitara Avenue adjacent to the Bin Storage Area. The waste collection staff will service the bins via a collect and return arrangement, using rear waste compaction trucks with mobile bin lifters.

#### 1.9.2 Office & Scorers Room

Bins for general waste and recycling are positioned in the office or meeting room. Cleaners or nominated staff will transport the general waste and recycling to the bin storage room and place into the appropriate collection bins.

### 1.10 Noise Abatement

To ensure no undue detriment to the facility and the amenity of the urban area all users will be required to monitor and control the level of noise emitted.

On Saturday & Sunday, all events will cease by 10pm and all patrons must have left the premises by 10.30pm.

After 7pm – all windows and doors will be kept closed except for ingress and egress.

Amplified music must be played through fixed speakers only and no live music shall be provided at the premises.

### 1.11 Complaint Handling

NDCC will nominate a single point of contact for complaint handling, with details to be provided by way of signage near the entry of the facility.

**ATTACHMENT/S**

**REPORT NO. LPP2/24**

**ITEM 2**

**1. DAS OVER 180 DAYS**

## List of development applications required to be determined by the LPP that are over 180 calendar days from lodgement.

DA No.	Proposal	Address	Reason	Est. Date to LPP	Advice to Chair	No. Days at 24/4
DA/1022/2021	Torrens title subdivision of 1 lot into 60	36-56 David Road, Castle Hill	VPA >10 submissions	June	Revised draft VPA wording provided to Council's solicitor to review prior to exhibition.  Additional information with the exception of the BDAR has been provided and referred to internal branches for comment and further assessment.	937
DA/411/2023	Demolition of existing structures and construction of a double storey commercial building with 2 basement parking levels	350-352 Galston Road, Galston	>10% height, >10% FSR >10 submissions and dedication of land	July	Several meetings have been held with the applicant to discuss Council's concerns with the proposed development and the most recent RFI.  Applicant has advised the final set of amended plans will be submitted by 3 May.  The application may require renotification and will be referred to internal branches for comment and further assessment.	345
DA/794/2023	Demolition and construction 5 storey RFB - 20 units	21-25 Thornleigh Street, Thornleigh	SEPP 65	June	Amended plans have been submitted and the applicant has advised the revised Landscape Plan and BASIX Certificate would be provided by 11 May.  The application has also been referred to Water NSW.	245

## ATTACHMENT 1 - ITEM 2

List of development applications required to be determined by the LPP that are over 180 calendar days from lodgement.

DA No.	Proposal	Address	Reason	Est. Date to LPP	Advice to Chair	No. Days at 24/4
DA/1125/2023	Demolition of structures and construction of a 76 place childcare centre with basement car parking	79 New Line Road Cherrybrook	>10 submissions	June	Supplementary information and plans received to address matters raised by Council referred to internal branches for comment and further assessment.  Report to be prepared for the June LPP meeting.	184

**ATTACHMENT 1 - ITEM 2**