



# **ATTACHMENTS**

## **LOCAL PLANNING PANEL MEETING**

**Wednesday 5 November 2025  
at 3:00 PM**



## TABLE OF CONTENTS

### LOCAL PLANNING PANEL

<b>1</b>	<b>LPP27/25</b>	<b>DA/517/2025 - Change of Use of Hall 1 &amp; Hall 2 to Community Facilities - 296 Peats Ferry Road, Hornsby</b>	
	<b>Attachment 1:</b>	Consultant Report .....	2
	<b>Attachment 2:</b>	Draft Conditions of Consent.....	11
	<b>Attachment 3:</b>	Architectural Plans .....	15

**ATTACHMENT/S**

**REPORT NO. LPP27/25**

**ITEM 1**

- 1. CONSULTANT REPORT**
- 2. DRAFT CONDITIONS OF CONSENT**
- 3. ARCHITECTURAL PLANS**

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Consultant Assessment Report  
Prepared by: DFP Planning

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<b>DA No:</b>	DA/517/2025 (Lodged on 26 May 2025)
<b>Description:</b>	Change of use of Hall 1 and Hall 2 within the Hornsby Shire Council Administration Building from Public Administration Building to Community Facility
<b>Property:</b>	296 Peats Ferry Road, Hornsby (Lot 1 DP 564600 and Lot 300 DP 752053)
<b>Applicant:</b>	Bernard Moroz (on behalf of Hornsby Shire Council)
<b>Owner:</b>	Hornsby Shire Council
<b>Estimated Cost:</b>	\$0 (change of use only - no physical works)
<b>Ward:</b>	A Ward
<b>Clause 4.6 Request:</b>	N/A
<b>Submissions:</b>	Nil
<b>LPP Criteria:</b>	Council is the Applicant
<b>Author:</b>	DFP Planning (Consultant Planners)
<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/517/2025 for the change of use of Hall 1 and Hall 2 from public administration building to community facility at Lot 1 DP 564600 and Lot 1 DP 564599, Administration Building, No. 296 Peats Ferry Road, Hornsby be approved subject to the conditions of consent detailed in Attachment 2 of LPP Report No. 27/25.

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### EXECUTIVE SUMMARY

- The application involves the change of use of Hall 1 and Hall 2 within the Hornsby Shire Council Administration Building from public administration building to a Community Facility.
- 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 an independent consultant DFP Planning.
- The proposal is permissible with development consent in the MU1 Mixed Use Zone under the Hornsby Local Environmental Plan 2013 and there are no development standards relevant to the proposal as no physical works are proposed.
- No public submissions were received in respect of the notification of the application.
- It is recommended that the application be approved.

### BACKGROUND

The site comprises Hall 1 and Hall 2 of the Hornsby Shire Council Administration Building which are surplus to Council's needs for staff offices and are currently only being utilised infrequently for meeting rooms and for public gatherings (e.g. citizenship ceremonies) hosted by Hornsby Shire Council.

The proposal is to change the use of these spaces to a community facility to enable them to be used for a broader range of community activities/events.

A separate DA (DA/521/2025) was submitted concurrently with the subject DA and sought to use rooms within the Council Chambers building as a community facility.

In July 2025, a request for information letter was sent to the applicant raising concerns with the cumulative impact of the two DAs with respect to traffic and car parking, acoustic impacts, inadequacies in the plan of management and fire safety requirements.

On 4 September 2025, DA/521/2025 was withdrawn by the Applicant.

On 24 September 2025, the Applicant provided additional information with respect to DA/517/2025 (the subject DA) including an amended traffic and parking report, an amended acoustic assessment and an amended plan of management. The amended application includes a reduced maximum capacity of patrons.

### SITE

The site is located at 296 Peats Ferry Road, Hornsby and is located approximately 350m north-west of Hornsby Train Station and 400m north-west of Westfields Hornsby. Currently occupying the site is Hornsby Shire Council Administration Building which contains staff offices and meeting rooms and the Council Chambers.

### PROPOSAL

The proposed Development Application is for a change of use of two rooms (Hall 1 and Hall 2) within the Ground Floor of the Administration Building from a Public Administration Building use to a Community Facility use. No physical works are proposed.

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The proposed maximum capacity of the two rooms when used concurrently is 210 persons standing or 150 persons seated although this maximum capacity is only sought in the evenings and on weekends as set out in the table below which includes the proposed hours of operation.

Room Hours	Hall 1	Hall 2	Combined
Monday to Friday 8:00am to 4:30pm	30 persons seated or 50 persons standing	40 persons seated or 70 persons standing	70 persons seated or 120 persons standing
Monday to Friday 4:30pm to 10:00pm	60 persons seated or 90 persons standing	90 persons seated or 120 persons standing	150 persons seated or 210 persons standing
Saturday and Sunday 8:00am to 10:00pm			

## 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 North District Plan relates to 'Liveability' where a key consideration includes the creation of 'cities for people'. Objectives under this section include the providing of services and social infrastructure to meet peoples changing needs as well as fostering healthy, creative, culturally rich and socially connected communities.

The proposed change in use to accommodate community facilities is consistent with these objectives.

### 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".

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## **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 MU1 Mixed Use under the HLEP. The objectives of the MU1 Mixed Use are:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*

The proposal is consistent with these objectives as it will provide for ongoing employment opportunities and an active use of the ground floor of the existing building in a manner that is assessed herein as minimising conflict with land uses on surrounding land.

The proposed use is defined as a Community Facility and is permissible with development consent in the MU1 Mixed Use zone.

### **2.1.2 Heritage**

Clause 5.10 of the HLEP sets out heritage conservation provisions for Hornsby Shire. The site is identified to contain a heritage item (I520 - Hornsby Shire Council Chambers) and is within a heritage conservation area (Peats Ferry Road Precinct, Hornsby West Side Heritage Conservation Area).

The proposed development is limited to the change of use of internal rooms within the Council Administration Building and will have no impact on the heritage significance of the nearby Council Chambers building.

## **2.2 Draft Environmental Planning Instrument**

There are no current draft environmental planning instruments relevant to the proposal.

## **2.3 State Environmental Planning Policies**

There are no SEPPs relevant to the proposal as it entails a change of use of rooms within an existing building with no physical works.

## **2.4 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

Consultant Assessment Report  
Prepared by: DFP Planning

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.

## 2.5 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 relevant requirements of the Plan, noting that no physical works are proposed as part of this application.

HDCP			
Control	Proposal	Requirement	Complies
Car Parking	Nil spaces	For community halls: 1 space per 5 seats min (subject to parking study)	No - however, the project specific parking study provides justification (see Section 2.5.1 of this Report)

A brief discussion relating to car parking is provided below.

### 2.5.1 Vehicular Access and Parking

Section 1.3.2.1 of the DCP relates to Transport and Parking and specifies desired outcomes including the management of transport demand around transit nodes to encourage public transport usage and adequate car parking and bicycle facilities. The site is located in the town centre with good access to public transport and other sustainable transport networks.

Section 1.3.2.1 of the DCP requires car parking for community halls at the rate of 1 space per 5 seats (minimum), which provides a requirement of up to 30 car parking spaces for the maximum seating capacity of 150 persons. However, this may be varied subject to a project specific parking study.

The DA is accompanied by a Transport Impact Statement prepared by PDC Consultants which provides the following justification for the proposed development:

- The existing rooms are currently used for meetings associated with the public administration offices and also for citizenship ceremonies which typically entail in the order of 70 persons in attendance although theoretically, up to 300 persons can be accommodated. This generates a parking requirement of between 18-73 car parking spaces although none are provided on-site for these visitors. Hence the existing situation is a state of shortfall or credit.



Consultant Assessment Report  
Prepared by: DFP Planning

- The proposal seeks to cap the number of patrons to 120 persons between 8:00am and 4:30pm Monday to Friday and 210 persons from 4:30pm to 10:00pm Monday to Friday and during the weekend operating hours. This is less than the existing theoretical capacity.
- The typical attendance for uses within the community facility rooms is expected to be in the order of 20-50 persons for activities such as mothers' groups, children's activities, seniors groups, seminars and workshops, and small fitness / wellbeing classes. These activities would typically occur during daytime hours Monday to Friday, would be comparable or less than existing use of the spaces, there is some available on-street car parking available during these times and the site is well served by public transport, walking and cycling connections.
- Infrequent larger gatherings are expected to occur in the evenings or on weekends, when on-street car parking availability increases and is considered sufficient to cater for the proposed use.
- Existing off-street accessible car parking can be made available for use in conjunction with the community uses via Council's booking system for community facilities.
- Given the above considerations with regard to limited numbers of patronage during peak times and ready access to sustainable transport options, there is unlikely to be adverse traffic impacts arising for the proposal, which would be less than the existing uses of these spaces.
- The demand for loading/unloading facilities for the intended range of community activities is expected to be low and if required, access to the existing on-site facilities in Jersey Lane can be made available at the time of booking the community spaces via Council's booking system.

On the basis of this assessment and recommended conditions of consent which will limit the capacity of the spaces, the proposed development is considered to be acceptable in this instance.

## **2.6 Section 7.11/7.12 Contributions Plans**

As the proposal does not include the creation of any additional dwellings and there is no cost of construction (as no works are proposed) neither the Hornsby Shire Council Section 7.11 Contributions Plan 2020-2030 nor the Hornsby Shire Council Section 7.12 Contributions Plan 2019-2029 applies to the development.

## **2.7 Housing and Productivity Contribution**

The Housing and Productivity Contribution does not apply to the development as it does not result in additional residential lots/dwellings and no additional commercial floorspace is proposed.

## **2.8 Planning Agreements**

Section 4.15 (1) (a)(ii) of the Act requires Council to consider the provisions of any planning agreement.

The development application is not accompanied by a Planning Agreement and none apply to the land.

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## 2.9 Environmental Planning and Assessment Regulation 2021

Section 62 (consideration of fire safety) and Section 64 (consent authority may require upgrade of buildings) of the Regs are relevant to the proposal as it entails the change of use of an existing building without any proposed physical alterations.

The DA was accompanied by a BCA Compliance Report which has been considered by Council's Building Surveyor. The proposed use will require minor adjustments to existing fire equipment and regulatory signage and is capable of complying with the relevant provisions of the BCA. These works may require a construction certificate and accordingly, suitable conditions of consent in this regard are recommended.

## 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"*.

### 3.1 Acoustic Impacts

The amended Acoustic Report submitted in support of the proposal includes an assessment of the predicted noise level to be emitted from the proposed development at the adjoining TAFE premises at 205 Peats Ferry Road Hornsby against the recommended internal classroom amenity noise level as determined in accordance with section 2.2 of NSW EPA's Noise Policy for Industry, 2017 (NPfI).

The noise modelling considers a 'worst-case' scenario model with both Halls 1 and 2 operating simultaneously and a scenario including high-noise generating activities occurring concurrently within both halls. However, this does not necessarily represent the typical future use of the spaces, which is anticipated to include a variety of high, moderate and low-noise generating activities.

The noise modelling demonstrates that compliance is achieved with the internal classroom noise level criteria at 3 of the 4 locations modelled within the TAFE premises however, a 1dB exceedance was predicted at first floor level receiver location.

Notwithstanding, Section 4.2 of NSW EPA's NPfI indicates that an exceedance of  $\leq 2\text{dB(A)}$  is considered negligible and would not be discernible by the average listener and therefore would not warrant receiver-based treatments or controls.

Accordingly, the proposal is considered acceptable subject to implementation of the noise management measures articulated in the Plan of Management which include:

- The use of portable speakers/sound amplification equipment is prohibited. Only the installed Audio-Visual System is to be used;
- The playing of non-acoustic, live music is not permitted at any time;
- Hall entry doors must be kept closed when music is being played except during entry/egress

### 3.2 Operational Management

The DA is supported by a Plan of Management which contains details relating to:

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- Hours of Operation and Capacity
- Conditions of Hire
- Deliveries and Car Parking
- Noise, Vibration and Odour control
- Managing Behaviour of Patrons
- Complaints Handling
- Emergency and Evacuation Procedures
- Cleaning and Maintenance
- Waste and Recycling Storage and Disposal

Subject to minor adjustments to the Plan of Management (recommended as conditions of consent) to ensure consistency of information, this document is considered satisfactory and is recommended to be listed as an approved supporting document in any Notice of Determination.

#### 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 is not identified as flood prone land and although there is a minor portion of the site is mapped as bushfire prone land (buffer), no physical works are proposed, and the change of use does not give rise to any requirements for statutory approval under the EP&A Act or the Rural Fires Act.

Based on the assessment herein, the site is considered to be capable of accommodating the proposed development.

#### 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 4 June 2025 and 2 July 2025 in accordance with the Hornsby Community Engagement Plan. During this period, Council received no submissions. The map below illustrates the location of those nearby landowners who made a submission that are in close proximity to the development site.

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**NOTIFICATION PLAN**

• PROPERTIES NOTIFIED	X SUBMISSIONS RECEIVED	 PROPERTY SUBJECT OF DEVELOPMENT	
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No submissions were received in response to the public notification of the application.

## 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

## DRAFT CONDITIONS OF CONSENT

### GENERAL CONDITIONS

Condition
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#### 1. Approved Plans and Supporting Documentation

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:

##### Approved Plans

Plan No.	Plan Title	Drawn by	Dated	Council Reference
-	Administration Building Halls 01 and 02	Hornsby Shire Council	-	

##### Supporting Documentation

Document Title	Prepared by	Dated	Council Reference
Plan of Management - Community Facilities: Hornsby Council Administration Building	BMA Urban	September 2025	D09221608
Acoustical Report	Koikas Acoustics	September 2025	D09221611

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

#### 2. Amendment of Supporting Documentation

1. Prior to issue of any construction certificate or prior to occupation, whichever occurs first, the Plan of Management - Community Facilities: Hornsby Council Administration Building, prepared by BMA Urban, dated September 2025 shall be updated to incorporate the following amendments:
  - a. The table at Section 2.2 Hours of Operation/Capacity shall be amended as follows:
    - i. Replace the first column heading - currently: 'ROUTE NO.' - with the heading: 'Hours of Operation'.
    - ii. In the third row of the first column, for operations on 'Monday to Friday After 4:30pm', replace the words: 'After 4:30pm' with '4:30pm to 10:00pm'.
  - b. The wording at Section 3.2 Behaviour of Patrons be amended to delete the sentence '*Patrons utilising the facilities are not to dispose of waste externally.*' to be consistent with the provisions for waste disposal within Section 5.2 Waste and Recycling Storage and Disposal.

*Reason: To require minor amendments to the approved plans and supporting documentation following assessment 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.*

## BUILDING WORK BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition
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**4. Building Code of Australia**

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.

*Reason: Prescribed condition - EP&A Regulation section 69(1).*

**5. Fire Safety Schedule**

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.

*Reason: To ensure all fire safety measures are identified to protect life and property.*

## BEFORE BUILDING WORK COMMENCES

Condition
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**6. Site Sign**

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:
  - a. The name, address, and telephone number of the Principal Certifier.
  - 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
  - c. Unauthorised entry to the work site is prohibited.
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.

*Reason: Prescribed condition EP&A Regulation, section 70(2) and (3).*

**DURING BUILDING WORK**

Condition
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**7. Hours of Work**

1. All work on site (including remediation, demolition, construction, earth works and removal of vegetation), must only occur between 7am and 5pm Monday to Saturday.
2. No work is to be undertaken on Sundays or public holidays.

*Reason: To protect the amenity of neighbouring properties.*

**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

Condition
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**8. Fire Safety Statement - Final**

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.

*Reason: To ensure all fire safety measures are implemented to protect life and property.*

**ONGOING USE**

Condition
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**9. Hours of Operation**

The hours of operation of Hall 1 and Hall 2 as a community facility are restricted to those times listed below:

Monday to Sunday                      8am to 10pm

*Reason: To protect the amenity of the local area.*

**10. Compliance with Plan of Management**

All control measures, patron numbers and procedures nominated in the Plan of Management - Community Facilities: Hornsby Council Administration Building, prepared by BMA Urban, dated September 2025, as amended by Condition 2 of this consent, must be implemented.

*Reason: To ensure the operational measures implemented protect the amenity of the local area.*

**11. Noise and Vibration**

1. The ongoing use of the Community Facilities, including operation of mechanical services and plant, must not cause the emission of noise that exceeds the Noise Criteria specified in Table 10 and Table 11 of the Acoustical Report, prepared by Koikas Acoustics, dated 5 September 2025 when measured at, or computed for, any Receiver Location.
2. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the document, Noise Policy for Industry (NSW EPA, 2017).

*Reason: To protect the acoustic amenity of the local area.*

**12. Deliveries and Waste Collection Hours**

During ongoing use, all deliveries, waste and recycling collection must only occur during the approved hours of operation.

*Reason: To protect the amenity of the local area.*

**13. Fire Safety Statement - Annual**

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.

*Reason: To ensure fire safety measures are maintained to protect life and property.*

**- End of Conditions -**



# ADMINISTRATION BUILDING HALLS 01 AND 02

[illegible]

## LEGEND

FUTURE WORKS-NO WORKS TO THIS LOCATION  
OR INITIAL DESIGN, ALLOW FOR POTENTIAL  
WORKS IN THE FUTURE / OR OUT OF SCOPE

EXISTING TUBE RETAINED

NEW PRODUCT

## NOTES

FOR ALL FURNITURE & JOINERY CODES REFER TO FF&E  
SCHEDULE FOR ALL SPECIFICATIONS.

ANY DISCREPANCIES WITH QUANTITIES BETWEEN DRAWINGS AND FF&E SCHEDULES MUST IMMEDIATELY BE CONFIRMED WITH THE DESIGNER PRIOR TO PROCUREMENT.