



ELECTRONIC DETERMINATION BUSINESS PAPER

LOCAL PLANNING PANEL MEETING

**Wednesday 29 June 2022
at 4:00pm**



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4 ELECTRONIC - DA/1037/2021 - PART DEMOLITION AND RECONSTRUCTION OF THE BUILDING FOR THE PURPOSE OF A NEW PUB - 206-212 PENNANT HILLS ROAD, THORNLEIGH

EXECUTIVE SUMMARY

DA No: DA/1037/2021 (Lodged on 6 October 2021)

Description: Demolition of part of the existing building including the ground floor bar, car parking and trees; reconstruction of part of the building for the purpose of a new pub for three hundred and forty patrons, on-site landscaping and business identification signage

Property: Lot 3 DP 1205943, No. 206-212 Pennant Hills Road, Thornleigh

Applicant: IRIS Hotels Thornleigh Property Pty Ltd

Owner: IRIS Hotels Thornleigh Property Pty Ltd

Estimated Value: \$7,532,852

Ward: B Ward

- The application generally complies with the Hornsby Local Environmental Plan 2013 and the Hornsby Development Control Plan 2013.
- Two 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 involves a new hotel (general bar) license under the *Liquor Act 2007*.
- It is recommended that the application be approved.

RECOMMENDATION

THAT Development Application No. DA/1037/2021 for demolition of part of the existing building and existing bar, car parking and trees; reconstruction of part of the building for the purpose of a new pub for three hundred and forty patrons, on-site landscaping and business identification signage at Lot 3 DP 1205943, No. 206-212 Pennant Hills Road, Thornleigh be approved subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP21/22.

BACKGROUND

On 16 August 2000, Council refused DA/314/2000 for subdivision of one lot into three lots and the erection of a 'hotel, self-storage facility, office building on each lot and erection of nine outdoor advertising signs.

On 4 October 2000, Council approved DA/1407/2000 for subdivision into three lots and erection of a hotel, self-storage facility, office building and nine outdoor advertising signs and staging of development. The hotel's current approved operating hours are 7am to midnight Monday to Saturday and 7am to 10pm on Sundays.

APPLICATION HISTORY

On 4 November 2021, Council requested additional information requiring the front setback to both road frontages be increased to allow for landscaping to be retained, additional waste information, additional kitchen plans, additional acoustic information, a revised plan of management to address inconsistencies and the traffic report to be updated to include a parking survey of the existing IBIS hotel.

On 9 November 2021, Transport for NSW provided its concurrence to the application.

On 2 December 2021, NSW Police provided comments on the application, and recommended conditions to be imposed if consent is granted.

From January 2022 to May 2022, the applicant provided amended architectural plans increasing the setback to both road frontages, amended landscape plans, amended acoustic report, additional traffic report, and an amended Plan of Management addressing Council's concerns.

On 25 May 2022, the applicant provided a Gross Floor Area plan confirming that the proposal is now under the maximum Floor Space Ratio for the site and a Clause 4.6 is no longer warranted.

SITE

The 4,363m² site is located on the corner of Pennant Hills Road and Phyllis Avenue, Thornleigh. Existing improvements on the site include an IBIS Hotel comprising 105 rooms, ground floor restaurant/ bar and 75 car parking spaces.

The site is accessed via a shared right of carriageway (generally 8m wide) connecting with Phyllis Avenue. Vehicle access from Pennant Hills Road is prohibited.

Adjoining land to the north includes Kennards Self Storage, to the east across a six lane road includes the North Connex compound and a Church, to the south includes a Community Centre and Bunnings and to the west includes a surplus car park for the McDonalds Headquarters. Beyond the car park and McDonalds regional office is the Northern Railway Line.

PROPOSAL

The application proposes the following works:

- Demolition of a portion of the existing ground floor structures, including the existing bar, restaurant, lobby, back of house, etc, demolition of existing roof triangle, and removal of all existing signage.
- Construction a new one-storey extension to accommodate a new lobby, sports bar, bistro, VIP gaming area, TAB and Back of House. The extension would be elevated on piers enabling traffic flow below the bar.

No live music is proposed.

The total capacity within the boundaries of the licensed premises (pub/hotel) would be 340 patrons as follows:

Use/Area	Patron Population
Sports Bar	100
Smoking TAB	50
VIP Lounge	90
Bistro	100
Overall total patron capacity	340
Staff and security (dependent on trade and any conditions imposed)	8
Overall person capacity = 348 persons (comprising 340 patrons and 8 staff and security)	348

The proposed operating hours would be:

Monday to Saturday 7am to 12 midnight

Sunday 7am to 10pm.

The estimated number of staff proposed is approximately 8.

Seventy-two car parking spaces are proposed for the site, resulting in a net loss of 3 car parking spaces.

All existing signage would be removed and a total of 16 new signs would be provided, all of which include internal illumination as follows:

Sign No	Sign Type	Location	Dimensions
1	Flush wall sign (IBIS)	Northern elevation	1,400mm x 1,400mm
2	Flush wall sign	Eastern elevation	1,400mm x 1,400mm
3	Flush wall sign	Southern elevation	1,400mm x 1,400mm
4	Projecting horizontal wall sign	Eastern elevation	9,380mm x 637mm
5	Top hamper sign	Eastern elevation	1,300mm x 385mm
6	Vertical projecting wall sign	Eastern elevation	600mm
7	Vertical projecting wall sign	Eastern elevation	600mm
8	Vertical projecting wall sign	Eastern elevation	600mm
9	Vertical projecting wall sign	Eastern elevation	600mm
10	Flush wall sign	Southern elevation	1,400mm x 1,400mm
11	Above awning sign	Southern elevation	750mm x 1,400mm
12	Wall sign	Western elevation	1,400mm x 1,400mm
13	Fabricated letter sign, fascia sign	Western elevation	3,655mm x 250mm
14	Projecting horizontal wall sign	Western elevation	9,800mm x 660mm
15	Pylon Sign	Northern elevation	1,200mm x 6,500mm
16	Pylon Sign	Eastern elevation	1,200mm x 6,000mm

Two trees are proposed to be removed.

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 for 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 for the next 20 years. The identified challenge for Hornsby Shire will be to provide an additional 4,350 dwellings by 2021 with further strategic supply targets to be identified to deliver 97,000 additional dwellings in the North District by 2036.

The proposed development would be consistent with the Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan, by providing additional employment services to support a growing population.

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 B6 Enterprise Corridor under the HLEP. The objectives of the B6 zone are:

- *To promote businesses along main roads and to encourage a mix of compatible uses.*
- *To provide a range of employment uses (including business, office, retail and light industrial uses).*
- *To maintain the economic strength of centres by limiting retailing activity.*

The proposed development is defined as ‘pub’ and is permissible in the B6 zone with Council’s consent.

2.1.2 Height of Buildings

Clause 4.3 of the HLEP provides that the height of a building on any land should not exceed the maximum height shown for the land on the Height of Buildings Map. The maximum permissible height for the subject site is 12m.

The maximum building height for the proposed pub measured from the existing ground level to the roof pop-up would be 9.65m which complies with this provision.

2.1.3 Floor Space Ratio

Clause 4.4 of the HLEP provides that the Floor Space Ratio on the subject site should not exceed the maximum Floor Space Ratio of 0:75:1.

The proposed gross floor area for all buildings on the site would be 3,243m² which equates to a FSR of 0:74:1 which complies with this provision.

2.1.4 Heritage Conservation

Clause 5.10 of the HLEP sets out heritage conservation provisions for Hornsby Shire. The site does not include a heritage item and is not located in a heritage conservation area. Accordingly, no further assessment regarding heritage is necessary.

2.1.5 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.

Aside from earthworks for structural purposes, no other excavation works are proposed as the pub would be located over an existing car park and previously disturbed area of the site.

Accordingly, the earthworks are considered minor and adjacent properties would be unaffected by the proposal with regard to stormwater flows and soil stability.

The proposal is considered acceptable with regard to Clause 6.2 Earthworks of the HLEP.

2.2 Adopted State Environmental Planning Policies

On 1 March 2022, the following State Environmental Planning Policies (SEPPs) were gazetted.

- State Environmental Planning Policy (Primary Production) 2021
- State Environmental Planning Policy (Resources and Energy) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Precincts - Eastern Harbour City) 2021

These SEPPs now form matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. However general savings provisions apply to development applications that have been made but not yet determined, on or before the commencement date.

As this development application was lodged on 6 October 2021, this development application is considered to have been made prior to the commencement date of the SEPPs. The existing legislation in force at time of lodgement of the development application, prevails to the extent of any inconsistency.

Notwithstanding, the approval of the development application would not adversely affect the objectives of the newly adopted SEPPs and is considered to be consistent with this policy.

2.3 State Environmental Planning Policy No. 55 Remediation of Land

The application has been assessed against the requirements of State Environmental Planning Policy No. 55 Remediation of Land (SEPP 55) under which 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 historically used for commercial purposes. It is not likely that the site has experienced any significant contamination, and further assessment under SEPP 55 is not required.

2.4 State Environmental Planning Policy 64 - Advertising and Signage

The proposed signage has been assessed against the requirements of State Environmental Planning Policy No. 64 Advertising and Signage (SEPP 64). This Policy provides State-wide planning controls for advertising signs and prevails over other environmental planning instruments including the *HLEP*. The aims of the Policy are to ensure that advertising and signage is compatible with the desired amenity and visual character of an area, to provide effective communication in suitable locations and to ensure signage is of high quality design and finish.

The proposed signage is defined as '*business identification signage*' under SEPP 64 and is subject to assessment under the provisions of Schedule 1 of the Policy.

The proposal's compliance with SEPP 64 is detailed in the table below.

SEPP 64 Schedule 1 Assessment Criteria	Comment
Character of the area	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	<p>The proposal is compatible with the existing use of the site and the surrounding area which is characterised by a mix of commercial uses and the six lane Cumberland Highway.</p> <p>It is considered that the appearance of the signage integrates well with the established building façade and the surrounding locality with both discrete and larger signs proposed that are consistent with the locality and provide a uniform approach to the appearance of signage on the site.</p> <p>The proposed signage has been designed based on corporate identity and responds to the high-quality architecture that is presented by the building form extension to the existing building form.</p>
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	<p>Yes, the proposed business identification signage would be consistent with the existing outdoor advertising of other businesses in the surrounding area.</p>
Special areas	

<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	<p>No, the proposed signs have been designed, scaled and located to complement the visual quality of the surroundings and not have a significant negative impact on the amenity of the location.</p> <p>The proposed signage would reflect changes to the branding and modernise the existing signage.</p> <p>It is considered that the signage would not detract from the amenity or visual quality of nearby residential properties on the opposite side of Pennant Hills Road.</p>
Views and vistas	
<p><i>Does the proposal obscure or compromise important views?</i></p> <p><i>Does the proposal dominate the skyline and reduce the quality of vistas?</i></p> <p><i>Does the proposal respect the viewing rights of other advertisers?</i></p>	<p>No important views would be obscured by the proposed signage.</p> <p>The proposed signage is compatible with the locality and would not dominate the skyline.</p> <p>The proposed signs would not obscure other authorised signage.</p>
Streetscape, setting or landscape	
<p><i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i></p> <p><i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i></p> <p><i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i></p> <p><i>Does the proposal screen unsightliness?</i></p> <p><i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i></p> <p><i>Does the proposal require ongoing vegetation management?</i></p>	<p>The scale, proportion and form of the proposal would be appropriate for the surrounding environment.</p> <p>The scale, proportion and form of the proposal would be appropriate for the surrounding environment.</p> <p>The proposal remains consistent with the existing signage, which maintains a consolidated approach to signage on the site.</p> <p>The proposed signage would provide clear identification and is considered appropriate.</p> <p>No, the proposal would not protrude above buildings, structures or tree canopies in the locality.</p> <p>No ongoing vegetation management would be required.</p>
Site and building	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	<p>The proposed advertising signage would be compatible in scale and proportion with the elements of the site being largely attached to the faces of the building such that it forms part of the overall architectural appearance.</p> <p>The proposed above awning sign, which sits proud of</p>

<p><i>Does the proposal respect important features of the site or building, or both?</i></p> <p><i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i></p>	<p>the building proper, given its slim design and coordinated appearance with regard to graphics, ensures that it is in scale with the overall form of the building and thus compatible</p> <p>The proposed signage is designed to complement the features of the site. The signage does not obscure important features of the site or the building.</p> <p>The proposed signage is modern in design and considered appropriate for the site.</p>
Associated devices and logos with advertisements and advertising structures	
<p><i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i></p>	<p>Yes, logos have been incorporated into the design of the signage. The signage would contain internal illumination that is concealed within the signage.</p>
Illumination	
<p><i>Would illumination result in unacceptable glare?</i></p> <p><i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i></p> <p><i>Would illumination detract from the amenity of any residence or other form of accommodation?</i></p> <p><i>Can the intensity of the illumination be adjusted, if necessary?</i></p> <p><i>Is the illumination subject to a curfew?</i></p>	<p>No. The proposed signage would not be of a LUX level to detract from the amenity of residences located on the opposite side of Pennant Hills Road.</p> <p>Illumination would comply with both Section 3 (Advertisements and Road safety) of the NSW Department of Planning and Environment Transport Corridor Outdoor Advertising and Signage Guidelines (November 2017) and Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.</p> <p>No. The proposed signage would not be of a LUX level to affect safety for pedestrians, vehicles or aircraft.</p> <p>No. The proposed signage would not be of a LUX level to detract from the amenity of surrounding residences.</p> <p>Illumination will comply with both Section 3 (Advertisements and Road safety) of the NSW Department of Planning and Environment Transport Corridor Outdoor Advertising and Signage Guidelines (November 2017) and Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.</p> <p>No. The brightness of the signs will be fixed; however, the signs would only have a soft glow that is mostly visible at night.</p> <p>No. The applicant seeks consent for the signage to be illuminated on a 24 hour basis.</p>

Safety	
<i>Would the proposal reduce the safety for any public road?</i>	The proposed signage would not reduce the safety of any public road.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	The proposed signage would not reduce the safety for pedestrians or cyclists.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	The proposal would not reduce the safety for pedestrians.

The proposed signage is also considered to meet the objectives of Clause 22 of the SEPP 64 which relates to the size, integration and visual impact of the proposed signage.

The evaluation of the application having regard to the assessment criteria contained within SEPP 64 indicates that the proposal satisfies the objectives of the policy.

2.5 State Environmental Planning Policy (Infrastructure) 2007

The application has been assessed against the requirements of State Environmental Planning Policy (Infrastructure) 2007 (ISEPP). This Policy contains State-wide planning controls for developments adjoining busy roads and railways and traffic generating development. The following matters are required to be considered pursuant to ISEPP.

The application was referred to TfNSW in accordance with clauses 101 (Development with frontage to classified road), 103 (Excavation in or immediately adjacent to corridors) and 104 (Traffic Generating Development) of the ISEPP and Clause 17 of SEPP 64 (Advertisements with display area greater than 20m² or higher than 8m above ground).

The TfNSW did not raise any objections to the proposal, subject to conditions.

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

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP) commenced 25 August 2017 and aims to protect the biodiversity and amenity values of trees within non-rural areas of the state.

Part 3 of the Vegetation SEPP states that a development control plan may make a declaration in any manner relating to species, size, location and presence of vegetation. Accordingly, Part 1B.6.1 of the Hornsby Development Control Plan 2013 (HDGP) prescribes works that can be undertaken with or without consent to trees.

Part 3.1.1 of this report provides an assessment in accordance with Part 1B.6.1 of the HDGP.

2.7 Sydney Regional Environmental Policy No. 20 Hawkesbury-Nepean River

The site is located within the catchment of the Hawkesbury Nepean River. Part 2 of this Plan contains general planning considerations and strategies requiring Council to consider the impacts of development on water quality, aquaculture, recreation and tourism.

The proposed development does not propose any substantial construction, and existing stormwater drainage arrangements are proposed to be utilised to dispose of stormwater generated by the development off site. Consequently, it is considered that the proposal would comply with the requirements of the Policy.

2.8 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.

2.9 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:

Hornsby Development Control Plan 2013 - Part 4 Business			
Control	Proposal	Requirement	Compliance
Height	9.65m	12m	Yes
Floor Space Ratio	0:74:1	0:75:1	Yes
No. of storeys	1 storey	max. 3 storeys	Yes
Setbacks (Thornleigh precinct)			
- Front	3.27m – 6.75m	10m	No
- Secondary	4.1m - 5.1m	10m	No
- Side	5.5m	0m	Yes

As detailed in the above table, the proposed development does not comply with the front setback prescriptive requirements within the HDCP. This matter of non-compliance is detailed below, as well as a brief discussion on compliance with relevant desired outcomes.

2.9.1 Setbacks

The proposed pub would have a variable front setback of 3.27m to 6.75m to Pennant Hills Road and 4.1m to 5.1m to Phyllis Avenue which does not comply with the 10 metre front setback requirement stipulated within the Thornleigh Commercial precinct. The purpose of this setback is to provide generous landscaping within the front setback and to maintain the amenity of adjoining land uses.

The application originally proposed a 0 metre setback to both frontages which Council did not support as it resulted in removal of all trees along both frontages, did not provide for landscaping and was not

consistent with the setback of approved buildings within the Thornleigh business precinct. There is a defined building setback along the frontages where the retaining wall for landscaping meets the car park area and the applicant was requested to set back the building to this location to achieve a similar landscape frontage to existing site.

The applicant submitted amended plans to comply with the above requirement and maintain a landscape buffer between the subject site and the road while maintaining the existing trees.

It is considered that whilst the proposal does not strictly meet the 10m requirement, it achieves a similar landscape outcome and is consistent with other adjoining structures, notably Bunnings to the south which is set back approximately 4m to 5m from Pennant Hills Road.

2.9.2 Landscaping

The proposed development retains the existing landscaped areas of the site.

2.9.3 Vehicle Access and Parking

The Hornsby DCP requires 1 car parking space per guest bedroom and 1 car space per 2 employees. There are currently 105 rooms at the site with 5 staff employed giving a requirement of 107.5 car parking spaces.

The site currently provides 75 car parking spaces, which would be reduced to 72 spaces as a result of 3 car parking spaces and one hotel room being removed to accommodate the proposal.

In support of the application, a Traffic Impact Assessment (TIA) as well as a Parking Accumulation Survey of a typical business day was submitted to Council for assessment.

Council's Traffic and Road Safety Branch's assessment provided the following comment with regard to parking impacts:

The TIA provided a table to parking requirement based on the HDCP as follows:

Table 1: Parking Requirement

Land Use	Development Yield			DCP Parking Rate	Parking Requirement			Parking Supply	
	Existing	Proposed	Net Change		Existing	Proposed	Net Change	Existing	Proposed
Hotel	105 rooms 5 staff	104 rooms 5 staff	-1 room	1 space per room + 1 space per 2 staff	107.5	106.5	-1	75	72
Bistro	-	128m ² 4 staff	128m ² 4 staff	1 space per 29m ²	-	15.1	+15		
Sports Bar	-	93m ² 2 staff	93m ² 2 staff						
Smoking Bar	-	47m ² 1 staff	47m ² 1 staff						
VIP Lounge	-	170m ² 1 staff	170m ² 1 staff						
TOTAL					108	122	+14	75	72

The table shows that the existing site has a shortfall of 33 car parking spaces and the proposed development will result in a shortfall of 50 car parking spaces.

To justify the shortfall of parking spaces for the proposal, the TIA states that Transport for NSW's Guide to Traffic Generating Developments (GtTGD) provides a significantly lower parking rate for Tourist Hotel, which is 1 space per 4 bedrooms in 3 and 4 star hotels. Using parking rates stated in

GtTGD, the parking requirement is 26 for Hotel rooms plus 15 for other facilities on-site, giving a total parking requirement of 41 spaces. Thus, the proposed 72 parking spaces are well above the parking rate from GtTGD.

TTPP provided an additional traffic response dated 14 December 2021, which provides the parking accumulation survey which demonstrates that the site currently has sufficient capacity of on-street parking spaces, and 'The estimated peak parking demand for the proposed development (i.e. including proposed bar, bistro and VIP lounge areas) is expected to be 71 spaces on a weekday and 63 spaces on a weekend, which is a lower carparking demand than the proposed 72 on-site parking spaces.

Furthermore, the current operator of IBIS Thornleigh provided the following observations (signed by Mat Finch, Portfolio General Manager):

- Prior to the impact of Covid-19, the hotel's average occupancy rate was around 72% (75 rooms per night). This rate has now fallen to an average of 35% (37 rooms per night).
- The hotel's traditional business mix is made up of corporate travellers from the immediate local area (11-15% of room nights), tour groups (12-16%) and general public guests.
- Tour series are traditionally hosted on weekends and account for 20 rooms per night - these guests do not utilise the car park as both inbound and sporting groups travel by coach.
- The majority of business guests utilise the parking facilities at adjacent corporate offices (e.g., McDonalds Australia) and as such rarely use the Ibis car park for overnight parking.

Council's Traffic and Road Safety Branch's assessment accepts the 72 spaces provided on site as it has been adequately demonstrated via the submission of supporting documentation and justification provided that the proposal would have a sufficient number of car parking spaces to cater for both the Hotel and proposed pub.

2.9.4 Accessible Design

The application was supported by an Access Assessment prepared by AED Group dated 1 September 2021.

The HDCP requires that all new building work should comply with the accessibility provisions of the Building Code of Australia (BCA) and the Disability (Access to Premises - Buildings) Standards 2010 and provide continuous unobstructed paths of travel from public footpaths, accessible car parking, and set down areas to public building entrances.

To meet the Access to Premises Standards Part 2.1 and BCA D3.2, accessible paths of travel are available from the front boundary via a ramp to the footpath along Pennant Hills Road and lifts are provided from the ground floor to the upper level.

Accessible parking is available in the existing carpark, located in close proximity to the lift.

Council's access assessment concurs with the conclusions of the Access Report that the access provisions for people with physical and sensory disabilities in the proposed development complies with the accessibility requirements of the BCA and the Disability (Access to Premises - Buildings) Standards 2010.

2.9.5 Waste Management

The proposal is to extend the Ibis Hotel by constructing a pub over the loop road around the hotel, with the pub's main entry at the Pennant Hills Road level.

A bin storage room of acceptable size has been provided and the bins can be serviced from the loop road with minimal need for bin carting. This has been assessed as acceptable by Council's Waste Management Team.

Truck access is as per existing using the existing loop road whereby trucks do not have to make any reverse movements on site and can enter and leave the site in a forward direction. Since there will be construction over the waste collection vehicle travel path on site, a minimum vertical clearance of 3.5m has been conditioned to ensure the site is able to continue to be serviced by a small rigid waste collection vehicle.

Conditions are recommended during the construction stage to ensure the existing waste bins servicing the motel will be relocated to the carpark spaces that can be accessed by the waste collection vehicles as a temporary arrangement.

2.9.6 Noise and Vibration

The application was supported by an amended Acoustic Assessment prepared by Pulse White Noise Acoustics dated 2 February 2022 and an amended plan of management for the pub which includes a complaint handling procedure.

Council's acoustic assessment raised no objections to the proposed hours of operation nor acoustic impacts of the proposal to surrounding properties subject to conditions requiring compliance with the recommendations of the acoustic report that includes acoustic treatment, noise limited audio devices and a cap on patron numbers, the proposal is considered acceptable.

The amended Plan of Management (PoM) includes sufficient information addressing the planning principles established by the LEC as demonstrated below:

Do the requirements in the Management Plan relate to the proposed use and complement any conditions of approval?

Comment: Yes the PoM relates to a pub facility and appropriate conditions are recommended restricting number of patrons, hours of operation, operational standards, noise minimisation, signage, CCTV, liquor accord, removal of liquor in open containers, induction and training, deliveries and waste removal, maintenance, complaints handling procedures, amenity of neighbourhood, community liaison, responsibilities of staff/management and dealing with incidents/minors.

Do the requirements in the Management Plan require people to act in a manner that would be unlikely or unreasonable in the circumstances of the case?

Comment: No, the PoM is considered simple and easy to understand and would not place any unreasonable requirements on the Licensee.

Can the source of any breaches of the Management Plan be readily identified to allow for any enforcement action?

Comment: Yes, an operational condition is recommended in Schedule 1 requiring complaints regarding the operation of the facility to be directed to the Licensee of the business and a log book of the date and time of the complaint, contact details of the person making the complaint and the nature of the complaint to be documented. This logbook must be readily available to Council and contact details must be provided on a website or alternatively all adjoining properties must be notified in writing of relevant contact details of the manager.

Do the requirements in the Management Plan require absolute compliance to achieve an acceptable outcome?

Comment: No, the proposed procedures and operational limitations of the PoM would ensure that the standard of the operation would achieve an acceptable environmental outcome.

Can the people the subject of the Management Plan be reasonably expected to know of its requirements?

Comment: Yes, an operational condition is recommended in Schedule 1 requiring the submitted PoM to be adhered to.

Is the Management Plan to be enforced as a condition of consent?

Comment: Yes, an operational condition is recommended in Schedule 1 requiring the submitted PoM to be adhered to.

Does the Management Plan contain complaint management procedures?

Comment: Yes, complaints would be directed to the Licensee who will investigate any complaints and keep a log book of the date and time of the complaint, contact details of the person making the complaint and any action taken.

Is there a procedure for updating?

Comment: Yes, should complaints occur, the PoM can be updated.

Subject to conditions, the proposal is deemed acceptable pursuant to Part 1C.2.5 Noise and Vibration requirements of the HDCP.

2.9.7 Crime Prevention

The HDCP stipulates that development should be designed to reduce crime risk and minimise opportunities for crime.

Given the nature of the development as a licensed premises, the proposed development was referred to the NSW Police (Kuring Gai Local Area Command) for comment with regard to crime prevention, public nuisance and noise management.

The NSW Police undertook a detailed assessment of the proposal and raised no objections to the development application subject to conditions requiring the following:

- The requested trading hours on Sunday being in line with standard trading hours for licensed premises which are Sunday 10am to 10pm instead of the proposed 7am operating hours on a Sunday.
- CCTV cameras must be installed at all entrances and exits.
- That the licensee join the local liquor accord.

Council's assessment concurs with the findings of the NSW Police and deems the proposal meets the crime prevention provisions of the HDCP. Conditions are recommended in Schedule 1 reflecting the NSW Police comments.

2.9.8 Signage

The proposed development would remove all existing signage with 15 replacement signs. The application was supported by a signage strategy which clearly identifies the signage for the site.

The HDCP states that flush wall and painted wall sign should be:

- *Flush with the building and not extend laterally beyond the wall of the building to which it is attached.*
- *Be a maximum of 5m².*
- *That pylon signs should not exceed 2m in width and 8m in height.*

All signs comply with the HDCP requirements with the exception of Sign 4 which is detailed below.

One business identification sign (sign 4) which states the tavern letters 'Thornleigh Tavern' and measuring 9.3m wide x 0.637m high would be located on the roof of the pub building and does not comply with this requirement that the signage be located on the wall. In support of the non-compliance, it is recognised that the sign would sit within the roof of the pub and below the roof pop-up, is of a modest size and appearance, is for business identification signage only and not advertising signage and would not stand out within the public domain.

The new signage strategy is considered acceptable for the site and to the public domain.

2.10 Section 7.12 Contribution Plans

Hornsby Shire Council Section 7.12 Contributions Plan 2019-2029 applies to the development as the estimated costs of works is greater than \$100,000. Should the application be approved, an appropriate condition of consent is recommended requiring the payment of a contribution in accordance with the Plan.

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 Natural Environment

3.1.1 Tree and Vegetation Preservation

The proposed development would necessitate the removal of 2 trees identified as Tree 17 (Spotted Gum) and Tree 24 (Tallowood) from the front of the site. Both these trees were planted with the construction of the original IBIS hotel building and are not locally indigenous species. An arborist report prepared by George Palmer Botanics was submitted in support of the application.

Council's Biodiversity assessment concluded that the proposal does not require the removal or modification of a significant area of vegetation or habitat, is generally consistent with the Biodiversity element of HDCP 2013 and will not have a significant impact on matters listed under the *NSW Biodiversity Conservation Act 2016*.

In addition, Council's tree assessment raised no objections to the removal of these 2 trees, subject to the replacement planting of 2 trees and utilisation of tree sensitive construction techniques for trees to be retained.

3.1.2 Stormwater Management

The application proposes stormwater pits that would connect into the existing On-Site Detention for the site.

Council's Engineer reviewed the proposed stormwater solution and raised no objections, subject to conditions.

3.2 Built Environment

3.2.1 Built Form

Being located at street level, the building would be visible from a number of public places within the locality. The design has attempted to minimise the visual impact by recessing the pub, providing an aesthetically pleasing design that disguises the previous IBIS building from view from the streetscape, and demolishes an existing triangle roof feature that is in disrepair as well as providing a considerable amount of landscaping and retaining trees within both road frontages.

3.2.2 Traffic

Traffic generation is not considered as an issue of the development, as addressed in Section 2.9.3 of the report.

3.3 Social Impacts

The social impacts of the development on the local and broader community have been considered with specific reference to the potential employment generation within the venue and during construction. This is consistent with the State Government's Greater Sydney Region Plan - A Metropolis of Three Cities which identifies the need to provide an additional 689,000 new jobs by 2031.

There would be a number of multiplier effects that the development would provide throughout the local and regional economies. These multiplier effects would result from the sourcing of goods and services from suppliers as well as the increased consumption generated by the increase of employment in the area. The venue is likely to provide employment opportunities to younger age groups, which typically have higher unemployment rates within the region.

The operation of the bar would be subject to the licensing requirements of Liquor and Gaming NSW.

3.4 Economic Impacts

The proposal would have a minor positive impact on the local economy in conjunction with other new commercial development in the locality by generating an increase in demand for local services and providing employment.

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 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


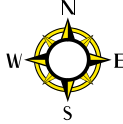
Section 4.15(1)(d) of the Act requires Council to consider *"any submissions made in accordance with this Act"*.

5.1 Community Consultation

The proposed development was placed on public exhibition and was notified to adjoining and nearby landowners between 11 October 2021 and 2 November 2021 in accordance with the Hornsby Community Engagement Plan. During this period, Council received 2 submissions. The map below illustrates the location of those nearby landowners who made a submission that are in close proximity to the development site.



NOTIFICATION PLAN

• PROPERTIES NOTIFIED	X SUBMISSIONS RECEIVED		PROPERTY SUBJECT OF DEVELOPMENT	
1 SUBMISSION RECEIVED OUT OF MAP RANGE				

Two submissions objected to the development, generally on the grounds that the development would result in:

- Unacceptable parking for proposed use.
- Parking on local streets and adjoining McDonalds overflow car park.
- Permissibility issues.
- Amenity issues with potential for rubbish in surrounding streets.
- Smoke free legislation.
- Concerns with acoustic report.
- Plan of Management concerns.

- Inconsistency with documentation.

The merits of the matters raised in community submissions have been addressed in the body of the report with the exception of the following:

5.1.1 Car parking in McDonalds Overflow car park

Council's parking assessment did not raise concerns regarding the number of car spaces provided on site or the availability of on street parking surrounding the site.

Council cannot control patrons illegally parking their cars on adjoining car parks and that would be a civil matter between McDonalds and the IRIS hotel group.

5.1.2 Preservation of surrounding amenity

Management of patrons is a matter covered by Liquor and Gaming NSW and conditions are recommended that the proposed venue comply with the Plan of Management which contains a complaint handling procedure and that a permanent phone number be located at the front of the Hotel.

5.1.3 Use of the smoking area in relation to smoke free environment legislation

The smoke free environment legislation requires ventilation of those areas used for smoking. The Revised Acoustic Assessment bases its assumptions on hopper windows being open for ventilation purposes which is considered acceptable.

5.1.4 Acoustic report provides inadequate acoustic assessment using short term data

Council requested an amended acoustic report to address deficiencies in the acoustic report. The amended acoustic report submitted on 25 February 2022 provides long term background noise monitoring for a minimum of 7 days, provides an assessment on smoking in the gaming areas and windows proposed and has removed weather affected data.

Council is satisfied with the amended acoustic assessment and there is sufficient detail to enable an assessment of the application on noise and acoustic impacts.

5.1.5 Updates required to plan of management (POM) to address management measures

Council requested numerous amendments to the Plan of Management to address management measures which are discussed in the report above. The amended PoM is considered satisfactory.

5.1.6 Inconsistency with documentation

Council requested amendments to the PoM and acoustic report to ensure consistency of patron numbers and hours of operation across all submitted documentation.

5.1.7 Nature of proposed use/certainty

The submitter contends that the application does not provide sufficient certainty as to whether the proposed use of a new pub will be standalone or ancillary to the existing hotel. It is submitted that Council cannot assess or approve an application which is uncertain as to the proposed land use.

The Applicant has provided the following clarification which satisfactorily addresses any permissibility concerns with the application:

The subject site benefits from an approved use of the land, that being for the purpose of hotel or motel accommodation, in accordance with the definition contained at the Dictionary to the Hornsby Local Environmental Plan 2013 (HLEP), albeit that the use of the land was approved and constructed prior to the implementation of the HLEP. The development application that is currently before the Council seeks to continue the use of the land for the purpose of hotel and motel accommodation and use the land for the purpose of food and drink premises, in this case, a pub, again in accordance with the definition contained at the Dictionary to the HLEP.

The purpose of the food and drink premises (pub) is to serve the needs of patrons staying at the hotel, in the same manner that the existing Kitchen and Bar services the needs of patrons staying at the hotel. This is not to say that the Kitchen and Bar services are restricted to patrons staying at the hotel; there is no such requirement, and any person of the public can also obtain a meal at the existing Kitchen and Bar service at the premises.

The application, as lodged, is not an application pursuant to s.4.55 of the Environmental Planning & Assessment Act 1979 (EP & A Act); it is instead a new development application, which enables this broader use to be introduced to the site. The use maintains the same function as the existing Kitchen and Bar service, that is to service patrons. It also permits, consistent with the same Kitchen and Bar service, patrons that are not staying at the hotel, to attend the site for the same purpose. The food and drink premises is therefore not a standalone use, but continues to form the same function, that is to service patrons of the hotel and the general public. Matters of 24/7 food service are a management issue that can be addressed by the operator and continue for patrons staying at the hotel.

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 and relevant agencies' criteria and would provide a development outcome that, on balance, would result in a positive impact for the community. Accordingly, it is considered that the approval of the proposed development would be in the public interest.

CONCLUSION

The application proposes demolition of part of the existing building and existing ground floor bar, car parking and trees; reconstruction of part of the building for the purpose of a new pub for 340 patrons, on-site landscaping and business identification signage

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*.

Council received 2 submissions during the public notification period. The matters raised have been addressed in the body of the report.

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

The reasons for this decision are:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to traffic, visual bulk, noise, 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.



















RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is Matt Miles.

CASSANDRA WILLIAMS
Major Development Manager - Development
Assessments
Planning and Compliance Division

ROD PICKLES
Manager - Development Assessments
Planning and Compliance Division

Attachments:

1.   Locality Map
2.   Architectural Plans
3.   Landscape Plans
4.   Plan of Management
5.   Signage Strategy
6.   Traffic Plan
7.   Acoustic Letter
8.   Arborist Report
9.   Social Impact Assessment

File Reference: DA/1037/2021
Document Number: D08368585

SCHEDULE 1**GENERAL CONDITIONS**

The conditions of consent within this notice of determination have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the relevant legislation, planning instruments and council policies affecting the land and does not disrupt the amenity of the neighbourhood or impact upon the environment.

Note: For the purpose of this consent, the term 'applicant' means any person who has the authority to act on or the benefit of the development consent.

Note: For the purpose of this consent, any reference to an Act, Regulation, Australian Standard or publication by a public authority shall be taken to mean the gazetted Act or Regulation, or adopted Australian Standard or publication as in force on the date that the application for a construction certificate is made.

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:

Plan No.	Plan Title	Drawn by	Dated	Council Reference
DA-011, Rev H	Proposed level 1 floor plan	Squillace	01.06.2022	
DA-050, Rev F	Existing and demolition ground floor	Squillace	04.05.2022	
DA-051, Rev F	Existing and demolition level 1	Squillace	04.05.2022	
DA-052, Rev F	Existing and demolition level 2	Squillace	04.05.2022	
DA-053, Rev F	Existing and demolition level 3	Squillace	04.05.2022	
DA-054, Rev F	Existing and demolition roof plan	Squillace	04.05.2022	
DA-054, Rev F	Existing and demolition roof plan	Squillace	04.05.2022	
DA-055, Rev E	Existing and demolition east and south elevation	Squillace	04.05.2022	
DA-100, Rev F	Ground floor plan	Squillace	04.05.2022	
DA-101, Rev F	Level 1 floor plan	Squillace	04.05.2022	
DA-102, Rev F	Level 2 floor plan	Squillace	04.05.2022	
DA-103, Rev F	Level 3 floor plan	Squillace	04.05.2022	
DA-104, Rev F	Roof plan	Squillace	04.05.2022	
DA-201, Rev F	North elevation	Squillace	04.05.2022	
DA-202, Rev F	East elevation	Squillace	04.05.2022	
DA-203, Rev F	South elevation	Squillace	04.05.2022	
DA-204, Rev F	West elevation	Squillace	04.05.2022	
DA-300, Rev F	Section sheet 1	Squillace	04.05.2022	

Plan No.	Plan Title	Drawn by	Dated	Council Reference
DA-301, Rev F	Section sheet 2	Squillace	04.05.2022	
5148 SM, Rev 1	Signage strategy	Fremont	24.09.2021	
1 of 3, Issue E	Landscape site plan	Paul Scrivener	04.05.2022	
2 of 3, Issue E	Planting Plan	Paul Scrivener	04.05.2022	
3 of 3, Issue E	Green roof and details	Paul Scrivener	04.05.2022	

Supporting Documentation

Document Title	Prepared by	Dated	Council Reference
TfNSW Letter ref: SYD21/01273	Transport for NSW	09.11.2021	D08288866
NSW Police Letter	NSW Police	01.12.2021	D08306767
Hornsby Council Tree Location Plan	HSC	07.06.2022	D08424305
Arborist Report	George Palmer	July 2021	D08264642
Stormwater Plans, Dw Nos. H030, H040 And H050, rev P1	LCI Consultants	No Date	D08264638
Plan Of Management	No name	August 2021	D08405664
Traffic Advice	Transport planning partnership	14.12.2021	D08356441
Traffic Report	Transport planning partnership	29.08.2021	D08264639
DA Acoustic Assessment, rev 3	Pulse White Noise Acoustics	2.02.2022	D08356438
Access Report	AED Group	01.09.2021	D08264644
BCA Report	AED Group	01.09.2021	D08264650
Waste Report	MRA Consulting group	13.07.2021	D08264640

2. Amendment of Plans/Documentation

- a) The plan of management must be amended to update the approved hours from an opening time of 7am on Sundays to an opening time of 10am on Sundays.
- b) Details of this amendment must be submitted with the application for a Construction Certificate.

3. Removal of Trees

- a) This development consent permits the removal of trees numbered 17 and 24 as identified on the approved landscape plan prepared by Paul Scrivener, amendment E, dated 4.5.2022.
- b) No consent is granted for the removal of any other tree located on the site 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 (HDCP).

4. Construction Certificate

- a) A Construction Certificate is required to be approved by Council or a Private Certifying Authority prior to the commencement of any construction works under this consent.
- b) The Construction Certificate plans must be consistent with the Development Consent plans.

5. Section 7.12 Development Contributions

- a) In accordance with Section 4.17(1) of the *Environmental Planning and Assessment Act 1979* and the *Hornsby Shire Council Section 7.12 Development Contributions Plan 2019 - 2029*, **\$75,328.50** must be paid towards the provision, extension or augmentation of public amenities or public services, based on development costs of **\$7,532,850**.
- b) The value of this contribution is current as of 31 May 2022. If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Hornsby Shire Council Section 7.12 Development Contributions Plan and the amount payable will be calculated at the time of payment in the following manner:

$$\text{\$C}_{PY} = \frac{\text{\$C}_{DC} \times \text{CPI}_{PY}}{\text{CPI}_{DC}}$$

Where:

\\$C_{PY} is the amount of the contribution at the date of Payment.

\\$C_{DC} is the amount of the contribution as set out in this Development Consent.

CPI_{PY} is the latest release of the Consumer Price Index (Sydney – All Groups) at the date of Payment as published by the ABS.

CPI_{DC} is the Consumer Price Index (Sydney – All Groups) for the financial quarter at the date of this Development Consent.

- c) The monetary contributions shall be paid to Council:
 - (i) Prior to the issue of the Subdivision Certificate where the development is for subdivision.
 - (ii) Prior to the issue of the first Construction Certificate where the development is for building work.
 - (iii) Prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work.
 - (iv) Prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

Note: It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Note: In accordance with Ministerial Directions, the payment of contribution fees for development with a cost of works of over \$10 million can be deferred to prior to Occupation Certificate.

Note: The Hornsby Shire Council Section 7.12 Development Contributions Plan may be viewed at www.hornsby.nsw.gov.au or a copy may be inspected at Council's Administration Centre during normal business hours.

REQUIREMENTS PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

ITEM 4

6. 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.

7. Appointment of a Project Arborist

- a) A project arborist with AQF Level 5 qualifications must be appointed.
- b) Details of the appointed project arborist must be submitted to Council and the PCA for registration with the application for the construction certificate.

8. Mechanical Equipment

Prior to the issue of the Construction Certificate, a mechanical plant noise assessment must be undertaken by a suitably qualified Acoustic Consultant and a report certifying that the operation of all proposed equipment will not exceed 38dB(A) at any boundary upon installation, must be submitted to the Principal Certifying Authority.

9. Car Parking and Deliveries

All car parking must be constructed and operated in accordance with Australian Standard AS 2890.1-2004 Off street car parking and Australian Standard AS2890.2-2002 Off street commercial and the following requirements:

- a) All parking areas and driveways must be sealed to an all-weather standard, line marked and signposted.
- b) Car parking, loading and manoeuvring areas must be used solely for nominated purposes.
- c) Vehicles awaiting loading, unloading or servicing must be parked on site and not on adjacent or nearby public roads.
- d) All vehicular entry on to the site and egress from the site must be made in a forward direction.

10. Stormwater Drainage

The stormwater drainage system for the development must be designed in accordance with AUS-SPEC Specifications (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions) and the following requirements:

- a) Connected directly to the existing internal drainage and on-site detention system.

11. Food premise construction

As detailed kitchen floor plans and section plans were not submitted as part of the development application, the following plans must be submitted to Council's Public Health Team for review and written approval prior to the issue of a Construction Certificate:

- a) Detailed floor and section plan for the food premises. The plans are to demonstrate compliance with the following:
 - i) Australian Standard AS4674-2004 Design, construction and fit-out of food premises.
 - ii) Food Standards Code (Australia).
 - iii) Building Code of Australia.
- b) The submitted plans must make provisions for the following:
 - i) Construction details/finishes for the floors (including coving), walls, ceiling, fixtures and fittings in the food preparation area of the premises.
 - ii) Location and construction details of all light fittings and any floor wastes within the food preparation area.
 - iii) A designated hand washing facility, accessible and no further than 5 metres, except for toilet hand basins, from any place where food handlers are handling open food, fitted with a single spout capable of delivering a supply of warm running water.
 - iv) A double-bowl wash sink suitable for cleaning and sanitising food contact surfaces and equipment.
 - v) Proposed cooking appliances and mechanical ventilation system to comply with AS/NZS1668.1 and AS1668.2.
 - vi) In addition to the requirements of AS/NZS1668.1 and AS1668.2, an extraction system shall be provided where there is any dishwasher and other washing and sanitising equipment that vents steam into the area to the extent that there is, or is likely to be, condensation collecting on walls and ceilings.
 - vii) A cleaner's sink for disposal of liquid waste (which is not to be located in areas where open food is handled).

Note: Council's Public Health Team can be contacted on 02 9847 6014 and plans and documents for review/ approval can be submitted to HealthTeam@hornsby.nsw.gov.au.

12. Grease trap

Detailed plans of the location of the grease trap are to be submitted to Council's Public Health Team for review and written approval prior to the issue of a Construction Certificate which demonstrate compliance with the following:

- a) Section 2.3.2 of Australian Standard AS4674-2004 which stipulates that 'grease arrestors shall not be located in areas where food, equipment or packaging materials are handled or stored'.

- b) Access to grease arrestors for emptying shall not be through areas where open food is handled or stored or where food contact equipment and packaging materials are handled or stored'.

Note: Council's Public Health Team can be contacted on 02 9847 6014 and plans and documents for review/approval can be submitted to HealthTeam@hornsby.nsw.gov.au.

13. Waste Storage Area

Detailed plans of the waste storage area to be submitted to Council's Public Health Team for review and written approval prior to the issue of a Construction Certificate. The designated garbage/waste storage area shall comply with the following requirements in accordance with Australian Standard AS4674-2004 including but not limited to:

- a) Provided with a hose tap connected to the water supply.
- b) Paved with impervious material.
- c) Coved at the intersection of the walls with coving integral to the floor.
- d) Graded and drained to an approved waste disposal system.
- e) Ventilated.
- f) Proofed against pests.
- g) Appropriate bunding is required for the waste storage area to prevent environmental pollution.

Note: The submitted plans illustrate a smoking area within the premises. The Applicant and Occupier of the premises are alerted to the requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016. They must ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016.

The submitted plans are required to be reviewed by Council's Public Health Team to ensure compliance with the Australian Standard AS4674-2004 Design and fit out of food premises, the Food Act 2003, Food Regulation 2015 and the Australia New Zealand Food Standards Codes.

Note: Council's Public Health Team can be contacted on 02 9847 6014 and plans and documents for review/ approval can be submitted to HealthTeam@hornsby.nsw.gov.au.

14. Waste Management Details

The following waste management requirements must be complied with:

- a) There must be no steps along any bin carting route. Ramps and service lifts are acceptable.
- b) A design certificate and detailed plans are to accompany any Construction Certificate application, which demonstrate that all waste storage room(s) have been designed to be constructed in accordance with the Waste Minimisation and Management Guidelines and including the following requirements:
 - i) The floor is to be constructed of concrete at least 75mm thick and adequately graded to drain to a Sydney Water approved drainage fitting.

- ii) The floor must be finished so that it is non-slip, sealed and impervious, and has a smooth and even surface coved at all intersections.
 - iii) The ceilings and walls must be finished with smooth faced non-absorbent material capable of being cleaned.
 - iv) The room is to be provided with artificial light controllable within the room and adequate ventilation.
 - v) The room is to be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.
 - vi) The doors are to be robust and lockable, with a door opening of no less than 2m. The doors must be able to be opened from inside the room without a key.
 - vii) The bin storage room must comply with the requirements of AS 4674-2004.
 - viii) The bin storage room must have sufficient space to comfortably house the required number of bins (3 of 1100 L garbage bins and 1 of 1100 L recycling bins) and aisle space to access and manoeuvre these bins with every bin being accessible (no stacking of bins 2 or more deep).
 - ix) If the sum of meat, seafood and poultry waste generated per day is expected to be at least 50 litres, then either the bin storage room must be refrigerated or putrescible waste collections must take place daily.
- c) A design certificate from a qualified traffic engineer and detailed plans are to accompany the Construction Certificate application that confirms that the waste can be directly collected from the basement level as detailed in the Waste Management Plan and the Traffic Report. The design certificate is to specifically confirm that the:
- i) Waste collection vehicle is able to enter the site in a forward direction, adequately manoeuvre into position near the bins, load bins and exit the site in a forward direction.
 - ii) Vertical clearance of 3.5m is provided along the entire route of travel of the waste collection vehicle on site and any loading bay.
 - iii) The installation of ceiling mounted cable trays, pipes, ducting, lights, signs etc will not reduce the vertical clearance of the waste collection vehicle travel path on site to less than 3.5m.
 - iv) The waste collection vehicle must be able to manoeuvre on-site with limited need for reversing.
 - v) The grades along the entire travel path of the waste collection vehicle on site must not exceed the maximum grades of AS2890.2 for a heavy rigid vehicle.
 - vi) The vehicle ground clearance is sufficient to prevent scraping.
 - vii) All pavement has been designed to carry the load of the heavy rigid vehicle.
- d) All occupied portions of the development must have a fully functional on-going waste management system that is capable of being serviced for waste collection during all demolition and construction stages.

15. Sydney Water - Approval

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.

Note: Building plan approvals can be obtained online via Sydney Water Tap in™ through www.sydneywater.com.au under the Building and Development tab.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS**16. Erection of Construction Sign**

- a) A sign must be erected in a prominent position on any site on which any approved work is being carried out:
 - i) Showing the name, address and telephone number of the principal certifying authority for the work.
 - ii) Showing 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.
 - iii) Stating that unauthorised entry to the work site is prohibited.
- b) The sign is to be maintained while the approved work is being carried out and must be removed when the work has been completed.

17. Protection of Adjoining Areas

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:

- a) Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic.
- b) Could cause damage to adjoining lands by falling objects.
- c) Involve the enclosure of a public place or part of a public place.
- d) Have been identified as requiring a temporary hoarding, fence or awning within the Council approved Construction Management Plan (CMP).

Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.

18. Erosion and Sediment Control

To protect the water quality of the downstream environment, erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual *'Soils and Construction 2004 (Bluebook)'*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.

19. Garbage receptacle

- a) A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.
- b) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.
- c) The receptacle lid must be kept closed at all times, other than when garbage is being deposited.
- d) Food scraps must be placed in the garbage receptacle and not in demolition and construction waste bins.

20. Installation of Tree Protection Measures

- a) Trees to be retained and numbered 1 to 16, 18-23 and 25-26 inclusive as identified on Hornsby Council Tree Location Plan prepared by HSC, dated 7 June 2022 must have tree protection measures for the ground, trunk and canopy installed by the project arborist as follows:
 - i) For the duration of demolition works, in accordance with the Hornsby Council Tree Location Plan prepared by HSC, dated 7 June 2022.
 - ii) For the duration of construction works, in accordance with Hornsby Council Tree Location Plan prepared by HSC, dated 7 June 2022.
- b) Tree protection fencing for the trees to be retained numbered 1-16, 18-23 and 25-26 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.
- c) 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.
- d) The installation of all required tree protection fencing must protect the garden bed areas to the edge of the impervious surface.
- e) Tree crown protection measures are required and must be installed by the AQF 5 project arborist.
- f) The circumference of the trunk(s) must be wrapped in hessian material to provide cushioning for the installation of timber planks.
- g) Timber planks (50 x100mm) must be spaced at 100mm intervals and must be attached using adjustable ratchet straps.
- h) All tree protection zones must have a layer of wood-chip mulch at a depth of between 150mm and 300mm.
- i) Where wood-chip mulch is permitted by Council instead of tree protection fencing within the tree protection zones, the wood-chip must be covered with a layer of geotextile fabric and rumble boards. This may be employed if it is demonstrated that plant, equipment, materials and waste do not use the western and northern section of the carpark. (Trees numbered 1 to 4 and 27 to 29).

REQUIREMENTS DURING CONSTRUCTION AND DEMOLITION**ITEM 4****21. Construction Work Hours**

All works on site, including demolition and earth works, must only occur between 7am and 5pm Monday to Saturday.

No work is to be undertaken on Sundays or public holidays.

22. Demolition

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:

- a) 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.
- b) 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*.
- c) 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.

23. Environmental Management

To prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction, the site must be managed in accordance with the publication '*Managing Urban Stormwater – Landcom (March 2004)*' and the *Protection of the Environment Operations Act 1997*.

24. Council Property

To ensure that the public reserve is kept in a clean, tidy and safe condition during construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath.

25. Disturbance of Existing Site

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.

26. Landfill not Permitted

The importation of fill material associated with earthworks, or structural or engineering works, is not permitted as part of this consent.

27. Maintenance of public footpaths

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.

28. Building Materials and Site Waste

The stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, waste water 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.

29. Unexpected Finds

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 PCA and Council.

30. 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:

- a) The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the *Protection of Environment Operations Act 1997*.
- b) 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*.
- c) 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 WorkCover NSW.
- d) All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it.
- e) 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.
- f) The storage of waste and recycling containers must be within the boundaries of the development site at all times. 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.
- g) 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:
 - i) The identity of the person removing the waste.
 - ii) The waste carrier vehicle registration.
 - iii) Date and time of waste collection.

- iv) A description of the waste (type of waste and estimated quantity).
- v) Details of the site to which the waste is to be taken.
- vi) 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).
- vii) Whether the waste is expected to be reused, recycled or go to landfill.

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.

31. Survey Report

A report must be prepared by a registered surveyor and submitted to the principal certifying authority:

- a) Prior to the pouring of any concrete support columns, certifying that: no support columns are positioned within the approved travel path of the waste collection vehicle.
- b) Prior to the pouring of any concrete on the level above the waste collection vehicle travel path, certifying that: the vertical clearance over the waste collection vehicle travel path will be no less than 3.5 metres.
- c) The installation of ceiling mounted cable trays, pipes, ducting, lights, signs etc must not reduce the vertical clearance of the waste collection vehicle travel path on site to less than 3.5m.

32. Prohibited actions within the fenced tree protection zone

The following activities are prohibited within the approved fenced tree protection zones unless otherwise approved by Council:

- a) Soil cutting or filling, including excavation and trenching.
- b) Soil cultivation, disturbance or compaction.
- c) Stockpiling storage or mixing of materials.
- d) The parking, storing, washing and repairing of tools, equipment and machinery.
- e) The disposal of liquids and refuelling.
- f) The disposal of building materials.
- g) The siting of offices or sheds.
- h) Any action leading to the impact on tree health or structure.

33. Maintaining the health of trees approved for retention

The appointed project arborist must monitor and record any and all necessary actions required to maintain tree health and condition for trees to be retained on the approved plans.

34. Maintaining Tree Protection Measures

Tree Protection Measures must be maintained by the project arborist for the duration of works.

35. Approved Works within Tree Protection Zone incursions

- a) 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:
 - i) Using sharp secateurs, pruners, handsaws or chainsaws with the final cut being clean.
 - ii) The maximum diameter of roots permitted to be cut is 40 mm.
- b) Where the building footprint enters or transects the Tree Protection Zones of trees to be retained numbered T16, T18-23 and T25-26, sensitive construction techniques in the form of screw pilings or piers, cantilevered or suspended slab design must be employed to create a 100mm clearance above existing soil grade.
- c) Approved excavations within the Tree Protection Zone of trees to be retained numbered T16, T18-23 and T25-26 not associated with installation of services must be undertaken as follows:
 - i) Excavations for the construction and/or installation of the piers in the Tree Protection Zone of trees to be retained numbered T16 on the approved plans must be supervised by the project arborist to locate roots and allow for pruning in accordance with condition 8a.
 - ii) Grade changes in the form of filling, are permissible outside the Structural Root Zone in conjunction with piers.
- d) To minimise impacts within the Tree Protection Zone (TPZ) of trees numbered T16 on the approved plans, the installation of services must be undertaken as follows:
 - i) The AQF 5 project arborist must be present to oversee the installation of any underground services which enter or transect the tree protection.
 - ii) The installation of any underground services which either enter or transect the designated TPZ must be undertaken manually.
 - iii) 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.
- e) Where scaffolding is required, ground protection must be installed beneath the scaffolding in the following order:
 - i) Installation of a 100mm deep layer of woodchip.
 - ii) Installation of geotextile fabric ground covering.
 - iii) Installation of scaffold boarding above the woodchip and geotextile fabric.

REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

36. External Lighting

- a) To protect the amenity of adjacent premises, all external lighting must be designed and installed in accordance with Australian Standard AS4282 Control of the obtrusive effects of outdoor lighting.
- b) Certification of compliance with this Standard must be obtained from a suitably qualified person and submitted to the PCA with the application for the Occupation Certificate.

37. Completion of landscaping

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.

Note: Applicants are advised to pre-order plant material required in pot sizes 45 litre or larger to ensure nurseries have stock available at the time of install.

38. Food Premises Compliance

- a) The fit out and operation of the part of the building to be used for the manufacture, preparation or storage of food for sale, must be in accordance with Australian Standard AS4674-2004 Design and fit out of food premises, the *Food Act 2003*, and the Food Regulation 2015 and the Food Standards Code developed by Food Standards Australia New Zealand. Food Standards 3.2.2 and 3.2.3 are mandatory for all food businesses.

Note: Walls are to be of solid construction.

- b) Prior to the commencement of the business, the operator is required to contact Council's Public Health Team to arrange for a Health Officer to carry out an inspection of the premises to ensure compliance with the Australian Standard AS4674-2004 Design and fit out of food premises, the *Food Act 2003*, Food Regulation 2015 and the Australia New Zealand Food Standards Codes.
- c) A letter of compliance provided by Hornsby Shire Council's Health Officer must be submitted to the Principal Certifier prior to an occupation certificate being issued.

Note: Council's Public Health team can be contacted on 02 9847 6014.

39. Grease Trap & Dry Basket Arrestor Installation

An application must be submitted to *Sydney Water* for the installation of a grease trap and dry basket arrestor (floor and sink) in accordance with the '*Guidelines for the On-Site Pre-Treatment of Trade Wastewater Discharges – Sydney Water (May 2004)*'.

40. Mechanical Ventilation

Certification must be submitted from an appropriately qualified and practising mechanical engineer to the Principal Certifying Authority, detailing that the exhaust ventilation system has been installed in accordance with Australian Standard AS1668 The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings, prior to completion and the issue of any Occupational Certificate.

41. Asbestos Clearance Certificate

Should any asbestos be encountered during demolition or construction works, a licenced asbestos assessor is required to provide a Clearance Certificate to the 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.

42. Damage to Council Assets

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 (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions). Rectification works must be undertaken prior to the issue of an Occupation Certificate, or sooner, as directed by Council.

43. Acoustic Treatment and Certification

- a) Acoustic treatment must be installed for the proposed development in accordance with the DA Acoustic Assessment, prepared by Pulse White Noise Acoustics, dated 2/2/22, reference 210133.
- b) A noise limited audio device which prevents background music from exceeding a sound pressure level of 70dBA must be installed in all areas where amplified music is played in accordance with the DA Acoustic Assessment, prepared by Pulse White Noise Acoustics, dated 2/2/22, reference 210133.
- c) On completion of all works and prior to the issue of an Occupation Certificate, the certifier is to be provided with a certificate from a qualified acoustic consultant certifying that all acoustic works have been completed in accordance with the recommendations contained within the DA Acoustic Assessment, prepared by Pulse White Noise Acoustics, dated 2/2/22, reference 210133 and this consent.

44. Installation of CCTV

The applicant shall install and maintain CCTV cameras to monitor and record all public areas of the premises including every entrance and exit. The CCTV cameras must record footage of a nature and quality in which it can be used to identify a person recorded by the camera. The time and date must automatically be recorded on all recordings. Recordings are to be kept for a minimum period of 30 days before they can be reused or destroyed. Any recordings made are to be promptly delivered to police as soon as possible following a request.

45. 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.

46. Waste requirements

- a) Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifying Authority must ensure arrangements are in place for delivery of bins for the on-going use of the site and for regular scheduled commercial waste collection services to commence within 7 days of occupation.

- b) A report must be prepared by an appropriately qualified person, certifying the following:
 - i) A comparison of the estimated quantities of each demolition and construction waste type against the actual quantities of each waste type.
Note: Explanations of any deviations to the approved Waste Management Plan is required to be included in this report
 - ii) That at least 60% of the waste generated during the demolition and construction phase of the development was reused or recycled.
Note: If the 60% 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.
 - iii) All demolition and construction waste was taken to site(s) that were lawfully permitted to accept that waste.
- c) The bin carting routes must be devoid of any steps.
- d) The commercial bin storage room must include water or a hose for cleaning, graded floors with drainage to sewer, sealed and impervious surfaces, robust door(s), adequate lighting and ventilation, and must be lockable.

47. Replacement Tree Requirements

- a) The trees approved for removal under this consent, being trees 17 and 24, must be offset through replacement planting of a minimum of 2 trees.
- b) 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 <http://www.hornsby.nsw.gov.au/environment/flora-and-fauna/tree-management/indigenous-trees>
- c) The location and size of tree replacement planting must comply with the following:
 - i) All replacement trees must be located in either front or rear setbacks and planted 4 metres or greater from the foundation walls of the approved development.
 - ii) The pot size of the replacement trees must be a minimum 45 litres.
 - iii) All replacement trees must be a minimum of 3 metres in height.
 - iv) All replacement trees must have the potential to reach a mature height greater than 10 metres.

48. Final Certification

- a) The AQF 5 Project arborist must submit to the Principal Certifying Authority a certificate that includes the following.

- b) All tree protection requirements complied with the as approved tree protection plan for the duration of demolition and/or construction works.
- c) All completed works relating to tree protection and maintenance have been carried out in compliance with the conditions of consent and approved plans.
- d) Dates, times and reasons for all site attendance.
- e) All works undertaken to maintain the health of retained trees.
- f) Details of tree protection zone maintenance for the duration of works.
- g) A statement to confirm that tree replacement planting meets NATSPEC guidelines and the approved landscape plan.

Note: Copies of monitoring documentation may be requested throughout DA process.

OPERATIONAL CONDITIONS

49. Hours of Operation

The hours of operation of the pub are restricted to those times listed below:

- a) Monday to Saturday: 7am to 12 midnight.
- b) Sunday: 10am to 10pm.

50. Signage

The signage displays approved under this consent must not contain/use:

- a) Flashing lights.
- b) Electronically changeable messages.
- c) Animated display, moving parts or simulated movement.
- d) Complex displays that hold a drivers attention beyond "glance appreciation".
- e) Displays resembling traffic signs or signals or giving instruction to traffic by using colours and shapes that imitate a prescribed traffic control device or words such as 'halt' or 'stop'.
- f) A method of illumination that distracts or dazzles.

51. Noise - Operational

All noise generated by the proposed development must be attenuated to prevent levels of noise being emitted to adjacent premises which possess tonal, beating and similar characteristics or which exceeds the noise emission criteria detailed in the DA Acoustic Assessment reference 210133, prepared by Pulse White Noise Acoustics, dated 2/2/22 at all times.

52. Noise – Plant and Machinery

- a) The level of total continuous noise emanating from operation of all the plant, including air conditioning units and processes in all buildings (LA10) (measured for at least 15 minutes) in or on the above premises, must not exceed the background level by more than 5dB(A) when measured at all property boundaries.

- b) An acoustic assessment is to be undertaken by a suitably qualified environmental consultant within 60 days of occupying the site in accordance with the Environment Protection Authority's *Noise Policy for Industry (2017)*, *Council's Policy and Guidelines for Noise and Vibration Generating Development (Acoustic Guidelines V.5, 2000)* and the *DECC's Noise Guide for Local Government (2004)*. The assessment must be held on site for review by Council if necessary. Should the assessment find that noise from the premises exceeds 5dB(A) above background noise levels, appropriate measures must be employed to rectify excessive noise.

53. Compliance with Acoustic Assessment

The development must be operated in accordance with the recommendations contained in the DA Acoustic Assessment reference 210133, prepared by Pulse White Noise Acoustics, dated 2/2/22 at all times as follows:

- a) No more than 340 patrons in the venue at any one time, staff not included.
- b) All glazed openings (except the hopper smoking windows) must be closed after 12:00am (midnight).
- c) Background music within the premise must not exceed a maximum noise level of 70dBA (sound pressure level).
- d) An audio limiter is to be installed within the venue which limits background music from exceeding 70dBA sound pressure level.
- e) All mechanical selections and layouts must be reviewed prior to installation to ensure compliance with the project requirements outlined in section 5 of the acoustic report dated 2 February 2022, prepared by Pulse White Noise Acoustics, Revision 3.
- f) Removal of glass or general waste must not be taken after 10:00pm and not before 7:00am.
- g) A contact number must be displayed at the front of the premises for the purposes of receiving any complaints if they arrive as per the approved plan of management.
- h) Signs must be displayed at all exits reminding patrons to be mindful of noise when leaving the premise.

54. Compliance with Plan of Management

The development must be operated in accordance with the approved Plan of Management (as amended) at all times.

55. 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' certifying each essential service installed in the building.

56. Landscape Establishment

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.

57. Waste Management

The waste management on site must be in accordance with the following requirements:

- a) All commercial tenant(s) must keep written evidence on site of a valid and current contract with a licensed waste contractor(s) for the regular collection and disposal of the waste and recyclables that are generated on site.
- b) A Work, Health & Safety (WHS) risk assessment is to be carried out by a suitably qualified person with qualifications in Work, Health & Safety Legislation with specific regard to waste management. The recommendations of the WHS Risk Assessment are to be implemented as required.
- c) All commercial tenant(s) must have a sufficient number of bins to contain the volume of waste and recycling expected to be generated between collection services.
- d) If the sum of meat, seafood and poultry waste generated per day is at least 50 litres, then waste collections must take place daily if the bin storage room is not refrigerated.
- e) The land and adjoining areas are to be kept in clean and tidy conditions at all times.
- f) Adequate signage is to be provided and maintained on how to use the waste management system and what materials are acceptable for recycling within all waste storage areas of the development. Signage is also to be provided and maintained which clearly identifies which bins (and containers) are to be used for general waste and recycling and what materials can be placed in each bin.
- g) All surfaces trafficable by the waste collection vehicle must be kept in good and substantial repair.
- h) Vegetation adjacent to the driveway/accessway/roadway must be regularly pruned to maintain a 3.5m vertical clearance over the driveway/accessway/roadway and to ensure the vegetation does not encroach on the vehicular travel path.

58. Parking utilisation survey/Green Travel Plan

A Parking Utilisation Survey of the sites car park is to be submitted to Council 12 months after the commencement of operation.

CONDITIONS OF CONCURRENCE - TRANSPORT FOR NSW

The following conditions of consent are from the nominated state agency pursuant to section 4.13 of the Environmental *Planning and Assessment Act 1979* and must be complied with to the satisfaction of that agency.

59. TfNSW 1

Any new building or structures, together with any improvements integral to the future use of the site, are erected clear of the NorthConnex Tunnel and are wholly within the freehold property along the Pennant Hills Road boundary.

60. TfNSW 2

The integrity of the NorthConnex Tunnel is not compromised.

61. TfNSW 3

All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Pennant Hills Road.

- END OF CONDITIONS -

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act, 1979*, *Environmental Planning and Assessment Regulation 2000*, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

Environmental Planning and Assessment Act 1979 Requirements

The *Environmental Planning and Assessment Act 1979* requires:

- The issue of a construction certificate prior to the commencement of any works. Enquiries can be made to Council's Customer Services Branch on 9847 6760.
- A principal certifying authority to be nominated and Council notified of that appointment prior to the commencement of any works.
- Council to be given at least two days written notice prior to the commencement of any works.
- Mandatory inspections of nominated stages of the construction inspected.
- An occupation certificate to be issued before occupying any building or commencing the use of the land.

Long Service Levy

In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, a 'Long Service Levy' must be paid to the Long Service Payments Corporation or Hornsby Council.

Note: The rate of the Long Service Levy is 0.35% of the total cost of the work.

Note: Hornsby Council requires the payment of the Long Service Levy prior to the issue of a construction certificate.

Tree and Vegetation Preservation

Hornsby Development Control Plan 2013 Tree and Vegetation Preservation provisions have been developed under Council's authorities contained in *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* and the *Environmental Planning and Assessment Act 1979*.

In accordance with these provisions a person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation, lop or otherwise remove a substantial part of the trees or vegetation to which any such development control plan applies without the authority conferred by a development consent or a permit granted by Council.

Fines may be imposed for non-compliance with the *Hornsby Development Control Plan 2013*.

Note: A tree is defined as a long lived, woody perennial plant with one or relatively few main stems with the potential to grow to a height greater than three metres (3m). (HDCP 1B.6.1.c).

Disability Discrimination Act

The applicant's attention is drawn to the existence of the *Disability Discrimination Act 1992*. A construction certificate is required to be obtained for the proposed building/s, which will provide consideration under the *Building Code of Australia*, however, the development may not comply with the requirements of the *Disability Discrimination Act 1992*. This is the sole responsibility of the applicant.

Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this consent. Applicants must rely on their own enquiries as to whether or not the building breaches any such covenant.

Fees and Charges – Subdivision

All fees payable to Council as part of any construction, compliance or subdivision certificate or inspection associated with the development (including the registration of privately issued certificates) are required to be paid in full prior to the issue of the subdivision certificate. Any additional Council inspections beyond the scope of any compliance certificate required to verify compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

Dial Before You Dig

Prior to commencing any works, the applicant is encouraged to contact *Dial Before You Dig* on 1100 or www.dialbeforeyoudig.com.au for free information on potential underground pipes and cables within the vicinity of the development site.

Telecommunications Act 1997 (Commonwealth)

If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

Asbestos Warning

Should asbestos or asbestos products be encountered during demolition or construction works, you are advised to seek advice and information prior to disturbing this material. It is recommended that a contractor holding an asbestos-handling permit (issued by *SafeWork NSW*) be engaged to manage the proper handling of this material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au

www.adfa.org.au

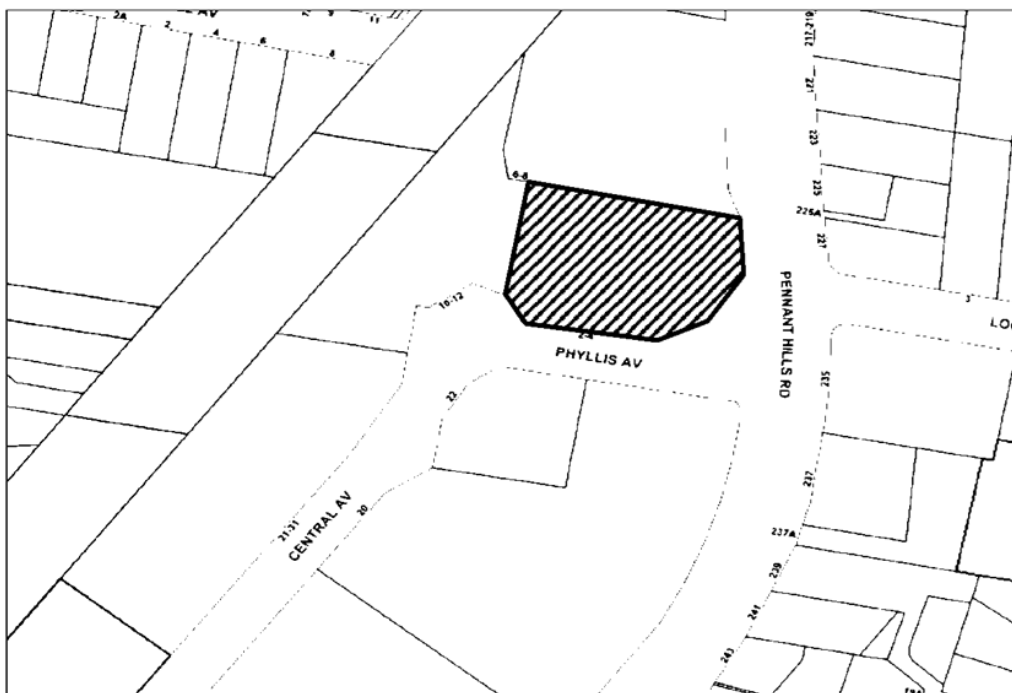
www.safework.nsw.gov.au

Alternatively, telephone the *SafeWork NSW* on 13 10 50.

NSW Police

NSW Police have requested that the licensee or its representative shall join and be an active participant in the local liquor accord.

ITEM 4



LOCALITY PLAN
DA/1037/2021
206-212 Pennant Hills Road, Thornleigh

ATTACHMENT 1 - ITEM 4

IBIS HOTEL THORNLEIGH

200-212 PENNANT HILLS ROAD, THORNLEIGH, 2120

ISSUE FOR DEVELOPMENT APPLICATION

SHEET LIST - DA PLANS				
NUMBER	COVER SHEET	INAME	DESIGN REVISION	CHECKED
DA-000	DA-001	DA-002	DA-003	DA-004
DA-005	DA-006	DA-007	DA-008	DA-009
DA-010	DA-011	DA-012	DA-013	DA-014
DA-015	DA-016	DA-017	DA-018	DA-019
DA-020	DA-021	DA-022	DA-023	DA-024
DA-025	DA-026	DA-027	DA-028	DA-029
DA-030	DA-031	DA-032	DA-033	DA-034
DA-035	DA-036	DA-037	DA-038	DA-039
DA-040	DA-041	DA-042	DA-043	DA-044
DA-045	DA-046	DA-047	DA-048	DA-049
DA-050	DA-051	DA-052	DA-053	DA-054
DA-055	DA-056	DA-057	DA-058	DA-059
DA-060	DA-061	DA-062	DA-063	DA-064
DA-065	DA-066	DA-067	DA-068	DA-069
DA-070	DA-071	DA-072	DA-073	DA-074
DA-075	DA-076	DA-077	DA-078	DA-079
DA-080	DA-081	DA-082	DA-083	DA-084
DA-085	DA-086	DA-087	DA-088	DA-089
DA-090	DA-091	DA-092	DA-093	DA-094
DA-095	DA-096	DA-097	DA-098	DA-099
DA-100	DA-101	DA-102	DA-103	DA-104
DA-105	DA-106	DA-107	DA-108	DA-109
DA-110	DA-111	DA-112	DA-113	DA-114
DA-115	DA-116	DA-117	DA-118	DA-119
DA-120	DA-121	DA-122	DA-123	DA-124
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DA-320	DA-321	DA-322		



- REV F:
- PUB SETBACK INCREASE
- MOST TREES AT STREET BOUNDARY RETAINED
- ACCESSIBLE RAMP ADDED
- NIP LOUNGE RELOCATED

[illegible]

PROJECT
BIBS THORNLEIGH
200-212 PINEHURST RD., THORNHILL, N.Y.
1210
CLIENT
BIBS

GRAPHIC SCALE

DRAWING NOTES

P	04.05.12	Issues for Client Review
5	17.03.12	CA Application
D	27.03.11	CA Application
C	16.08.11	CA
9	05.09.11	CA Application
A	26.05.11	Issues for Client Review
30	DATE	

STATUS

DEVELOPMENT APPLICATION

should submit drawings, specify all dimensions or sizes, include any data required for the design of the structure, and provide all other information necessary for the documentation to be accepted. This drawing is for the purpose of content approval and, as such, is not suitable for construction.

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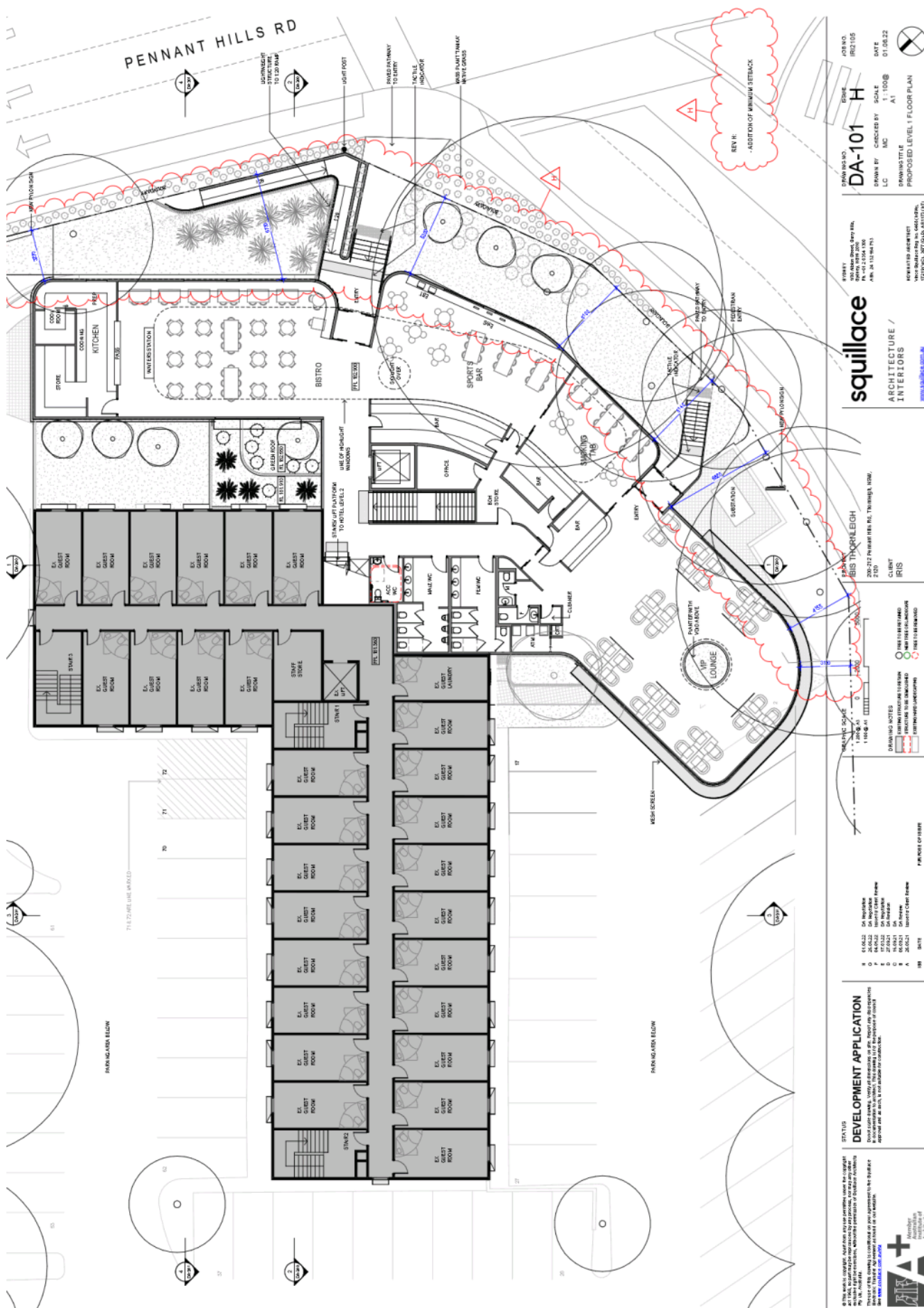
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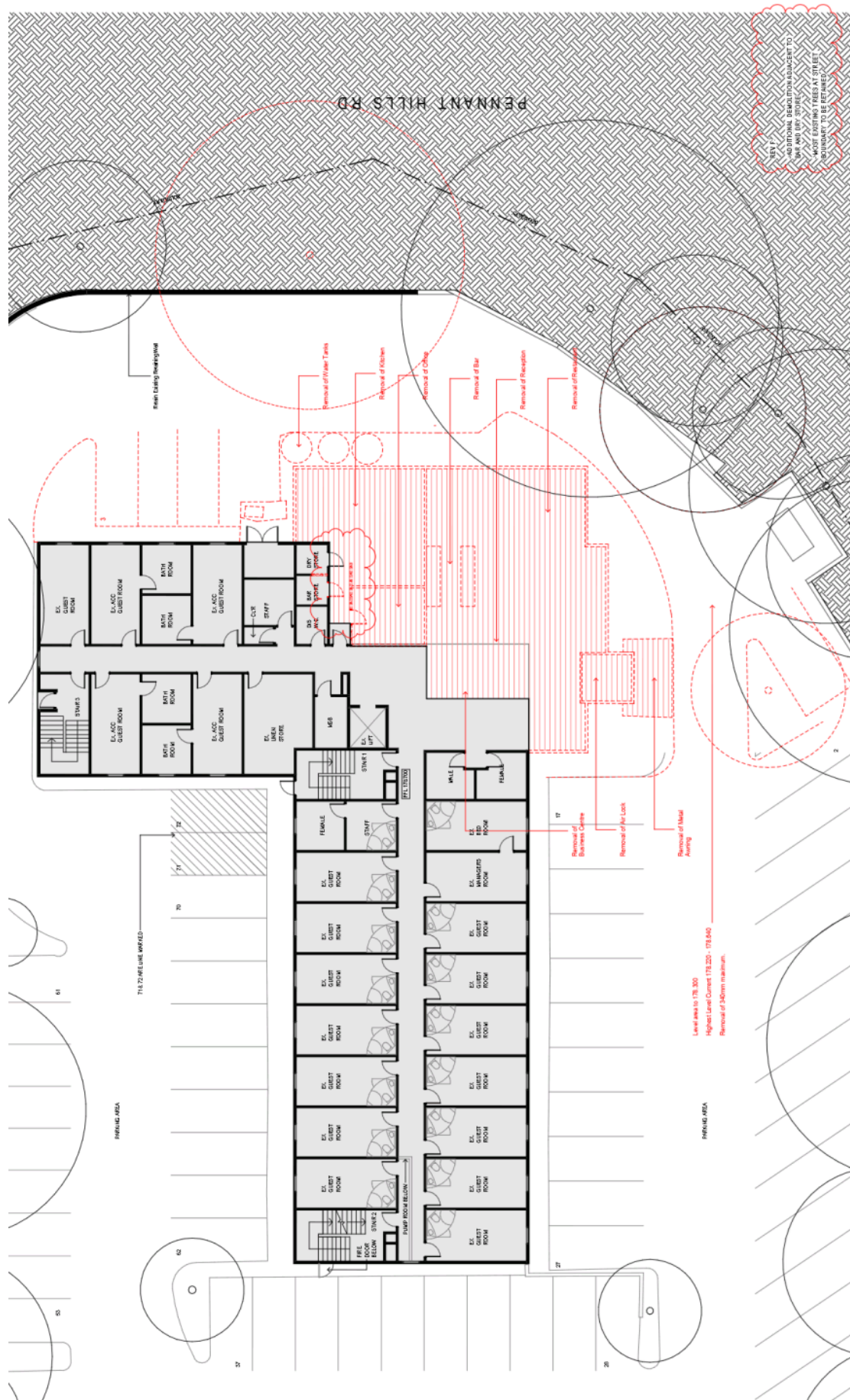
ATTACHMENT 2 - ITEM 4



ATTACHMENT 2 - ITEM 4





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ATTACHMENT 2 - ITEM 4



ATTACHMENT 2 - ITEM 4



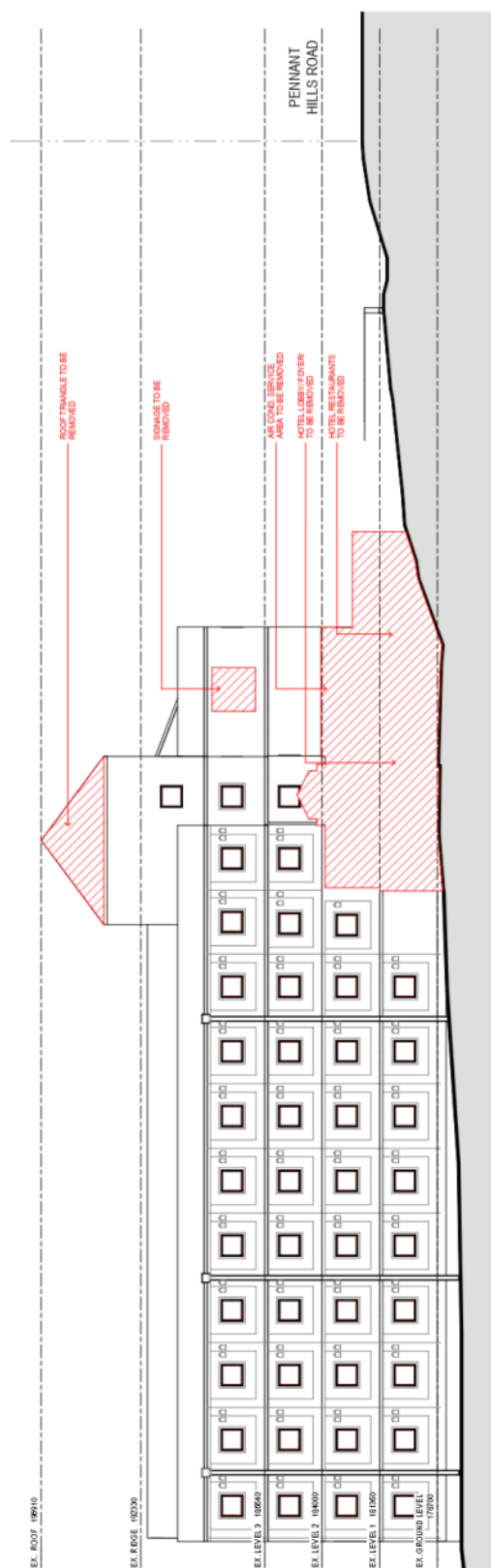
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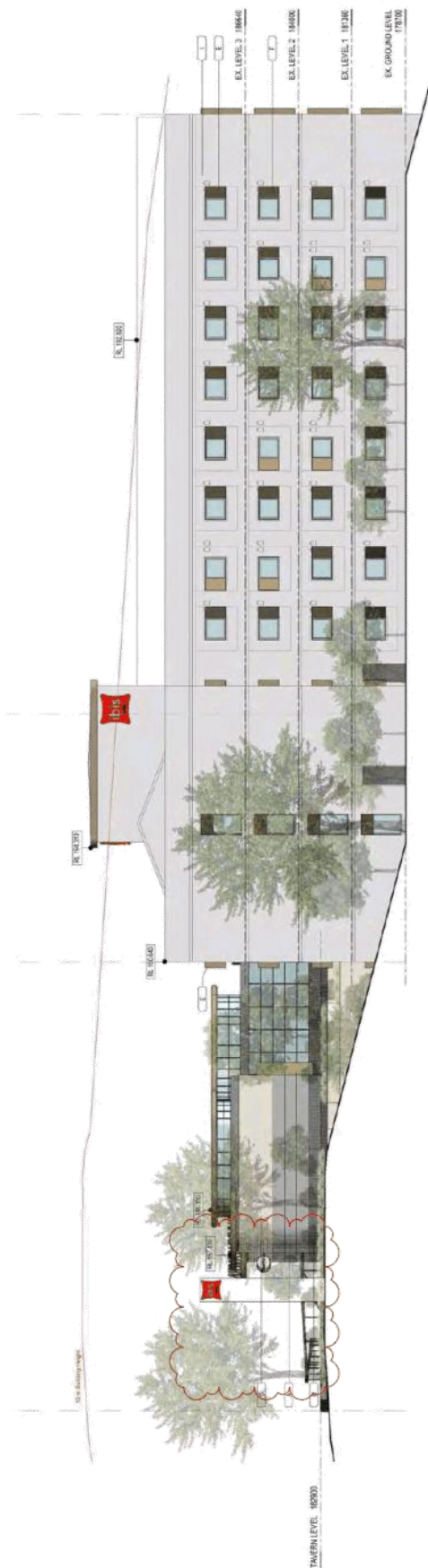
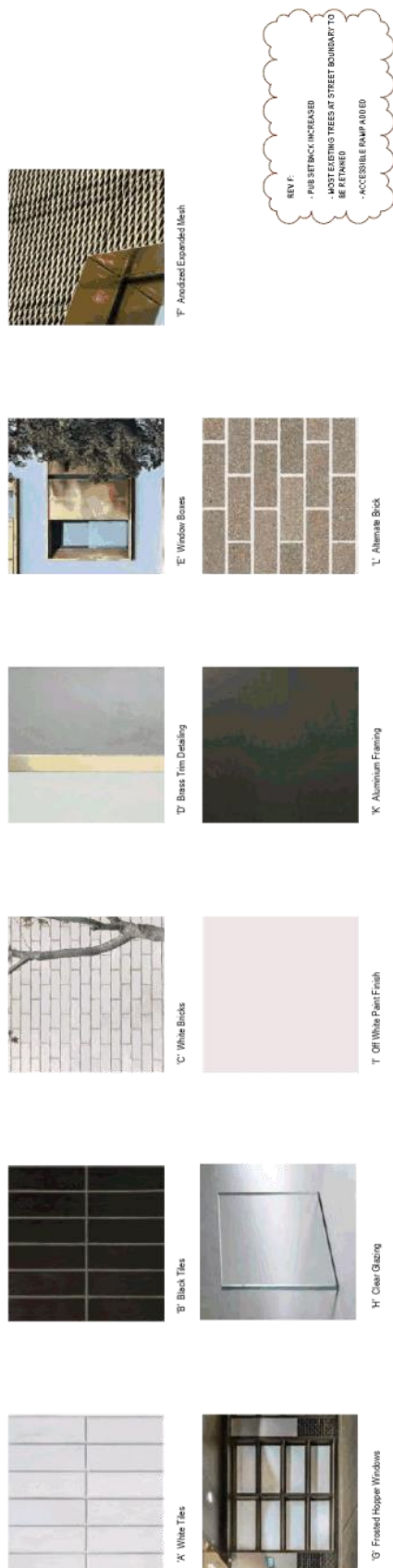








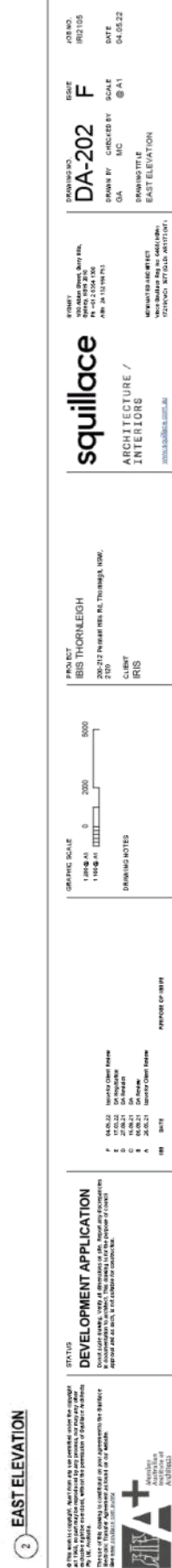




1 NORTH ELEVATION

<p>STATUS</p> <p>DEVELOPMENT APPLICATION</p> <p>Development Application, 100% of development on site, subject to any conditions of approval and any other requirements of the relevant legislation.</p>		<p>PROJECT</p> <p>BIS THORLEIGH</p> <p>200-212 Pymble Rd, Pymble NSW, 2100</p> <p>CLIENT</p> <p>IRIS</p>		<p>GRAPHIC SCALE</p> <p>1:1000 A1</p> <p>0 2000 4000</p>		<p>DATE</p> <p>04/03/22</p> <p>04/03/22</p> <p>04/03/22</p> <p>04/03/22</p> <p>04/03/22</p> <p>04/03/22</p>	
<p>DESIGNER</p> <p>squillace</p> <p>ARCHITECTURE / INTERIORS</p> <p>www.squillace.com.au</p>		<p>DRAWING NO.</p> <p>DA-201</p> <p>FIGURE</p> <p>F</p> <p>DATE</p> <p>04/03/22</p>		<p>DESIGNER</p> <p>squillace</p> <p>ARCHITECTURE / INTERIORS</p> <p>www.squillace.com.au</p>		<p>DRAWING NO.</p> <p>DA-201</p> <p>FIGURE</p> <p>F</p> <p>DATE</p> <p>04/03/22</p>	

ATTACHMENT 2 - ITEM 4



ATTACHMENT 2 - ITEM 4

ATTACHMENT 2 - ITEM 4



	04-05-22	17-03-22	22-09-21	14-09-21	04-09-21	04-05-22
Leave for Client	End date	CA Request	CA Request	CA Request	CA Request	Leave for Client
04-05-22	17-03-22	22-09-21	14-09-21	04-09-21	04-05-22	04-05-22

[illegible]

GRAPHING SCALE

1 200 ③ A3

1 100 ③ A1

DRAWING NOTES

PROJECT
 200-212 PM
 2120
 CLIENT

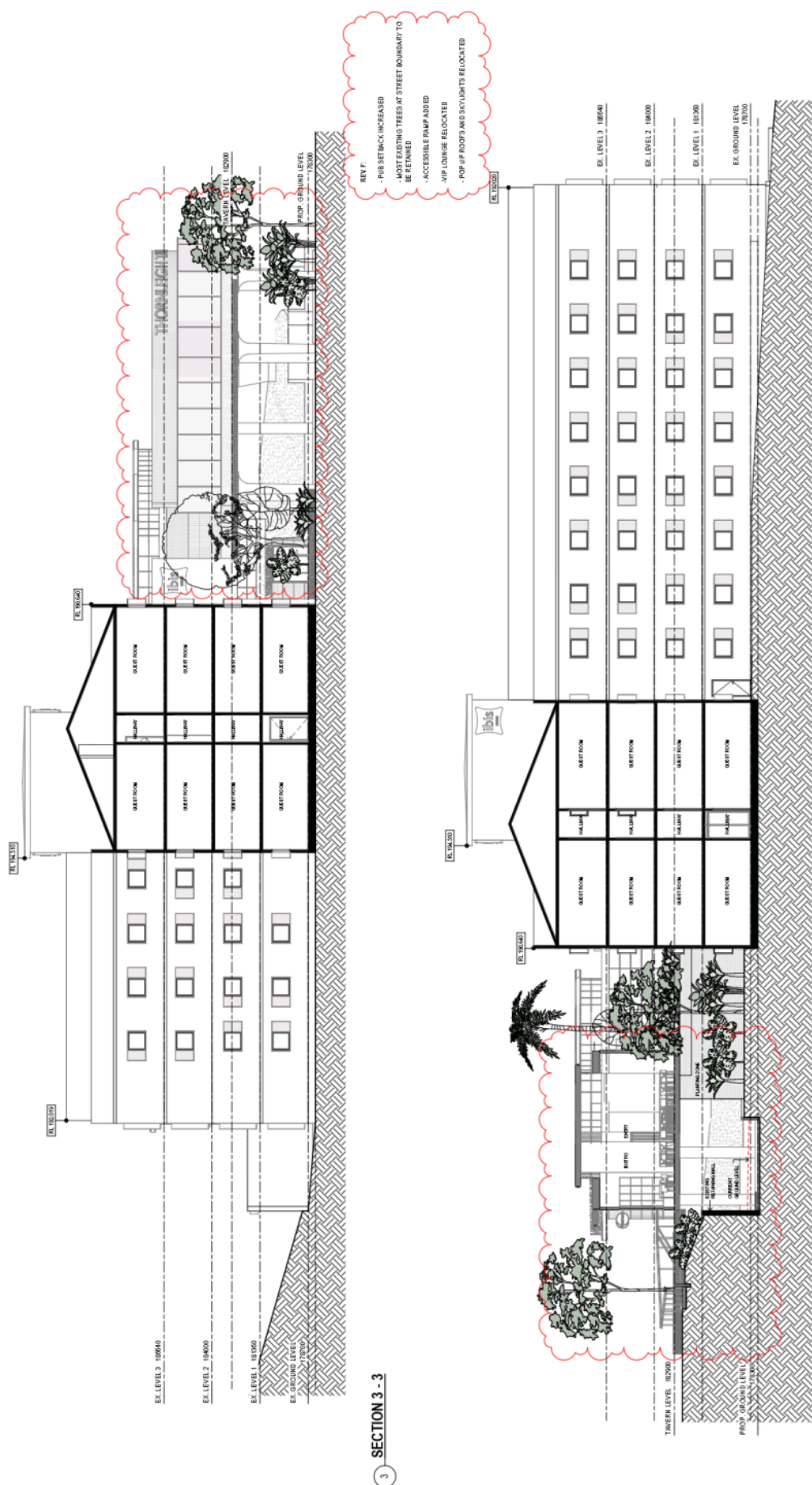
PROJECT
BIBIS THORNELEIGH
300-212 PINEHURST RD., THORNBURG, NC28389

ARCHITECTURE /
INTERIORS

8/1048 Y
930 Alden Street, Berry 8826,
Spokane, WA 99201
Ph -509-245-5430
A-86 26 132-068 793

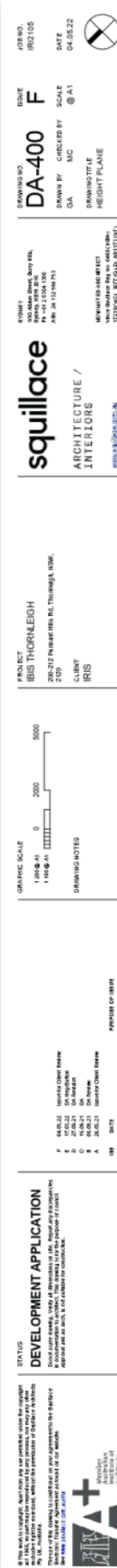
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 ISSUE **F**
 JOB NO. **IR2105**
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 DRAWN BY **GA MC**
 SCALE **1:100**
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 DRAWING TITLE
 SECTION SHEET 1

ATTACHMENT 2 - ITEM 4

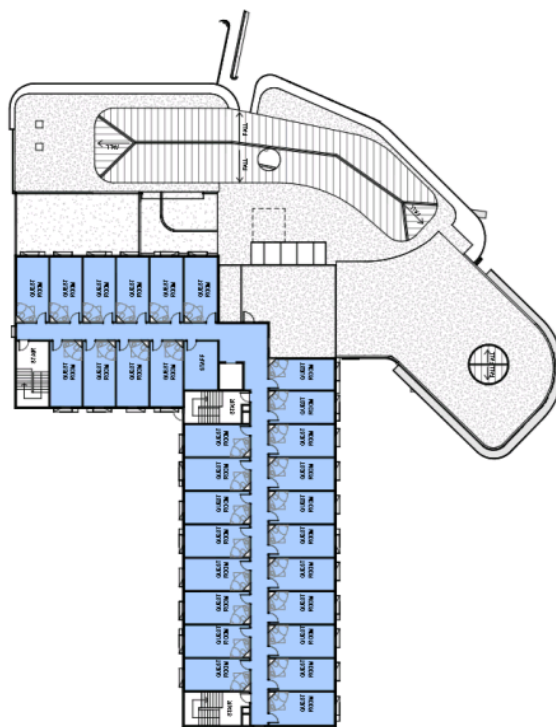
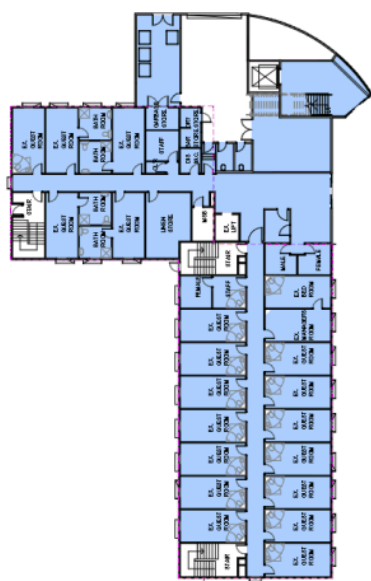
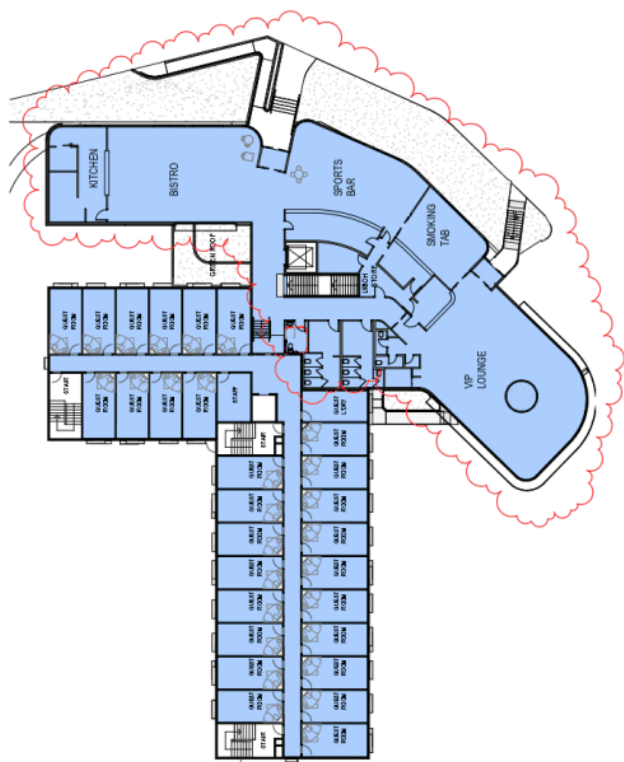


ATTACHMENT 2 - ITEM 4

[illegible]



ATTACHMENT 2 - ITEM 4



CONTROLS	HORNBY LEP 2013	PROPOSAL
FSR	0.75 : 1	0.76 : 1

GFA	PROPOSAL
GROUND FLOOR	741 SQM
LEVEL 01	1278 SQM
LEVEL 02	613 SQM
LEVEL 03	613 SQM

TOTAL	3243 SQM
SITE AREA	4353 SQM

REV F:

-GFA AREAS UPDATED

STATUS
DEVELOPMENT APPLICATION
 Drawn to scale, 1:1000, as shown on site. Approval is subject to the approval of the Council.

At this time, the Council has not yet received the required information to determine whether the proposed development is acceptable in accordance with the provisions of the Local Environmental Plan 2014.



REVISIONS

NO.	DATE	DESCRIPTION
1	08/02/21	Initial Design
2	22/02/21	Design Update
3	08/02/21	Design Update
4	22/02/21	Design Update

PROJECT
 BBS THORLEIGH
 200-212 PARRAMATTA RD, THORLEIGH NSW, 2120
CLIENT
 IRIS

GRAPHIC SCALE
 1:1000 A1
 1:1000 A1

DRAWING NOTES

PROJECT
 BBS THORLEIGH
 200-212 PARRAMATTA RD, THORLEIGH NSW, 2120
CLIENT
 IRIS

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PROJECT
 BBS THORLEIGH
 200-212 PARRAMATTA RD, THORLEIGH NSW, 2120
CLIENT
 IRIS

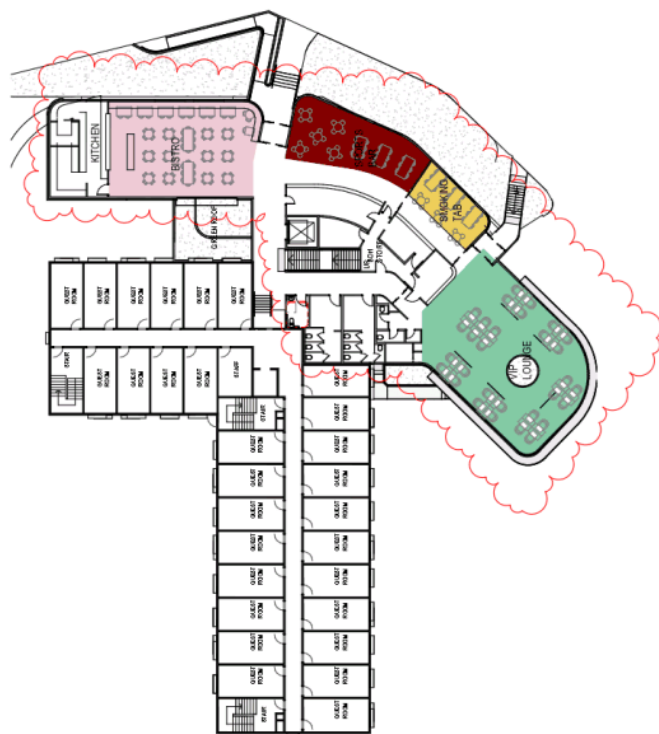
DRAWINGS
 DA-700
 DRAWN BY: GA
 CHECKED BY: MC
 DATE: 04/03/22
 SCALE: A1

REVISIONS
 REV F:
 -GFA AREAS UPDATED



ATTACHMENT 2 - ITEM 4

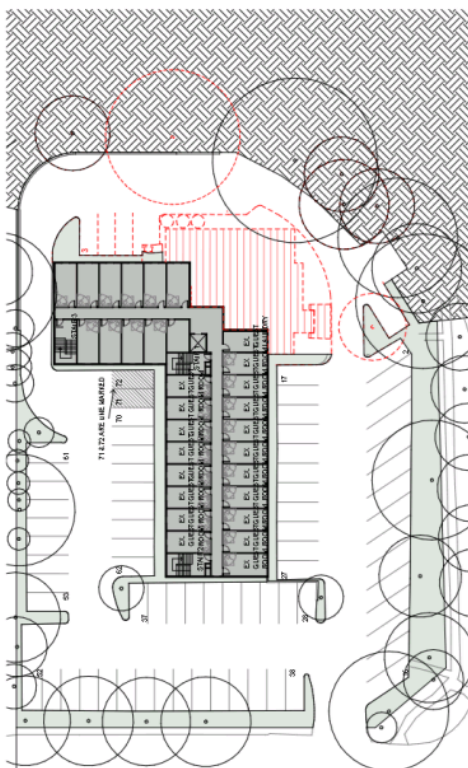
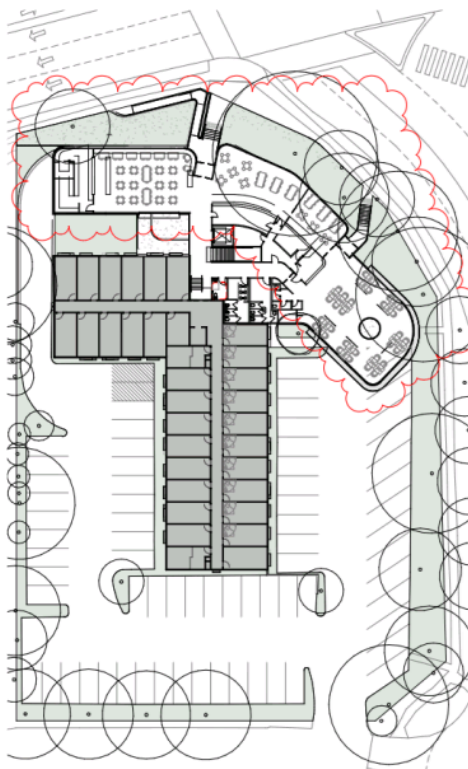
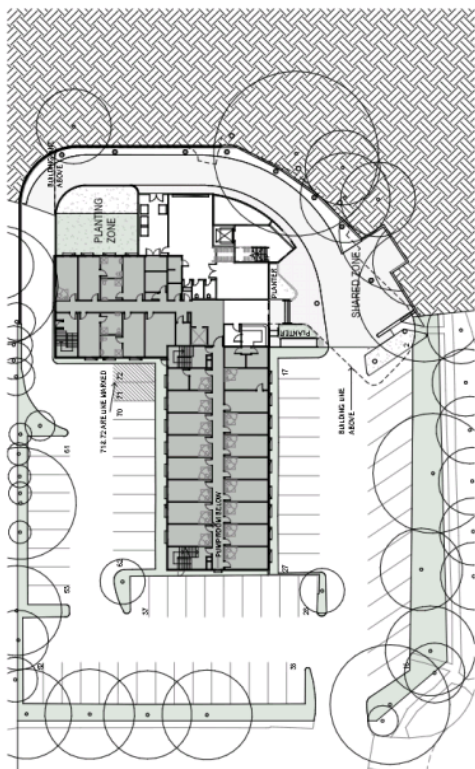
TOTAL PUB PATRON AREA PLANS



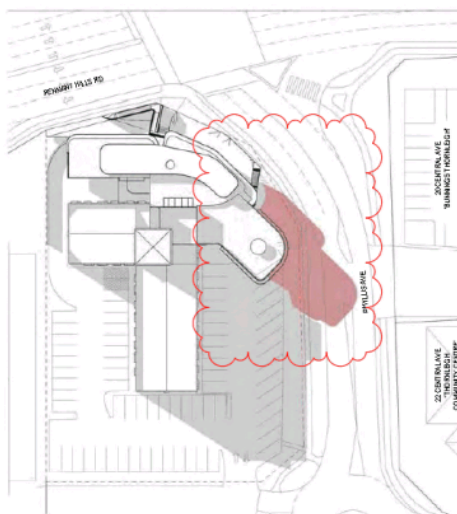
	INTERNAL AREA	INTERNAL POPULATIONS	INTERNAL SEAT NUMBERS
RESTROOM	112 SQM	100 PAX	90 SEATS
SPORTS BAR	58 SQM	100 PAX	30 SEATS
SMOKING BAR	25 SQM	50 PAX	30 SEATS
PIP LOUNGE	155 SQM	90 PAX	30 SEATS
TOTAL	351 SQM	340 PAX	200 SEATS

REV F: INTERNAL AREAS AND SEATING NUMBERS
UPDATED[illegible]

ATTACHMENT 2 - ITEM 4

[illegible]

ATTACHMENT 2 - ITEM 4

[illegible]

ATTACHMENT 2 - ITEM 4



REV F:

- PUB SETBACK INCREASED

- MOST EXISTING TREES AT STREET BOUNDARY TO BE RETAINED

- ACCESSIBLE RAMP ADDED

- VIP LOUNGE RELOCATED AND RECONFIGURED

- EXTERNAL STAIR TO VIP LOUNGE RELOCATED

- "THORNLEIGH TAVERN" SIGN TO VIP LOUNGE RELOCATED

DRAWINGS

DA-900

F

CHECKED BY

MC

SCALE

@ A1

DATE

04-03-22

DRAWING TITLE

ARTIST IMPRESSIONS

PROJECT

BIS THORNLEIGH

200-212 PARRAMATTA RD, THORNLEIGH NSW, 2120

CLIENT

IRIS

PROJECT

BIS THORNLEIGH

200-212 PARRAMATTA RD, THORNLEIGH NSW, 2120

CLIENT

IRIS

ARCHITECTURE / INTERIORS

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SQUILLACE ARCHITECTURE

SQUILLACE ARCHITECTURE

GRAPHIC SCALE

1:1000 A1

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DRAWING NOTES

DATE

04-03-22

DATE

04-03-22

DATE

04-03-22

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04-03-22

DATE

04-03-22

STATUS

DEVELOPMENT APPLICATION

Council has approved the development application for the proposed development.

The development application was approved on 04/03/22.

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APPROVED FOR CONSTRUCTION

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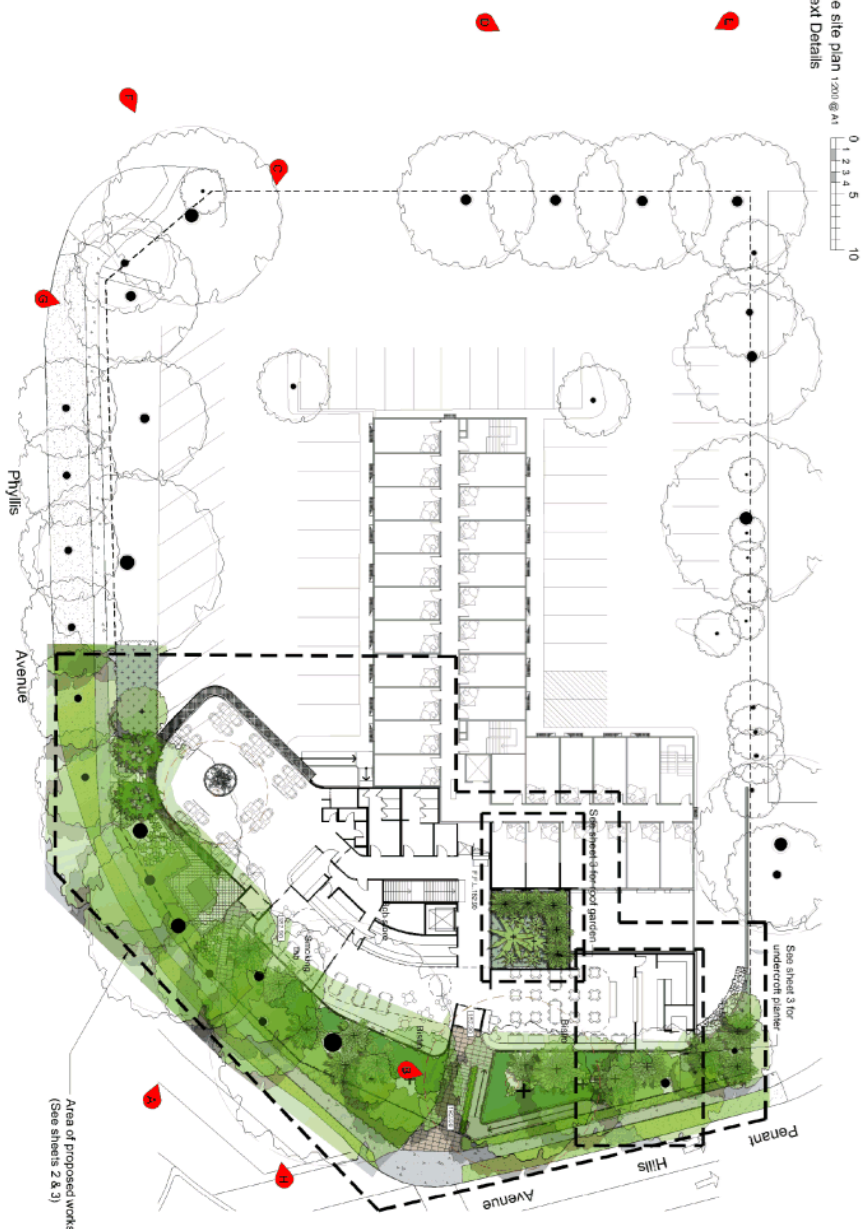
The development application was approved on 04/03/22.

The development application was approved on 04/03/22.

ATTACHMENT 2 - ITEM 4

Landscape site plan 1:200 @ A1

Site Context Details



Site context photos



AMENDMENTS	
E	4.5.22 COUNCIL RFI
D	4.5.22
C	17.3.22 FOR REVIEW
B	23.9.21 FOR REVIEW
A	26.8.21 FOR REVIEW



PAUL SCRIVENER

LANDSCAPE

BDO	4050.	ACT
16 969 100 279		

03 0007 0014

WE: 02 7307 6011
WWW.SCRIVENER-DESIGN.COM

EIL: PAUL@SCRIVENER-DESIGN

ED: JANE HODGE

Care of Pennant Hills

ROAD & PHYLLIS AVE.
TROPENLEIGH, NSW

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LANDSCAPE SITE PLAN
 PRELIMINARY DESIGN

SEE OTHER DOCTORS

4.5.22 SCALE: 1:

RF: 24/2293 SHEET NO: 1

NOTES: 1. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

[illegible]

Journal of Management Education 36(8) 970-984

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NORT

3

Of 2

FILE-F

305-1

Journal of Applied Behavior Analysis 37:1-12, 2004.

[illegible]

AMENDMENTS	
E	4.5.22 COUNCIL RFI
D	4.5.22
C	17.3.22 FOR REVIEW
B	23.9.21 FOR REVIEW
A	26.8.21 FOR REVIEW



PAUL SCRIVENER

LANDSCAPE
PO BOX 4050, ACT 2602
ABU: 16 969 100 279
PHONE: 02 9907 8011
WWW.SCRIENER-DESIGN.COM
EMAIL: PAUL@SCRIENER-DESIGN.COM
PROJECT: IBS HOTEL
CARE OF PENANGT HILLS
ROAD 8, PRELUIS AVE.
THORNLEIGH NSW

Days: PLANTING PLAN

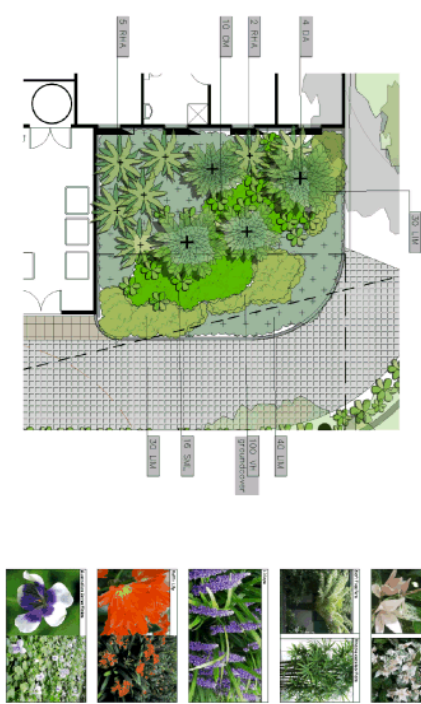
DATE: 4.5.22 SCALE: 1:150 BM
JOB REF: 24/2293 SHEET NO: 2 OF 3

CORRECTION: THE PROPERTY OF MR. & MRS. GEORGE LINDSAY OF ALMA, IN PAGE 108 LINE 17.

THE CORRECTION, BEING A MATTER OF MINOR IMPORTANCE, IS NOT

2 OF 3
ISSUE - E

Green roof plan 1:100 @ A1



Compliance controls require that any substitution of species variety or biomass of 2% Wt. St. be certified on the issued that it meets the specific development control conditions of the project.

[illegible][illegible][illegible][illegible]

GOVLABOR (GOL) is pleased that this statement of resources variety of Government 250 V is the confirmed with Wikipedia. We're sure a complete and confident can to maintain the specific development consent conditions of the project.

So when we discuss a company's record, to be sure, a compliance

LANDSCAPE
PO Box 4050, ACT 2602
ABN: 16 949 100 279
PHONE: 02 9907 8011
WWW.SCRIVENER-DESIGN.COM
EMAIL: PAUL@SCRIVENER-DESIGN.COM

Care of Pennant Hills
Road & Phyllis Ave.
Thornleigh, NSW

DATE: 4.5.22 SCALE: 1:2000
JOB REF: 242293 SHEET NO: 3 OF 3

3 OF 3

NORTH



PLAN OF MANAGEMENT

IRIS Hotel Group application for a hotel licence to
operate from premises at 200-212 Pennant Hills
Road Thornleigh

August 2021

ATTACHMENT 4 - ITEM 4

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DEFINITIONS

affected residence includes a lot in the strata scheme or any other strata scheme, premises for short-term accommodation and hospitals.

approved manager means a person appointed by the licensee under section 66 of the Liquor Act 2007 to manage the licensed premises,

boundary includes any window or elevated window of an affected residence.

licensee means the holder of a licence under the Liquor Act 2007

Senior staff means the nominated licensee or appointed manager(s) with delegated operational control who has a high understanding of licencing requirements and ensures compliance with POM conditions. Senior Staff are responsible for the proper and professional operation of the venue

Supervisory staff means staff who take direction from Senior Staff. Supervisory Staff have authority and direct staff at the venue to ensure the proper and professional operation of the venue

INTRODUCTION

This overarching Plan of Management (POM) is intended to encompass venue management, security management, alcohol management and community liaison.

The operation and management of the premises shall be in accordance with the Council approved POM.

The approved POM shall be filed with Council and the Licensing Police of the Ku-Ring-Gai Police Area Command prior to the issue of an occupation certificate that would permit the hotel to operate.

If, in circumstances where better management or improved amenity outcomes can be achieved by amendments to this POM, any such amendments shall be made in consultation with the Police Area Command and shall require the approval of Council. The updated POM is to be provided to Council and the Police.

An independent review of the Plan of Management may be undertaken by the Council or the Licensing Police of the Police Area Command upon providing the applicant with written notice.

The POM has been developed based on a risk assessment which focused on the responsible service of alcohol; minimising potential impacts for local residents and/or businesses; encouraging responsible attitudes towards the promotion, sale and consumption of alcohol; and preventing underage persons from accessing or consuming alcohol. In doing so a range of factors were taken into consideration, including venue design and layout, the social environment and attributes required of staff.

Implementation of the measures outlined in the POM will be administered by the licensee and management staff. Staff will receive comprehensive instruction upon induction and during training sessions to ensure they are conversant with their legal and social obligations to provide a safe environment for themselves, patrons and the local community.

The plan shall be reviewed (at minimum) on an annual basis, and at any time there is a change in business ownership of the premises, to ensure harms that arise are mitigated. No changes shall be made to the plan without the prior approval of the Council.

PART 1 PURPOSE

The purpose of this Plan of Management is to establish performance criteria for various aspects of the operations of the hotel [including the sports bar], having regard to the relevant matters under the Environmental Planning and Assessment Act, 1979, the *Liquor Act 2007* and the *Liquor Regulation 2018*. Particular emphasis has been placed on performance criteria regarding the responsible service of alcohol; community liaison; and the departure of patrons from the hotel in order to maintain the quiet and good order of the neighbourhood. All staff shall be made familiar with this Plan of Management and will have access to the plan on site.

Staff will receive a copy of this Plan of Management as approved by Hornsby Council, the development consent Notice of Determination and current Liquor Licence as part of their employment induction pack and copies of the Plan of Management will be retained at the venue for subsequent reference, and available at all times of staff members and security as well as immediate inspection by an authorised officer of Hornsby Shire Council, NSW police or a Liquor & Gaming NSW inspector upon request

PART 2 SITE + LOCALITY

The Thornleigh Hotel is located at 200-212 Pennant Hills Road Thornleigh.

The hotel is a development to enhance or increase the current hospitality offering and amenities at the existing location. The ground floor includes a pub facility including a bistro, sports bar, TAB/smoking area and VIP lounge. 104 rooms of accommodation are provided over three floors. There are approximately 70 parking spaces at the hotel.

PART 3 HOURS OF OPERATION

The hotel's approved hours of trade are:

Monday to Saturday: 7am to 12 midnight
Sunday: 7am to 10pm.

These hours are to be displayed at or near the entry.

The set-up and clean-up for the premises may occur for one hour before and one hour after the approved hours of operation. During this time, the premises shall not trade nor be open to the public.

Alcohol is not to be served or consumed on the premises between close of trade and 8am.

Staff may enter, or remain on, the premises at any time (for reasons including health and safety, security, attendance at out of hours trade works, emergencies and the like). Trades persons engaged by the hotel may enter or remain on the premises at any time (for reasons including health and safety, security, attendance at out of hours trade works, emergencies and the like), provided they are accompanied by a staff member and that their activities do not give rise to disturbance of the neighbourhood.

PART 4 PATRON CAPACITY

The total capacity for all patrons within the boundaries of the licensed premises (i.e. pub/hotel) as denoted on the plan prepared by Squillace Architects Drawing and referred to in Appendix A is 340 patrons.

Staff/Security will be required to monitor the number of patrons in each area at all times.
The overall breakdown of the patron population capacity is identified below:

Use/Area	Patron Population
Sports Bar	100
Smoking TAB	50
VIP Lounge	90
Bistro	100
Overall total patron capacity	340
Staff and security (dependent on trade and any conditions imposed)	8
Overall person capacity = 348 persons (comprising 340 patrons and 8 staff and security)	348

PART 5 RESPONSIBLE SERVICE OF ALCOHOL

The licensee and staff shall comply with their legal and social obligations in relation to the responsible service of liquor and are committed to providing a safe environment for patrons, staff and the local community.

The hotel operates under the direct supervision of the licensee/approved manager or appropriately experienced supervisory staff whenever liquor is being sold and supplied.

The following operational measures for the responsible service of alcohol shall apply:

- All managers and permanent employees of the hotel must have completed an approved course in the Responsible Service of Alcohol within the last 5 years and hold a current RSA competency card
- The hotel and its employees will at all times comply with the Liquor Promotion Guidelines
- All staff (management, security, food and beverage staff, glass collectors/cleaners) contribute to a holistic approach to RSA
- Should any staff observe or suspect that a patron is consuming liquor rapidly or irresponsibly they are to intervene at the earliest opportunity to assist with preventing intoxication, and report this to the licensee/manager/security
- Uniformed security guard duties will include actively monitoring the arrival of patrons to the premises and declining entry to any person showing signs of intoxication.
- There will at all times be sufficient staff rostered for duty to allow for effective monitoring of patrons both at the point of sale and generally throughout the hotel
- Lighting in the vicinity of bar service areas will be sufficient to enable staff conduct assessments for signs of intoxication
- The hotel will cease service of alcoholic beverages half an hour before hotel closure on each day of trade.

Low alcohol beer and non-alcoholic beverages will be available at all times.

Food will be available from the premises on request whenever alcohol is available.

Free drinking water will be available at all times.

If a patron is identified as displaying intoxication or violent, quarrelsome or disorderly behaviour, hotel staff and/or security will take the following relevant steps in accordance with section 73 of the *Liquor Act 2007*:

- Refuse to serve the person liquor after becoming aware the person was intoxicated, and
- Ask the person to leave the premises, and
- If the person did not leave the premises immediately after being asked to leave or refuses to leave, contact will be made with police to request police assistance with removing the person from the premises.

All conditions imposed on the hotel's licence shall be met.

The licensee and management of the hotel will oversight staff RSA practices and provide immediate feedback and training if/when required. Immediate feedback will serve to minimise any risk and reinforce the hotel's culture of compliance.

PART 6 MINORS

In line with responsible service of alcohol principles, anyone who appears under 25 years old need to provide proof of age when entering the hotel or attempting to buy or consume alcohol at the hotel.

Service of alcohol will be refused to any person who cannot produce appropriate proof of age. Only the following types of photo identification will be accepted:

- State or Territory photo drivers licence
- Australian or International photo passport
- NSW photo card (RMS)

All forms of proof of age documents must be current to be accepted as valid.

All staff shall be trained in the use of a checklist to thoroughly check proof of age documents. In addition to the mandatory signage relating to minors on licensed premises, relevant voluntary signage (Under 25 poster) will be displayed at or near entry points and bar service areas.

PART 7 AMENITY OF NEIGHBOURHOOD

Management of the hotel recognise their obligation to make sure any potential negative impact on local residents or businesses is minimised.

The management of the Hotel shall:

- ensure patrons do not crowd or loiter in the vicinity of the premises in such manner that pedestrian movement is obstructed or hindered.
- ensure that the manner in which the business of the premises is conducted and/or the behaviour of patrons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by patrons and/or premises operations.
- record in the incident register kept at the premises full details of any disturbance complaint/s made by a person to management or staff in respect to the manner in which the business of the premises is conducted and/or the behaviour of patrons entering or leaving the premises. Such recording will include time, date, nature of the complaint/s and any complainant details if provided.
- respond to any disturbance complaint/s in a timely and effective manner. All actions undertaken by management / staff to resolve such complaint/s shall be recorded in the incident register

- maintain a telephone contact number which must be answered at any time that the premises is operating or whilst a staff/contractors associated with the licensed part of the premises are on site

Complaint management procedures shall include:

- Maintenance of a telephone contact number which must be answered at any time that the premises is operating
- A dedicated phone number will be prominently displayed in the venue and/or on the venue website
- A dedicated staff member (such as a supervisor) will be available to talk to residents or business owners about their complaint or disturbance concern at any time while the premises is operating or whilst staff/contractors associated with the licensed part of the premises are on site.

The licensee shall review the incident register regularly and ensure that the above procedures are being implemented effectively and, where necessary or appropriate, contact the complainant to determine if their concerns have been addressed.

All complaints can be notified to head office of Iris Hotel Group for referral to the Chief Operations Officer Mr Paul Devine on 92516498.

To assist patrons leave the hotel quickly, quietly and safely, staff will contact local taxi services upon request of patrons. Signage at the hotel will remind customers of this free service.

A secure location in the hotel car park will be nominated as the taxi/UBER pick up point. Patrons will be encouraged to remain inside the hotel until their transport arrives.

PART 8 COMMUNITY LIAISON

The licensee or senior management nominee of the premises shall meet with licensing police and are always available to discuss any issues and to review the measures in place to minimise the potential for any disturbance to the neighbourhood.

The licensee and/or manager will be available to meet with any local resident to discuss and work towards resolving any reasonable concerns about the operation of the hotel.

PART 9 SECURITY AND MANAGEMENT CLOSING PROCEDURE

Uniformed security staff and/or management are responsible for the following duties:

The main hotel bar entry / exit door. Duties will include, but are not limited to, ensuring the door is utilised by departing patrons only, with no entry for patrons permitted. In addition, this guard will ensure departing patrons leave the vicinity of the premises quickly and quietly.

The sale or supply of liquor, for consumption on the premises, is to cease half an hour prior to the cessation of trading hours.

At the cessation of trade, on any given day, the licensee will ensure that security engaged at the premises in accordance with licence conditions remain for a minimum of thirty minutes after the hotel ceases trading or until the last patron has left the vicinity of the hotel and are actively involved in ensuring patrons leave the area quickly, quietly and in an orderly manner.

After close security must do a patrol of the vicinity of the hotel to make sure no loitering from patrons. Patrons loitering unnecessarily will be politely asked to leave the area quickly and quietly.

PART 10 SENIOR STAFF – SECURITY MANAGEMENT

Not less than one senior staff member shall be on duty within the hotel at all times it is open.

The licensee shall require the duty manager or senior staff person on duty to:

- Be readily identifiable to patrons at all times.

Make patrols of the interior of the hotel from time to time for the purpose of:

- Monitoring and assessing RSA practices by staff
- Monitoring alcohol consumption and patron behaviour for signs of irresponsible or rapid consumption of alcohol and for signs of intoxication
- Intervening at an early stage to assist in preventing intoxication
- Request any hotel patron in the area patrolled to behave in a quiet and orderly manner if that action is considered necessary or appropriate.
- Prevent any patron, assessed as showing signs of intoxication, from entering the premises and bring to the notice of the manager or licensee any patron on the premises who might be considered intoxicated.
- Monitor patron behaviour in the vicinity of the hotel until all patrons have left the vicinity, taking all practical steps to ensure the quiet and orderly departure of patrons.

Cooperate with the police operating in the vicinity of the hotel.

Ensure all emergency exits are kept clear at all times and retain a list of emergency telephone numbers near all phones at all times.

Ensure that all staff are aware of the fire safety procedures to be followed in the event of a fire including evacuation to assembly points for patrons. The safety of patrons, neighbours and staff is to be paramount at all times.

Ensure all fire safety equipment is regularly maintained and certified by a qualified maintenance contractor.

The licensee/manager shall record in the Incident Register any complaints made directly to the management or staff of the hotel, by local residents or business people, about the operation of the hotel or the behaviour of its patrons. They shall endeavour to resolve any issues and concerns of people in the surrounding areas with the involvement of Council or the NSW Police Service and meet with complainants to address reasonable concerns.

PART 11 CRIME SCENE PRESERVATION

Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff must:

- Take all practical steps to preserve and keep intact the area where the act of violence occurred
- Retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police, as published from time to time on the Liquor and Gaming NSW website
- Make direct and personal contact with NSW Police to advise it of the incident

- Comply with any directions given by NSW Police to preserve or keep intact the area where violence occurred

"Staff member" means any person employed by or acting on behalf of the licensee of the premises, and includes any person who is employed to carry on security activities (e.g. crowd controller) on or about the premises.

PART 12 INCIDENT REGISTER

The licensee must maintain a register, in which the licensee is to record the details of any of the following incidents and any action taken in response to any such incident:

- Any incident involving violence or anti-social behaviour occurring on the premises
- Any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises
- Any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007
- Any incident that results in a patron of the premises requiring medical assistance

The licensee must, if requested to do so by a police officer or inspector:

- Make any such incident register immediately available for inspection by a police officer or inspector, and
- Allow a police officer or inspector to take copies of the register or to remove the register from the premises

The licensee must ensure that the information recorded in the incident register under this measure is retained for at least 3 years from when the record was made.

PART 13 CLOSED CIRCUIT TELEVISION

The Management must maintain a closed-circuit television (CCTV) system on the premises.

The CCTV system must comply with the following requirements:

- Internal cameras must record continuously from opening time until one hour after the premises are required to close.
- It must record in digital format and at a minimum of 15 frames per second,
- Any recorded image must specify the time and date of the recorded image;

The system's cameras must cover the following areas:

- all entry and exit points of the premises,
- the footpath immediately adjacent to the premises,
- any rear access points to the premises, and
- all publicly accessible areas (other than toilets) within the premises.

Cameras must have the ability to record viewable footage in low light environments.

Any cameras monitoring the entry and exit points of the premises, shall provide recorded images in which the picture quality and detail is sufficient to enable the identity of person/s to be established.

CCTV recordings must be retained for at least 30 days.

Signage shall be clearly displayed adjacent to the principal entry (in lettering not less than 50mm high) alerting patrons entering the premises that CCTV is in operation with words "Closed Circuit Television in use on these premises". The same signage is to be displayed in a prominent position on each respective level of the premises.

At least one member of staff shall be on the premises at all time the premises is trading who is able to access and fully operate the system, including downloading and producing recordings of CCTV footage.

Provide any recordings made by the system to an Authorised Council or Police Officer/Liquor and Gaming NSW Inspector within 24 hours of any request by an Authorised Council or Police Officer/Inspector to provide such recordings.

All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The licensee shall record this daily checking activity in the security/incident register that meets the standards required by the licensing police and council.

The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage.

PART 14 CONTROL ON NUMBER OF PATRONS

The hotel is designed to minimise risks which can be associated with crowding that impedes patron movement throughout the hotel; inconvenient access to amenities such as the bistro, bar and rest rooms; and insufficient seating. Effective control of overall patron numbers and their distribution throughout the hotel is an important measure to minimise the potential of such risks. The layout of the hotel provides distinct spaces with comfortable seating for approved numbers of patrons.

The maximum number of patrons permitted in the premises at any one time shall be that designated in the current authority consents and as displayed at the entry to the premises.

At all times the licensee shall ensure that the total numbers of patrons present in the hotel in part of the premises do not exceed these numbers.

The licensee or duty manager shall either monitor the number of patrons in the premises or appoint a member of staff or a security person to do so.

When the person monitoring the number of patrons in each section of the premises forms the opinion that each area may be within 85% of the maximum permissible number of patrons, that person will ensure that a physical head count of the patrons present is undertaken.

If such a count reveals that there are within 85% patrons of the maximum number of patrons in each area of the premises, the licensee or duty manager shall assign staff or security personnel to monitor the number of people entering and leaving the premises to ensure that the maximum number of patrons present (including staff and security personnel) does not exceed the maximum.

PART 15 SIGNAGE

Signage in compliance with the *Liquor Act 2007*, including but not limited to signage required for the responsible service of alcohol, together with signage requesting patrons when leaving the hotel to respect the quiet and good order of the neighbourhood, shall be displayed at all appropriate locations within the hotel.

PART 16 NOISE

The LA10 noise level emitted from the licensed premises shall not exceed the LA90 background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5dB between 7:00am and midnight at the boundary of any affected residence.

The LA10 noise level emitted from the licensed premises shall not exceed the LA90 background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between midnight and 7:00am at the boundary of any affected residence.

The LA10 noise level emitted from the licensed premises shall not exceed the LA90 background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) at any time within any habitable room of any affected residence.

The 'LA10' may be taken as the average maximum A-weighted Fast Response sound level emitted from the premises.

Notwithstanding compliance with the above, the noise emitted from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of midnight and 7:00am.

Where this condition is inconsistent with the requirements imposed by the governing Liquor Authority, the more stringent conditions shall prevail.

To ensure that the amenity of nearby sensitive receivers is maintained, the glazed openings in the façade (aside from the hopper windows in the smoking areas) are only permitted to be open between 7:00am and 12 midnight.

The background noise level must not exceed 70dBA sound pressure level and an audio limiting device is to be installed within the venue to ensure that this limit is not exceeded.
Signage is to be installed and maintained at all exists to remind patrons to be mindful of their neighbours and minimise noise when leaving the premises.

PART 17 REMOVAL OF LIQUOR IN OPEN CONTAINERS

The licensee shall prevent patrons leaving the hotel with liquor in opened containers, glasses or the like.

PART 18 LIQUOR ACCORD

The licensee shall participate in the precinct liquor accord that applies to the Hornsby/Ku-Ring-Gai Liquor Accord.

PART 19 HOUSE POLICY

The hotel's house policy relates to matters including:

- Dress code,
- The responsible service of alcohol,
- Harm minimisation, and
- The admission of minors

This information shall be displayed both within the premises and on a suitable plaque outside the entry to the premises.

Patrons whose dress does not meet with the hotel's minimum dress code shall not be permitted to enter or remain on the premises.

No person wearing any form of clothing, jewellery or other accessory, displaying or indicating by form of wording, colours, logo, symbol or otherwise that they are members of are in any way associated with: (Bandidos, Black Uhlands, Coffin Cheaters, Commanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, Hells Angels, Scorpions, Notorious) be allowed entry into, or be permitted to remain on the licensed premises.

Mandatory outdoor 'no smoking' signage shall be displayed within seated outdoor dining areas. No smoking shall be permitted within 4 metres of any entrances to the licensed premises.

PART 20 INDUCTION AND TRAINING

Training will be provided to all staff members to ensure they are aware of their obligations to serve alcohol responsibly and to ensure that alcohol is not sold or supplied to minors. This includes reminding all staff that each member of our team has a legal responsibility to ensure alcohol is served responsibly and that they must refuse service to a patron if they believe the patron is showing signs of intoxication as a result of alcohol consumption.

All staff will be knowledgeable in relation to the definition of 'intoxicated' (as per section 5 of the *Liquor Act 2007*):

The person's speech, balance, co-ordination or behaviour is noticeably affected, and it is reasonable in the circumstances to believe that the affected speech, balance, co-ordination or behaviour is the result of the consumption of liquor.

Staff are provided with the following table of noticeable signs which could be an indication of patron intoxication as part of their training to detect intoxication at the earliest opportunity:

Speech	Balance	Co-ordination	Behaviour
<ul style="list-style-type: none"> • Slurring words • Rambling or unintelligible conversation • Incoherent or muddled speech • Not understanding normal conversation 	<ul style="list-style-type: none"> • Unsteady on feet • Swaying uncontrollably • Staggering • Difficulty walking straight • Stumbling • Bumping into furniture 	<ul style="list-style-type: none"> • Spilling drinks • Fumbling change • Difficulty counting money • Difficulty opening or closing doors • Fumbling change 	<ul style="list-style-type: none"> • Rudeness • Aggression • Argumentative • Offensive • Loud/boisterous • Drinking rapidly • Physically violent • Using offensive language

New staff will be issued with copies of the following documents (which will also be used for in-house training):

- Liquor Promotion guidelines 2019

- Prevention of Intoxication on Licensed Premises guidelines
- Intoxication guidelines
- NSW Police Crime Scene Preservation guidelines

Management will assess staff performance and compliance with their training during routine patrols of the hotel. Staff failing to comply with the measures as outlined in the plan of management, and in accordance with their training, will face sanctions.

PART 21 DELIVERIES AND WASTE REMOVAL

Loading and unloading of vehicles and delivery of goods to the premises shall at all times be carried out within the building during the hour of 8am to 6pm.

The removal of wastes and recyclable materials shall be made by Council or a recognised contractor between the hours of 7.00am and 8.00pm weekdays and 9.00am to 5.00pm weekends and public holidays.

PART 22 MAINTENANCE

The hotel furniture and decorations provide a pleasant environment for patrons. Management recognises that hotels that are poorly maintained, unclean or messy present an increased risk of having an adverse impact on the local community.

The hotel premises shall be kept in a clean and tidy condition and regularly maintained to the satisfaction of Council, both internally and externally.

PART 23 WASTE

Hotel waste will be collected in bins located throughout the tenancy and moved to the Hotel waste store. The waste store is located on ground level and will be near the Hotel loading dock. The various waste store sections are adequate for the waste volumes generated.

Private waste contractors servicing the Hotel will be able to park in the Hotel loading bay to collect the waste bins.

Hotel waste will be collected in bins located throughout the tenancy and moved to the Hotel waste store by the Hotel cleaners. The waste store is located on the Ground Floor and is near the Hotel loading dock. The waste will be collected by a private contractor from the dock area. Their truck will be able to enter and exit the building in a forward direction.

The operator shall ensure that waste paper is recycled. In this regard, the operator shall make arrangements with the owner to transfer paper for recycling to the recycling room for removal.

GLASS SORTING, CRUSHING OR COLLECTION. No bottle or glass sorting, recycling or collection shall take place between 8.00pm on any day and 8am Monday to Friday, 9am Saturday and 10am Sundays and Public Holidays.

PART 24 AMENDMENT TO THIS PLAN

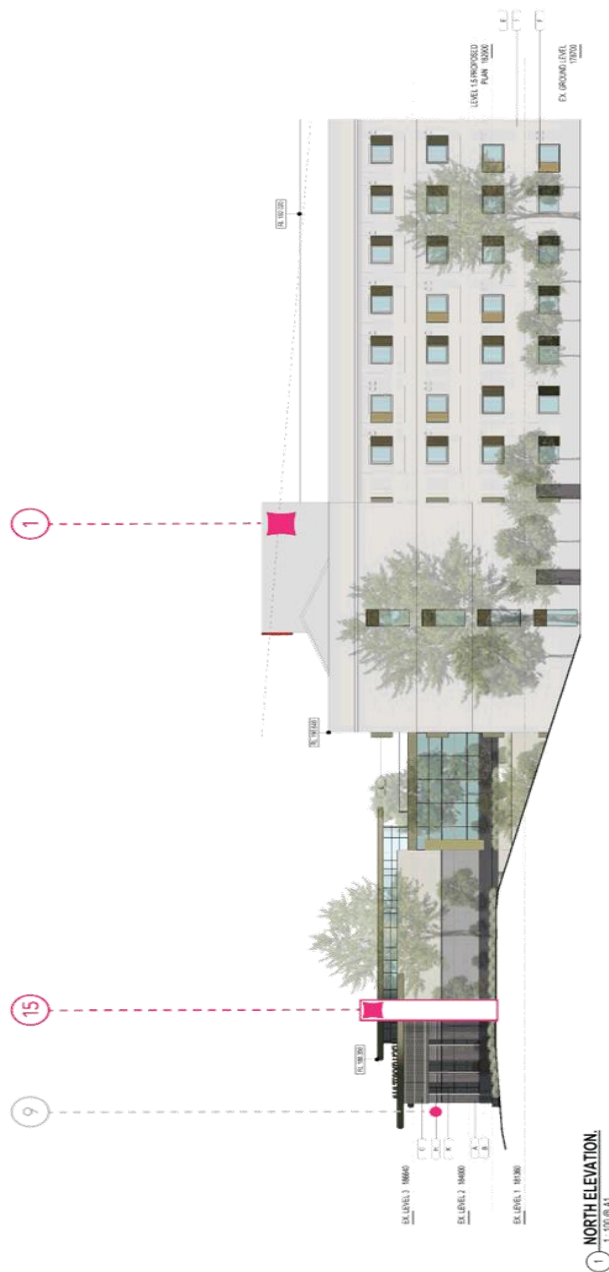
If, in circumstances where experience shows that it is reasonable or desirable to modify any provision of this plan for the better management of the hotel, that modification shall be made to the plan only with the consent of Council, which consent shall not unreasonably be withheld.

ANNEXURE 1: SITE PLAN AND CONTEXT PLAN

ATTACHMENT 4 - ITEM 4

NORTH ELEVATION

- 1) IBS BUILDING SIGN**
 - 3D fabricated shape. Internal illumination.
 - 1,600 x 1,400mm
- 15) PYLON SIGN**
 - 3D fabricated shape. Internal illumination.
 - 1,200 x 6,500mm.



CLIENT TO ORGANISE POWER
 VISUAL ONLY - NOT TO SCALE
 SHOWN FOR INFORMATION ONLY

CLIENT
 RBS CAPITAL

PROJECT
 RBS THORNLEIGH

DATE
 24.09.2021

DESIGN REVISION
 S148 SM 1

FINAL CHECK ☐

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EAST ELEVATION

- 2) IBIS BUILDING SIGN
 - 3D fabricated shape. Internal illumination.
 - 1,400 x 1,400mm
- 4) THORNLEIGH TAVERN LETTERS
 - 3D fabricated letters. Internal illumination.
 - 9,380 x 627mm
- 5) THORNLEIGH TAVERN LETTERS
 - 3D fabricated letters. Internal illumination.
 - 1,400 x 360mm
- 6) CANTILEVERED SIGN 'VIP LOUNGE'
 - 3D fabricated shape. Internal illumination.
 - 600mm diameter.
- 7) CANTILEVERED SIGN 'SPORTS BAR'
 - 3D fabricated shape. Internal illumination.
 - 600mm diameter.
- 8) CANTILEVERED SIGN 'BISTRO'
 - 3D fabricated shape. Internal illumination.
 - 600mm diameter.
- 9) CANTILEVERED SIGN 'VIP LOUNGE'
 - 3D fabricated shape. Internal illumination.
 - 600mm diameter.
- 16) PYLON SIGN
 - 3D fabricated shape. Internal illumination.
 - 1,200 x 6,000mm.

CLIENT TO ORGANISE POWER

URGENT WORK AND TO BE COMPLETED

URGENT WORK AND TO BE COMPLETED

CLIENT

888 CAPITAL

PROJECT

888 THORNLEIGH

DATE

24.07.2021

DESIGN

5148 SM

REVISION

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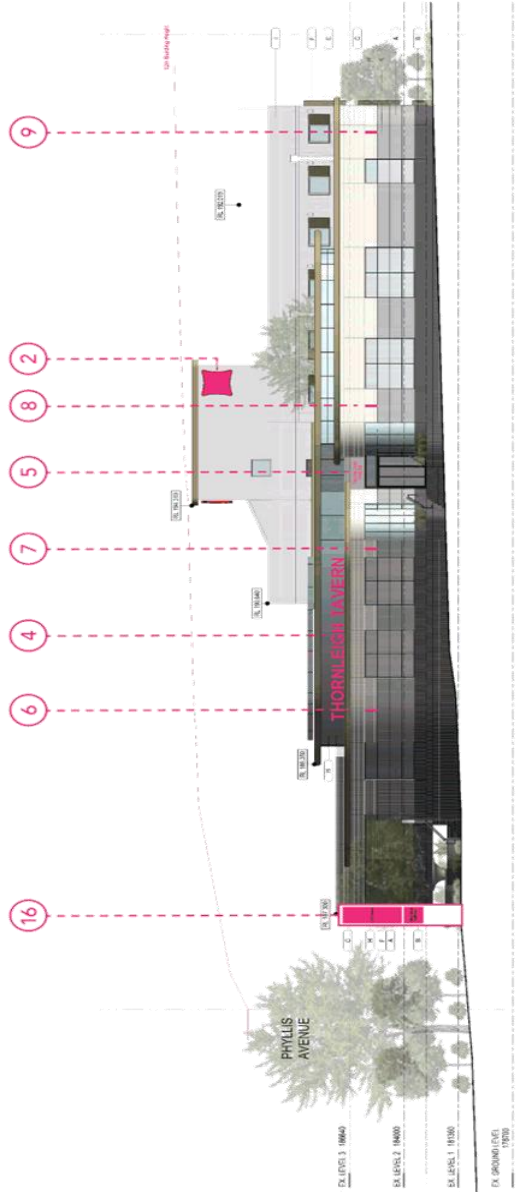
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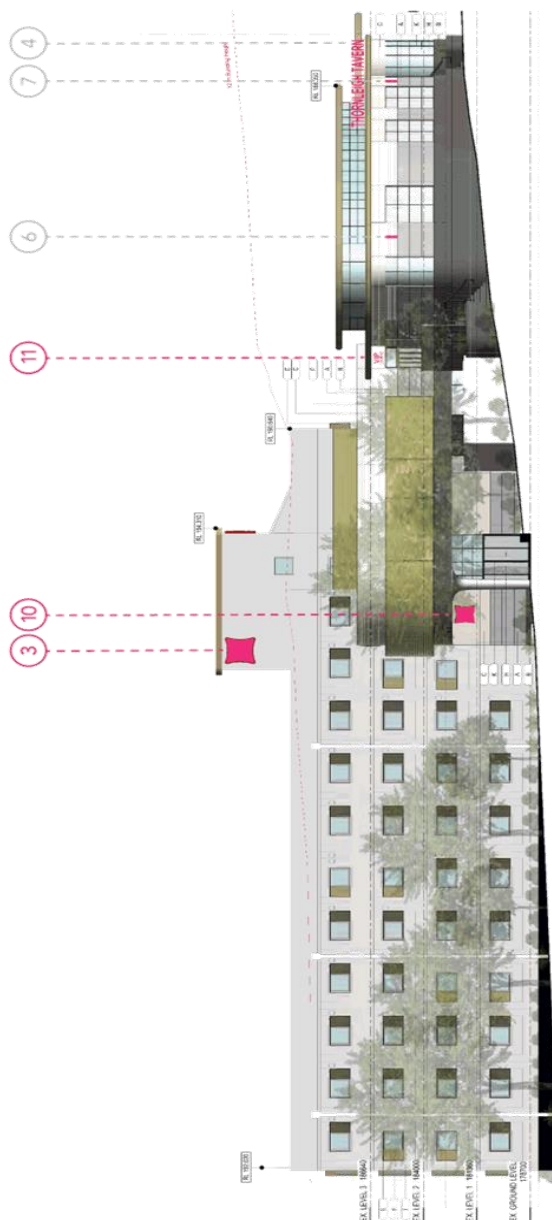
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EAST ELEVATION
1:100 @ A1

SOUTH ELEVATION

- 3) IBS BUILDING SIGN**
- 3D fabricated shape. Internal illumination.
- 1,400 x 1,400mm
- 10) IBS BUILDING SIGN**
- 3D fabricated shape. Internal illumination.
- 1,000 x 1,000mm
- 11) VP LOUNGE LETTERS**
- 3D fabricated letters. Internal illumination.
- 750 x 450mm



① SOUTH ELEVATION
1:150 @ A1

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VIEWS ONLY. NOT TO SCALE
FOR INFORMATION PURPOSES

CLIENT
IBS CAPITAL

PROJECT
IBS THORNLEIGH

DATE
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ATTACHMENT 5 - ITEM 4

WEST ELEVATION

- 12) IBS BUILDING SIGN**
 - 3D fabricated shape, internal illumination
 - 1,400 x 1,400mm
- 13) THORNLEIGH TAVERN LETTERS**
 - 3D fabricated letters, internal illumination
 - 3,655 x 250mm
- 14) THORNLEIGH TAVERN LETTERS**
 - 3D fabricated letters, internal illumination
 - 9,800 x 660mm



CLIENT TO ORANGE POWER
 VISUAL ONLY - NOT TO EXACT SCALE
 ARCHING: 03/20/2021 08:00:00 AM (LOCAL TIME)

CLIENT
 IBS CAPITAL

PROJECT
 IBS THORNLEIGH

DATE
 24.09.2021

DESIGN REVISION
 5/14/21 1

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 OF FREMONT CONSULTANTS. ANY UNAUTHORIZED USE OF THIS
 DOCUMENT IS PROHIBITED AND WILL BE PROSECUTED.
 4/11/2020 10:00:00 AM (LOCAL TIME) 08:00:00 AM (LOCAL TIME)

1 WEST ELEVATION
 1:100 @ A1

ATTACHMENT 5 - ITEM 4

Annexure 2: Updated Traffic Advice pertaining to application

ATTACHMENT 6 - ITEM 4





Our Ref: 21021

14 December 2021

Iris Capital
GPO Box 5479
SYDNEY NSW 2001

Attention: Mr Warren Duarte

Dear Warren,

**RE: IBIS SYDNEY THORNLEIGH
RESPONSE TO COUNCIL'S REQUEST FOR FURTHER INFORMATION**

As requested, please find herein The Transport Planning Partnership (TPPP)'s response to Hornsby Shire Council's request for further information on the proposed modifications to the existing ibis Hotel located at 200-212 Pennant Hills Road, Thornleigh.

Council's Request for Further Information (RFI)

Hornsby Shire Council has requested additional information to be provided as per their email dated 29 November 2021.

Council noted that the letter provided by the hotel General Manager stated that the IBIS car park is never fully occupied. However, Council's concern is that there is a possibility for hotel business patterns to have changed after the Covid-19 Global Pandemic, resulting in an increase of general public guests rather than traditional tourists. Therefore, the following has been requested by Council:

- *The proposed development will need to submit a Parking Accumulation Survey for the site on a typical business day,*
- *The proposed development will need to develop and implement a green travel plan for the site if the Parking Accumulation Survey shows the site has an overflow parking issue.*

Additionally, Council noted that McDonalds has raised concerns that any non-compliance of car parking could lead to customers parking in the adjoining car park.

The Transport Planning Partnership
Suite 402, 22 Atchison Street
ST LEONARDS NSW 2065



DCP Car Parking Requirements

Whilst a car parking assessment has been provided as part of the traffic and parking impact assessment, it is reproduced below for ease of reference.

Parking requirements for the proposed development have been assessed using Hornsby Council's Development Control Plan 2013 (DCP).

Table 1 provides a summary of the parking requirements.

Table 1: Parking Requirement

Land Use	Development Yield			DCP Parking Rate	Parking Requirement			Parking Supply	
	Existing	Proposed	Net Change		Existing	Proposed	Net Change	Existing	Proposed
Hotel	105 rooms 5 staff	104 rooms 5 staff	-1 room	1 space per room + 1 space per 2 staff	107.5	106.5	-1	75	72
Bistro	-	128m ² 4 staff	128m ² 4 staff	1 space per 29m ²	-	15.1	+15		
Sports Bar	-	93m ² 2 staff	93m ² 2 staff						
Smoking Bar	-	47m ² 1 staff	47m ² 1 staff						
VIP Lounge	-	170m ² 1 staff	170m ² 1 staff						
TOTAL					108	122	+14	75	72

It is noted that the existing hotel has operated with no parking problems with 75 car parking spaces on-site, which is 33 spaces less than the DCP requirement. It appears that the parking rate stipulated in Council DCP is in excess of the actual parking demands for the existing hotel.

Moreover, it is expected that visitors of the proposed bar, bistro and VIP lounge areas would comprise primarily of on-site hotel patrons or local clientele, particularly the residents as well as employees in the vicinity of the site who will be able to walk to the hotel at lunch time or after work. Hence, the proposed development is not expected to generate significant additional parking demand to the site.

Also given the size of the proposed bar, bistro and VIP lounge areas, any additional parking demand from other visitors (i.e. not hotel patrons) is expected to be minimal. As such, any net difference in parking demand of the proposed development would not have any noticeable impact on the surrounding road network.

Notwithstanding the above, a parking occupancy survey has been undertaken as per Council's request, which is discussed in the following sections.



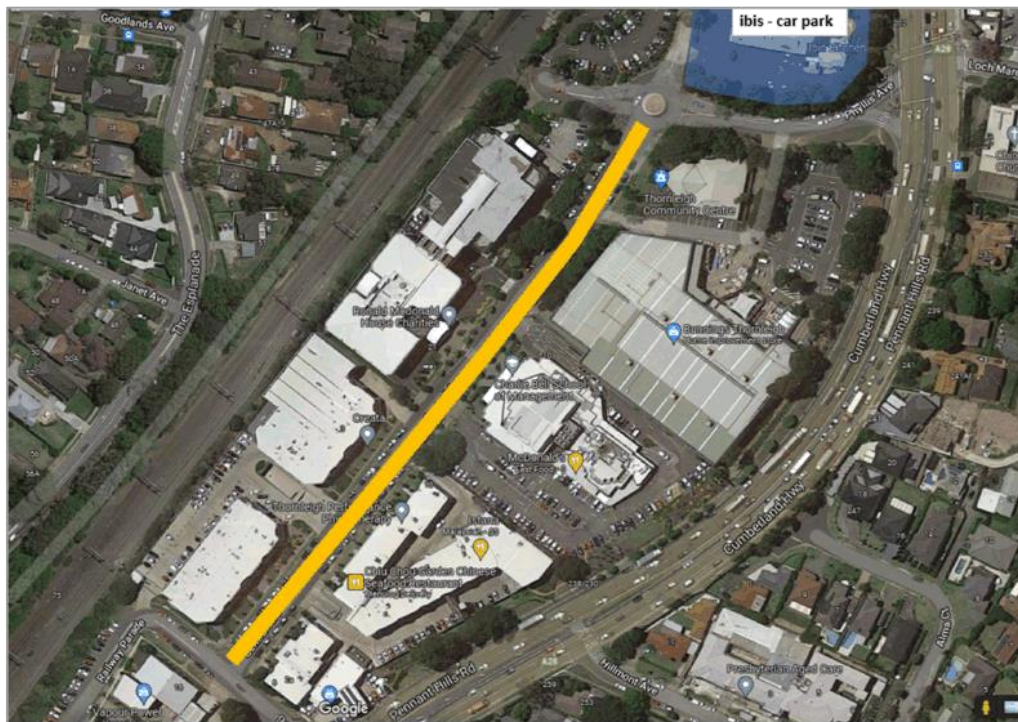
Parking Occupancy Survey

Car parking occupancy surveys were undertaken on Friday, 3rd of December 2021 and Saturday, 11th of December 2021 between 2pm and 9pm at the following locations (shown in Figure 1):

- On-site Ibis Car Park (shown in blue)
- On-Street parking on Central Avenue between Parkes Street and Phyllis Avenue (shown in yellow).

A parking inventory was carried out to identify the number of available parking spaces and restrictions within the survey area. The number of parked vehicles within each of the survey areas were recorded on an hourly basis.

Figure 1: Parking Survey Locations



Parking Survey Results

The parking survey results of on-site parking and on-street parking are discussed below with the full results of parking occupancy surveys presented in Attachment One.



On-Site Parking Occupancy

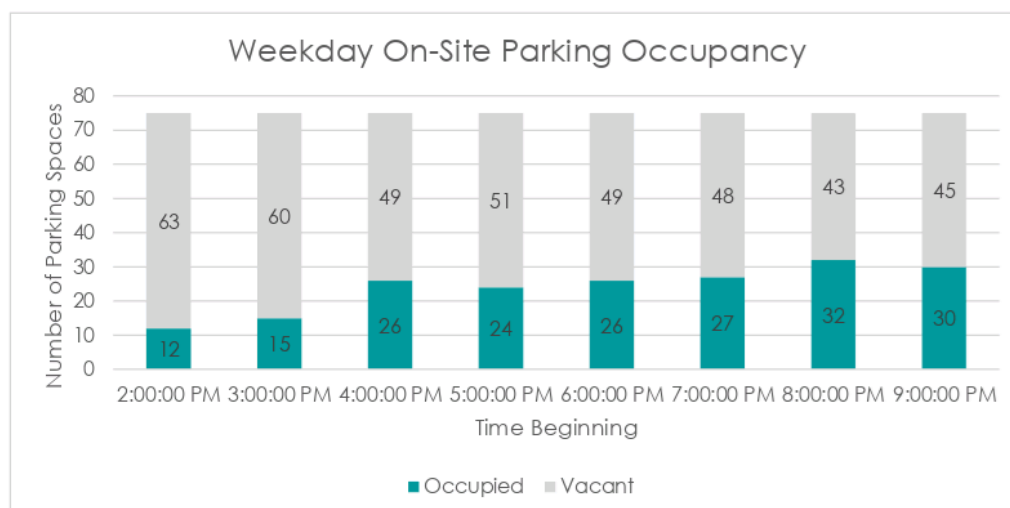
Weekday (Friday)

The results from the weekday on-site parking survey are presented below:

- A total supply of 75 on-site spaces was recorded.
- Peak parking occupancy was recorded at 8pm with on-site parking occupancy rate of 43%.
- Even at its peak parking occupancy level (i.e. 43%), at least 43 car parking spaces were available on site.

As shown in Figure 2 during the survey period, 43 to 63 on-site car parking spaces were available for use by visitors.

Figure 2: Weekday (Friday) On-Site Parking Occupancy



Weekend (Saturday)

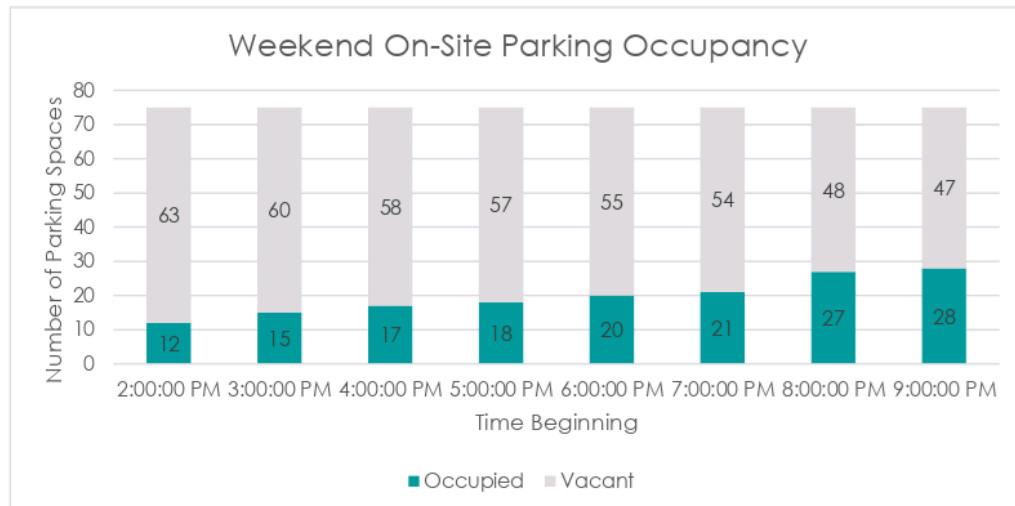
The results from the weekend on-site parking survey are presented below:

- A total supply of 75 on-site spaces was recorded.
- Peak parking occupancy was recorded at 9pm with on-site parking occupancy rate of 37%.
- Even at its peak parking occupancy level (i.e. 37%), at least 47 car parking spaces were available on site.

As shown in Figure 3 during the survey period, 47 to 63 on-site car parking spaces were available for use by visitors.



Figure 3: Weekend (Saturday) On-Site Parking Occupancy



On-Street Parking Occupancy

Weekday (Friday)

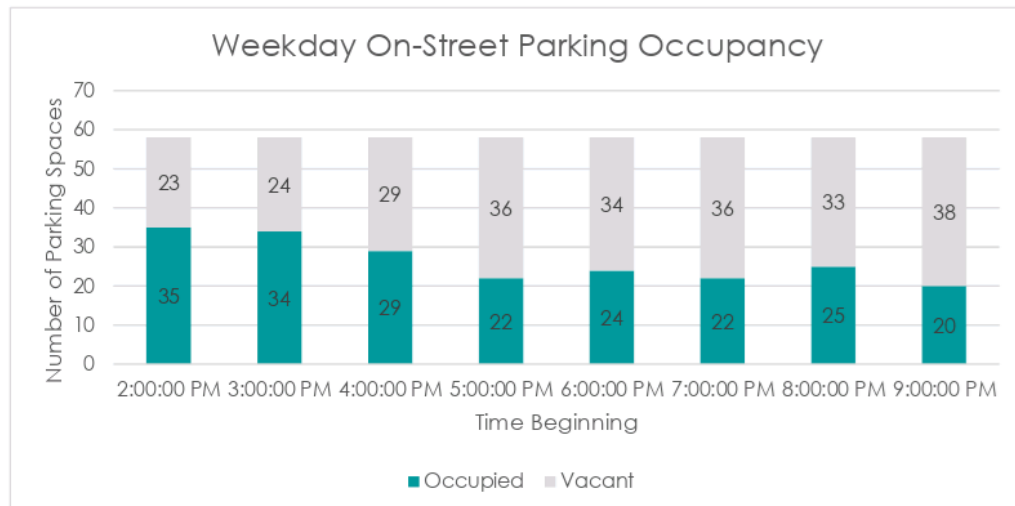
The results from the on-street parking survey on Central Avenue between Parkes Street and Phyllis Avenue on a Friday between 2pm and 9pm are presented below:

- A total supply of 58 on-street spaces was recorded.
- Peak parking occupancy was recorded at 2pm with on-street parking occupancy rate of 60%.
- Even at its peak parking occupancy level (i.e. 60%), at least 23 on-street parking spaces were available in vicinity of the site.

As shown in Figure 4 during the survey period, 23 to 38 on-street parking spaces were vacant.



Figure 4: Weekday (Friday) On-Street Parking Occupancy



Weekend (Saturday)

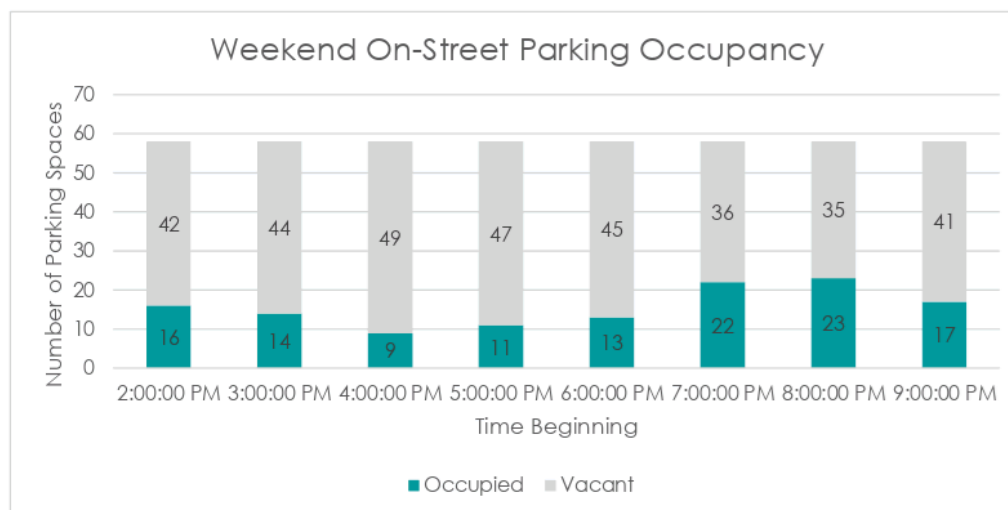
The results from the on-street parking survey on a Saturday between 2pm and 9pm are presented below:

- A total supply of 58 on-street spaces was recorded.
- Peak parking occupancy was recorded at 8pm with on-street parking occupancy rate of 40%.
- Even at its peak parking occupancy level (i.e. 40%), at least 35 on-street parking spaces were available in vicinity of the site.

As shown in Figure 5 during the survey period, 35 to 49 on-street parking spaces were vacant.



Figure 5: Weekend (Saturday) On-Street Parking Occupancy



Peak Parking Demand

The hotel room occupancy was at 53% on Friday, 3rd of December 2021 and 47% on Saturday, 11th of December 2021 respectively. Parking spaces occupied by staff were around 5 vehicles for both surveyed days.

Assuming 100% room occupancy, the peak on-site parking demand would be equivalent to 56 spaces on a weekday and 48 spaces on a weekend.

Whilst it is not expected that the proposed development (i.e. proposed bar, bistro and VIP lounge areas) would generate significant additional parking demand to the site, as a conservative approach, DCP parking requirement of 15 spaces are added to the peak parking demand of the hotel.

Hence, the estimated peak parking demand for the proposed development is expected to be 71 spaces on a weekday and 63 spaces on a weekend.

Table 2 and Table 3 presents the peak parking demand calculations for a weekday and a weekend, respectively.



Table 2: Estimated Peak Parking Demand for Weekday (Friday)

Time	Existing Parking Occupancy			Estimated Peak Parking Demand			
	No. of Vehicles	Staff parking	No. of Vehicles (excl. staff parking)	Peak Parking Demand (excl. staff parking)	Peak Parking Demand (incl. staff parking)	DCP Parking Requirement for Proposed Bar, Bistro and VIP Area	Estimated Peak Parking Demand for Proposed Development
2PM	12	5	7	13	18	15	33
3PM	15	5	10	19	24	15	39
4PM	26	5	21	40	45	15	60
5PM	24	5	19	36	41	15	56
6PM	26	5	21	40	45	15	60
7PM	27	5	22	42	47	15	62
8PM	32	5	27	51	56	15	71
9PM	30	5	25	47	52	15	67

Table 3: Estimated Peak Parking Demand for Weekend (Saturday)

Time	Existing Parking Occupancy			Estimated Peak Parking Demand			
	No. of Vehicles	Staff parking	No. of Vehicles (excl. staff parking)	Peak Parking Demand (excl. staff parking)	Peak Parking Demand (incl. staff parking)	DCP Parking Requirement for Proposed Bar, Bistro and VIP Area	Estimated Peak Parking Demand for Proposed Development
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7PM	21	5	16	30	35	15	50
8PM	27	5	22	42	47	15	62
9PM	28	5	23	43	48	15	63

The results from Table 2 and Table 3 indicate that the estimated peak parking demand for a weekday and a weekend is still lower than the proposed on-site parking spaces of 72 spaces. Notwithstanding this, assuming 100% room occupancy is a conservative approach as hotel rooms occupancy is typically 80% to 90%.

Therefore, the proposed parking demand of the site can be accommodated wholly within the proposed car park.

Notwithstanding the above, the on-street parking survey indicates that there is an ample amount of on-street parking available if extra parking is required. Therefore, it is not expected that McDonalds car parks will be affected by the proposed development.



Summary and Conclusion

This report addresses Hornsby Council's Request for Further Information. The key findings of the report include:

- Based on Council's DCP, the proposed development generates a requirement of 122 car spaces.
- It is noted that the existing hotel has operated with no parking problems with 75 car parking spaces on-site, which is 33 spaces less than the DCP requirement.
- A total of 72 car spaces is proposed on site.
- On-site parking occupancy was at 43% (on a weekday) and 37% (on a weekend) with at least 43 spaces available on site.
- On-street parking occupancy was at 60% (on a weekday) and 40% (on a weekend) with at least 23 on-street spaces available in vicinity of the site.
- The estimated peak parking demand for the proposed development (i.e. including proposed bar, bistro and VIP lounge areas) is expected to be 71 spaces on a weekday and 63 spaces on a weekend, which is still lower than the proposed on-site parking spaces of 72 spaces.
- On-street parking survey indicates that there is an ample amount of on-street parking available if extra parking is required. Therefore, it is not expected that McDonalds car parks will be affected by the proposed development.

Therefore, the parking effects of the proposed development is considered satisfactory.

Based on the above parking assessment, it is expected that a green travel plan (GTP) is not required. However, if needed, an appropriate planning condition can be imposed requiring a GTP be submitted to and approved by Council prior to the issue of Occupation Certificate.

We trust the above is to your satisfaction. Should you have any queries regarding the above or require further information, please do not hesitate to contact the undersigned on 8437 7800.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ken Hollyoak', written over a light blue rectangular background.

Ken Hollyoak
Director



Attachment One

Parking Survey Results

ATTACHMENT 6 - ITEM 4

**R.O.A.R. DATA**

Reliable, Original & Authentic Results
 Mob.0418-239019

Client : TTTP
 Job No / Name : 7598 THORNLEIGH Ibis Hotel Parking
 Day/Date : Friday 3rd December 2021



Zone	Location	Capacity	1400	1500	1600	1700	1800	1900	2000	2100
A	Central Ave North Eastern Side	11	4	4	4	3	2	1	1	1
B	Central Ave South Eastern Side	19	12	9	7	9	12	12	13	10
C	Central Ave South Western Side	18	12	15	12	8	9	8	10	8
D	Central Ave North Western Side	10	7	6	6	2	1	1	1	1
	IBIS HOTEL Car Park	75	12	15	26	24	26	27	32	30
	Total of Vehicles Parked	133	47	49	55	46	50	49	57	50
	Number of Vacant Spaces		86	84	78	87	83	84	76	83
	% of Capacity Used		35.3%	36.8%	41.4%	34.6%	37.6%	36.8%	42.9%	37.6%

ATTACHMENT 6 - ITEM 4

**R.O.A.R. DATA**

Reliable, Original & Authentic Results
Mob.0418-239019

Client : TTTP

Job No / Name : 7598 THORNLEIGH Ibis Hotel Parking

Day/Date : Saturday 11th December 2021



Zone	Location	Capacity	1400	1500	1600	1700	1800	1900	2000	2100
A	Central Ave North Eastern Side	11	2	2	1	2	1	1	1	1
B	Central Ave South Eastern Side	19	7	8	5	5	8	9	9	8
C	Central Ave South Western Side	18	2	1	0	1	1	10	11	6
D	Central Ave North Western Side	10	5	3	3	3	3	2	2	2
	IBIS HOTEL Car Park	75	12	15	17	18	20	21	27	28
	Total of Vehicles Parked	133	28	29	26	29	33	43	50	45
	Number of Vacant Spaces		105	104	107	104	100	90	83	88
	% of Capacity Used		21.1%	21.8%	19.5%	21.8%	24.8%	32.3%	37.6%	33.8%

ATTACHMENT 6 - ITEM 4

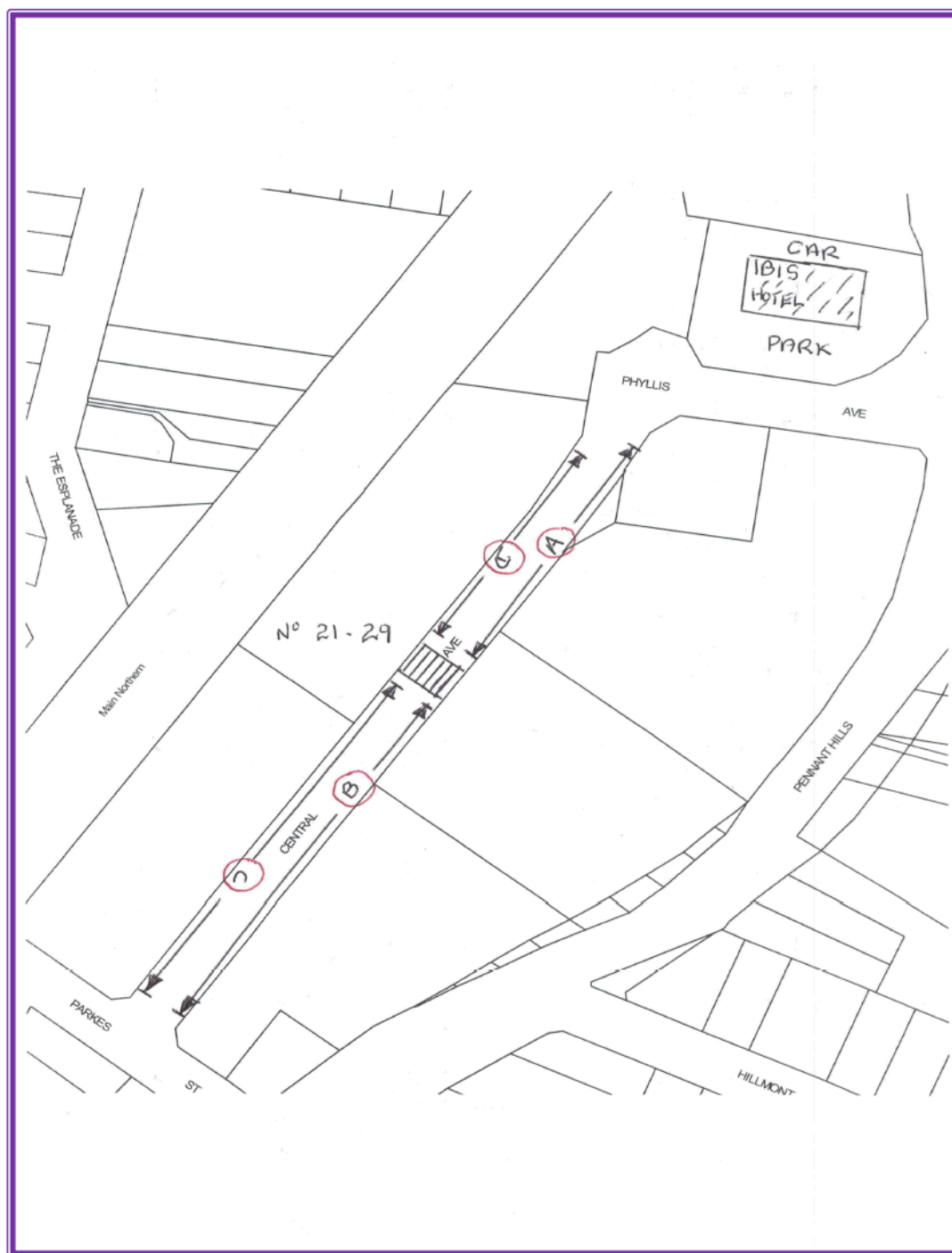
**R.O.A.R. DATA****Reliable, Original & Authentic Results**

Mob.0418-239019

Client : TTPP

Job No / Name : 7598 THORNLEIGH Ibis Hotel Parking

Day/Date : Friday 3rd & Saturday 11th December 2021

**ATTACHMENT 6 - ITEM 4**



21 February 2022

HPS Reference: 2020084

Mr. Matthew Miles
Assessment Officer
Planning & Compliance Division
Hornsby Shire Council
PO Box 37
HORNSBY NSW 1630

Dear Matthew,

Request for additional information - Development Application No. DA/1037/2021 – Demolition of part of the existing building, car parking and trees; reconstruction of part of the building for the purpose of a new pub for two hundred patrons, on-site landscaping and business identification signage - Lot 3 DP 1205943, No. 206-212 Pennant Hills Road, THORNLEIGH NSW 2120

We refer to the aforementioned development application and Hornsby Shire Council's (Council) request for additional information pertaining to this application. The matters raised are addressed in turn below.

Planning Comments

Following our meeting with Council staff in relation to the proposed setback of the building, the design philosophy for the proposal seeks to balance the setback controls prescribed by the Council with the importance of ensuring a successful premises. Uses such as licensed premises and, in this case, a pub, generally rely upon, for their success, visual prominence to ensure that the utilisation of the premises is realised. This is fundamental to their business case, to ensure that these are visually accessible and recognisable to the passer-by. As such, this generally requires that the design of any building wraps the frontage on which it is located, with a highly detailed design displaying to the frontage, as opposed to being screened by landscaping.

That said, as discussed, we appreciate the approach that the Council has taken to applying the need for a setback to the Pennant Hills Road frontage of the site and the importance of a landscape corridor along the classified road.

While no change is proposed to the ground floor of the building as this is located below the street level, the attached plan demonstrates an ability to increase the building setback at the first floor by three metres to enable the building to be separated from the property boundary. This setback area will enable a landscape zone to be created through this area, along with room for mature planting.

Head Office: Suite 404 | 203 - 233 New South Head Road | Edgecliff 2027

Postal Address: PO Box 954 | Edgecliff 2027

02 9386 7000 www.hamptonsproperty.com

Hamptons Property Services Pty Ltd | ABN 66 141 622 433

ATTACHMENT 7 - ITEM 4

While a shortfall on the standard, it is considered that this increased setback distance over the original application will enable and enhance a balanced approach to the use, versus the setback control. Subject to the Council being satisfied with this approach, the plans may be formalised to reflect this.

Environmental Health Comments

Food premise construction

Until such time as a development consent is granted, the Applicant proposes not to progress with the detailed design of door preparation areas.

That being the case, the Applicant would ask that the Council impose a condition on any future consent to the effect of the following:

Prior to the release of a construction certificate, plans are to be provided to the satisfaction of Council demonstrating compliance with:

- a) AS4674-2004 – Design, construction and fit-out of food premises
- b) Food Standards Code (Australia)
- c) Building Code of Australia

To that end, plans are to show the following information:

- a) Construction details/finishes for the floors (including coving), walls, ceiling, fixtures and fittings in the food preparation area of the premises;
- b) Location and construction details of all light fittings and any floor wastes within the food preparation area;
- c) A designated hand washing facility, accessible and no further than 5 metres, except for toilet hand basins, from any place where food handlers are handling open food, fitted with a single spout capable of delivering a supply of warm running water;
- d) A double-bowl wash sink suitable for cleaning and sanitising food contact surfaces and equipment;
- e) Proposed cooking appliances and mechanical ventilation system to comply with AS/NZS 1668.1 and AS1668.2
 - a. Please note: In addition to the requirements of AS/NZS 1668.1 and AS 1668.2, an extraction system shall be provided where there is any dishwasher and other washing and sanitising equipment that vents steam into the area to the extent that there is, or is likely to be, condensation collecting on walls and ceilings;
- f) A cleaner's sink for disposal of liquid waste (which is not to be located in areas where open food is handled).

Grease trap



For the same reasons as detailed in relation to the food premise construction, the location of the grease trap will be determined as part of the detailed kitchen design. To that end, the Applicant requests that the Council impose a condition of consent to the effect of the following:

Prior to the release of a construction certificate, plans are to be provided to the satisfaction of Council demonstrating the location of any grease trap, including compliance with Section 2.3.2 of AS 4674 - 2004.

Waste Storage Area

The waste storage area is proposed to be demolished and reconstructed in association with the development application, as shown on DA-100, Issue C, which will be reconstructed in accordance with AS4674-2004, which can be addressed by a condition of development consent. Further plans may be provided to the Council or principal certifying authority to demonstrate compliance, prior to the issue of a construction certificate.

During the construction period, relocation of the existing garbage area may be required on a temporary basis. A temporary enclosure may be provided across two-three car parking spaces for this purpose, to enable access for a garbage truck during this period. This can be dealt with as part of a construction management plan.

Environmental Protection Comments

The maximum patron numbers are proposed at 340 patrons.

The Plan of Management has been updated to reflect this.

Hours of Operation

The proposed hours of operation are 7am to 12:00am (Monday to Saturday) and 7:00am to 10:00pm on Sundays.

Revised Acoustic Assessment Report

A Revised Acoustic Assessment Report (Revision 3, dated 2 February 2022) accompanies this submission addressing those matters set out in Council's correspondence.

Revised Plan of Management

A Revised Plan of Management accompanies this response.

Waste Comments

Refer above in relation to temporary waste storage area.



We trust that the enclosed information will enable the Council to undertake further assessment of the application and, subject to the proposed design changes being acceptable, the relevant, updated plans may be submitted to the Council accordingly.

Yours sincerely,



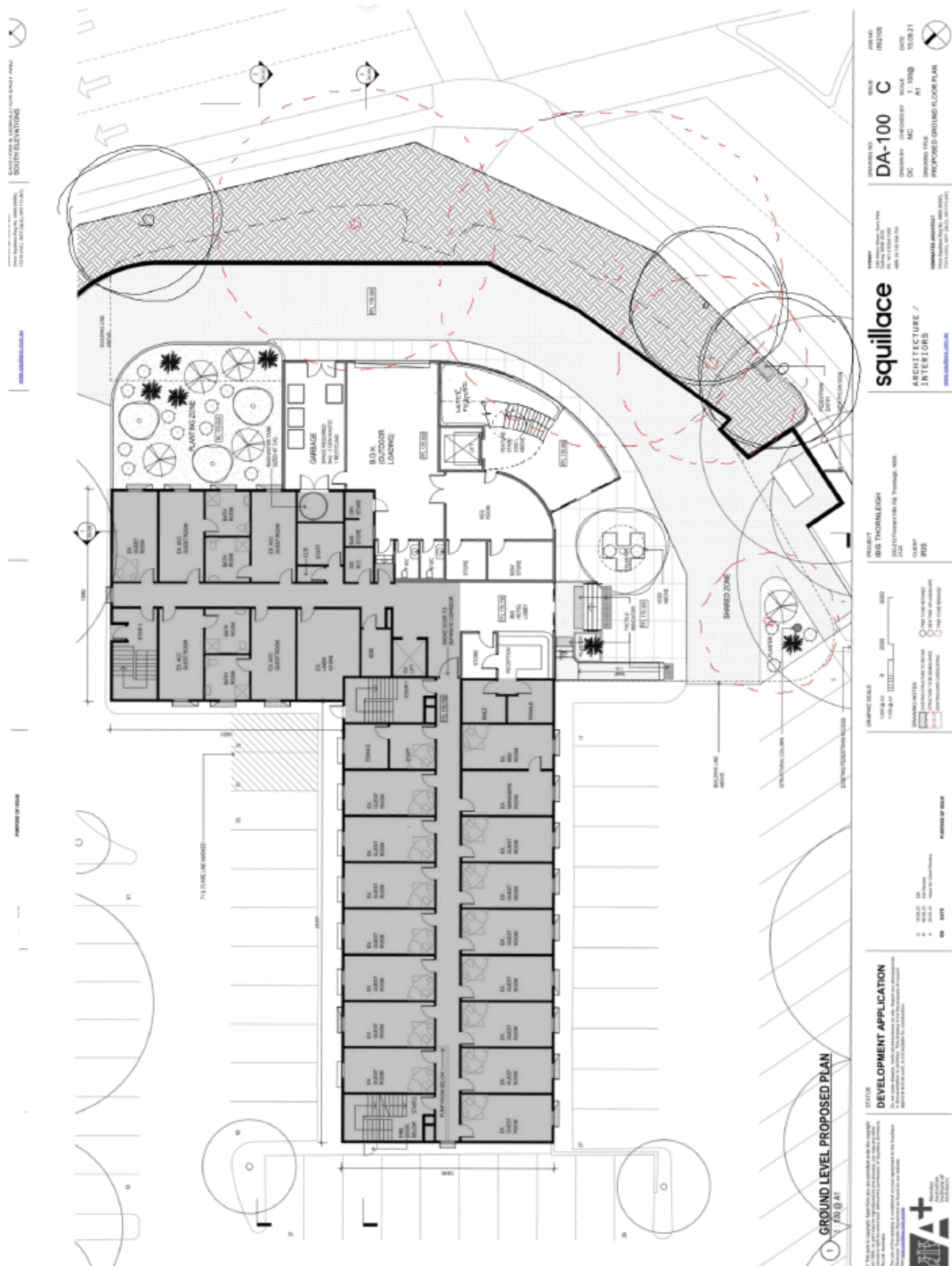
Kristy Hodgkinson
Director



Annexure 1: **Revised Architectural Sketch Plans to establish increased building setback for Council confirmation**

ATTACHMENT 7 - ITEM 4





ATTACHMENT 7 - ITEM 4



Annexure 2: Updated Traffic Advice pertaining to application

ATTACHMENT 7 - ITEM 4





Our Ref: 21021

14 December 2021

Iris Capital
GPO Box 5479
SYDNEY NSW 2001

Attention: Mr Warren Duarte

Dear Warren,

**RE: IBIS SYDNEY THORNLEIGH
RESPONSE TO COUNCIL'S REQUEST FOR FURTHER INFORMATION**

As requested, please find herein The Transport Planning Partnership (TPPP)'s response to Hornsby Shire Council's request for further information on the proposed modifications to the existing ibis Hotel located at 200-212 Pennant Hills Road, Thornleigh.

Council's Request for Further Information (RFI)

Hornsby Shire Council has requested additional information to be provided as per their email dated 29 November 2021.

Council noted that the letter provided by the hotel General Manager stated that the IBIS car park is never fully occupied. However, Council's concern is that there is a possibility for hotel business patterns to have changed after the Covid-19 Global Pandemic, resulting in an increase of general public guests rather than traditional tourists. Therefore, the following has been requested by Council:

- *The proposed development will need to submit a Parking Accumulation Survey for the site on a typical business day,*
- *The proposed development will need to develop and implement a green travel plan for the site if the Parking Accumulation Survey shows the site has an overflow parking issue.*

Additionally, Council noted that McDonalds has raised concerns that any non-compliance of car parking could lead to customers parking in the adjoining car park.

The Transport Planning Partnership
Suite 402, 22 Atchison Street
ST LEONARDS NSW 2065



DCP Car Parking Requirements

Whilst a car parking assessment has been provided as part of the traffic and parking impact assessment, it is reproduced below for ease of reference.

Parking requirements for the proposed development have been assessed using Hornsby Council's Development Control Plan 2013 (DCP).

Table 1 provides a summary of the parking requirements.

Table 1: Parking Requirement

Land Use	Development Yield			DCP Parking Rate	Parking Requirement			Parking Supply	
	Existing	Proposed	Net Change		Existing	Proposed	Net Change	Existing	Proposed
Hotel	105 rooms 5 staff	104 rooms 5 staff	-1 room	1 space per room + 1 space per 2 staff	107.5	106.5	-1	75	72
Bistro	-	128m ² 4 staff	128m ² 4 staff	1 space per 29m ²	-	15.1	+15		
Sports Bar	-	93m ² 2 staff	93m ² 2 staff						
Smoking Bar	-	47m ² 1 staff	47m ² 1 staff						
VIP Lounge	-	170m ² 1 staff	170m ² 1 staff						
TOTAL					108	122	+14	75	72

It is noted that the existing hotel has operated with no parking problems with 75 car parking spaces on-site, which is 33 spaces less than the DCP requirement. It appears that the parking rate stipulated in Council DCP is in excess of the actual parking demands for the existing hotel.

Moreover, it is expected that visitors of the proposed bar, bistro and VIP lounge areas would comprise primarily of on-site hotel patrons or local clientele, particularly the residents as well as employees in the vicinity of the site who will be able to walk to the hotel at lunch time or after work. Hence, the proposed development is not expected to generate significant additional parking demand to the site.

Also given the size of the proposed bar, bistro and VIP lounge areas, any additional parking demand from other visitors (i.e. not hotel patrons) is expected to be minimal. As such, any net difference in parking demand of the proposed development would not have any noticeable impact on the surrounding road network.

Notwithstanding the above, a parking occupancy survey has been undertaken as per Council's request, which is discussed in the following sections.



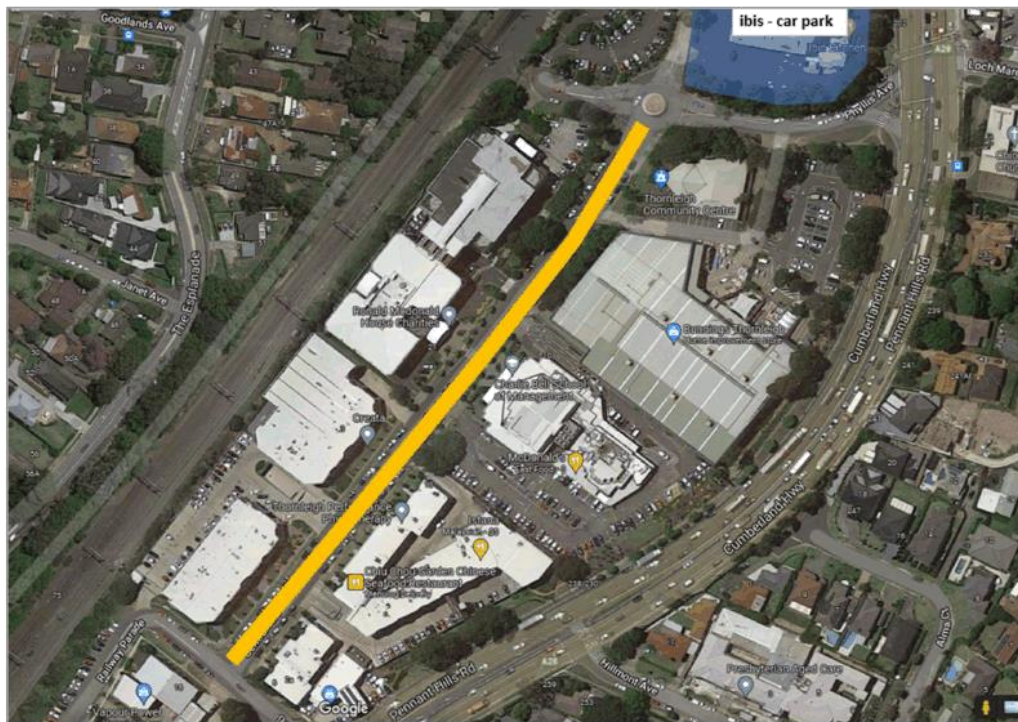
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Car parking occupancy surveys were undertaken on Friday, 3rd of December 2021 and Saturday, 11th of December 2021 between 2pm and 9pm at the following locations (shown in Figure 1):

- On-site Ibis Car Park (shown in blue)
- On-Street parking on Central Avenue between Parkes Street and Phyllis Avenue (shown in yellow).

A parking inventory was carried out to identify the number of available parking spaces and restrictions within the survey area. The number of parked vehicles within each of the survey areas were recorded on an hourly basis.

Figure 1: Parking Survey Locations



Parking Survey Results

The parking survey results of on-site parking and on-street parking are discussed below with the full results of parking occupancy surveys presented in Attachment One.



On-Site Parking Occupancy

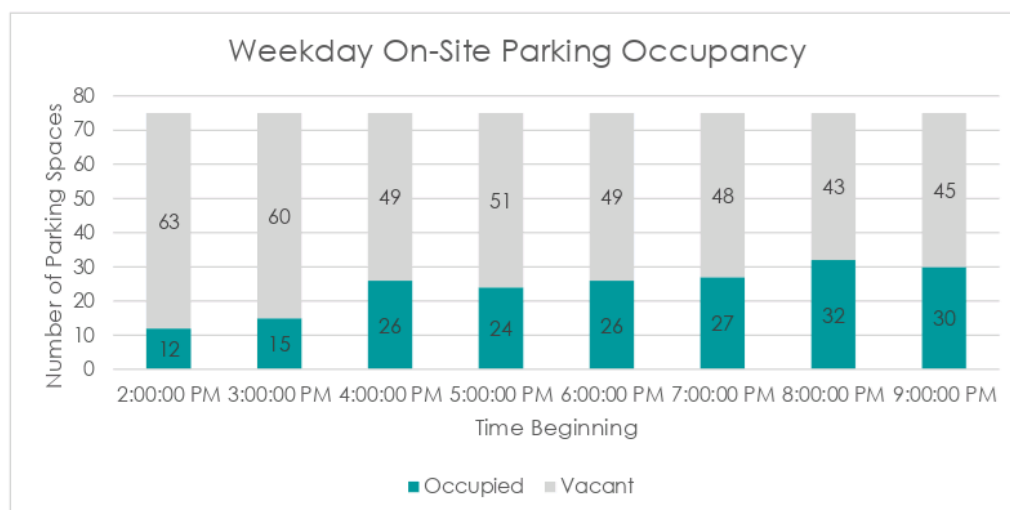
Weekday (Friday)

The results from the weekday on-site parking survey are presented below:

- A total supply of 75 on-site spaces was recorded.
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- Even at its peak parking occupancy level (i.e. 43%), at least 43 car parking spaces were available on site.

As shown in Figure 2 during the survey period, 43 to 63 on-site car parking spaces were available for use by visitors.

Figure 2: Weekday (Friday) On-Site Parking Occupancy



Weekend (Saturday)

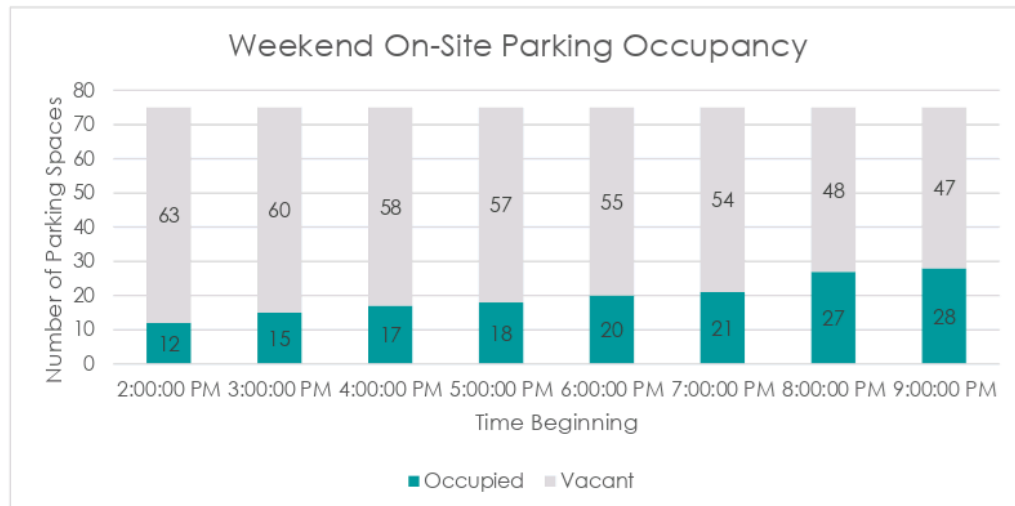
The results from the weekend on-site parking survey are presented below:

- A total supply of 75 on-site spaces was recorded.
- Peak parking occupancy was recorded at 9pm with on-site parking occupancy rate of 37%.
- Even at its peak parking occupancy level (i.e. 37%), at least 47 car parking spaces were available on site.

As shown in Figure 3 during the survey period, 47 to 63 on-site car parking spaces were available for use by visitors.



Figure 3: Weekend (Saturday) On-Site Parking Occupancy



On-Street Parking Occupancy

Weekday (Friday)

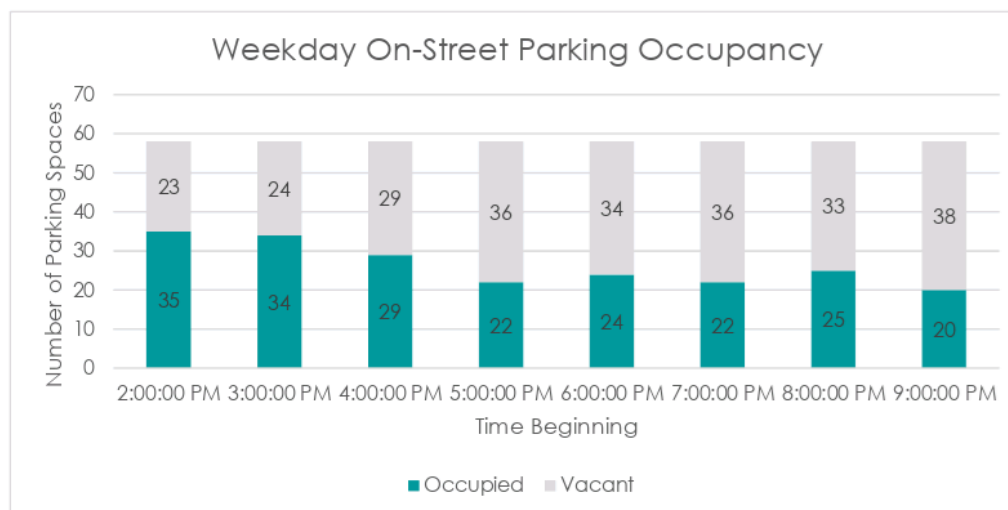
The results from the on-street parking survey on Central Avenue between Parkes Street and Phyllis Avenue on a Friday between 2pm and 9pm are presented below:

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- Peak parking occupancy was recorded at 2pm with on-street parking occupancy rate of 60%.
- Even at its peak parking occupancy level (i.e. 60%), at least 23 on-street parking spaces were available in vicinity of the site.

As shown in Figure 4 during the survey period, 23 to 38 on-street parking spaces were vacant.



Figure 4: Weekday (Friday) On-Street Parking Occupancy



Weekend (Saturday)

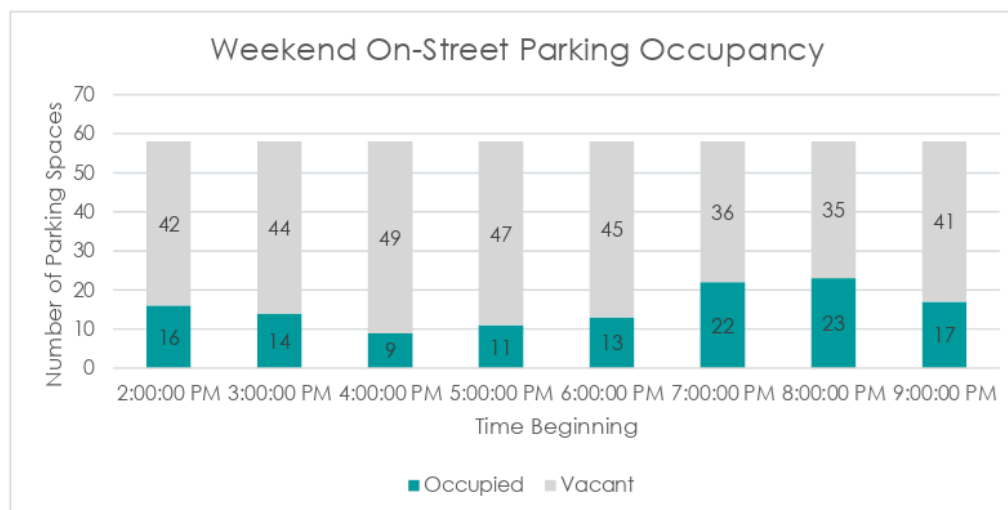
The results from the on-street parking survey on a Saturday between 2pm and 9pm are presented below:

- A total supply of 58 on-street spaces was recorded.
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- Even at its peak parking occupancy level (i.e. 40%), at least 35 on-street parking spaces were available in vicinity of the site.

As shown in Figure 5 during the survey period, 35 to 49 on-street parking spaces were vacant.



Figure 5: Weekend (Saturday) On-Street Parking Occupancy



Peak Parking Demand

The hotel room occupancy was at 53% on Friday, 3rd of December 2021 and 47% on Saturday, 11th of December 2021 respectively. Parking spaces occupied by staff were around 5 vehicles for both surveyed days.

Assuming 100% room occupancy, the peak on-site parking demand would be equivalent to 56 spaces on a weekday and 48 spaces on a weekend.

Whilst it is not expected that the proposed development (i.e. proposed bar, bistro and VIP lounge areas) would generate significant additional parking demand to the site, as a conservative approach, DCP parking requirement of 15 spaces are added to the peak parking demand of the hotel.

Hence, the estimated peak parking demand for the proposed development is expected to be 71 spaces on a weekday and 63 spaces on a weekend.

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	No. of Vehicles	Staff parking	No. of Vehicles (excl. staff parking)	Peak Parking Demand (excl. staff parking)	Peak Parking Demand (incl. staff parking)	DCP Parking Requirement for Proposed Bar, Bistro and VIP Area	Estimated Peak Parking Demand for Proposed Development
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5PM	24	5	19	36	41	15	56
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7PM	27	5	22	42	47	15	62
8PM	32	5	27	51	56	15	71
9PM	30	5	25	47	52	15	67

Table 3: Estimated Peak Parking Demand for Weekend (Saturday)

Time	Existing Parking Occupancy			Estimated Peak Parking Demand			
	No. of Vehicles	Staff parking	No. of Vehicles (excl. staff parking)	Peak Parking Demand (excl. staff parking)	Peak Parking Demand (incl. staff parking)	DCP Parking Requirement for Proposed Bar, Bistro and VIP Area	Estimated Peak Parking Demand for Proposed Development
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8PM	27	5	22	42	47	15	62
9PM	28	5	23	43	48	15	63

The results from Table 2 and Table 3 indicate that the estimated peak parking demand for a weekday and a weekend is still lower than the proposed on-site parking spaces of 72 spaces. Notwithstanding this, assuming 100% room occupancy is a conservative approach as hotel rooms occupancy is typically 80% to 90%.

Therefore, the proposed parking demand of the site can be accommodated wholly within the proposed car park.

Notwithstanding the above, the on-street parking survey indicates that there is an ample amount of on-street parking available if extra parking is required. Therefore, it is not expected that McDonalds car parks will be affected by the proposed development.



Summary and Conclusion

This report addresses Hornsby Council's Request for Further Information. The key findings of the report include:

- Based on Council's DCP, the proposed development generates a requirement of 122 car spaces.
- It is noted that the existing hotel has operated with no parking problems with 75 car parking spaces on-site, which is 33 spaces less than the DCP requirement.
- A total of 72 car spaces is proposed on site.
- On-site parking occupancy was at 43% (on a weekday) and 37% (on a weekend) with at least 43 spaces available on site.
- On-street parking occupancy was at 60% (on a weekday) and 40% (on a weekend) with at least 23 on-street spaces available in vicinity of the site.
- The estimated peak parking demand for the proposed development (i.e. including proposed bar, bistro and VIP lounge areas) is expected to be 71 spaces on a weekday and 63 spaces on a weekend, which is still lower than the proposed on-site parking spaces of 72 spaces.
- On-street parking survey indicates that there is an ample amount of on-street parking available if extra parking is required. Therefore, it is not expected that McDonalds car parks will be affected by the proposed development.

Therefore, the parking effects of the proposed development is considered satisfactory.

Based on the above parking assessment, it is expected that a green travel plan (GTP) is not required. However, if needed, an appropriate planning condition can be imposed requiring a GTP be submitted to and approved by Council prior to the issue of Occupation Certificate.

We trust the above is to your satisfaction. Should you have any queries regarding the above or require further information, please do not hesitate to contact the undersigned on 8437 7800.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ken Hollyoak', written over a light blue rectangular background.

Ken Hollyoak
Director



ATTACHMENT 7 - ITEM 4

Attachment One

Parking Survey Results

**R.O.A.R. DATA**

Reliable, Original & Authentic Results
 Mob.0418-239019

Client : TTTP

Job No / Name : 7598 THORNLEIGH Ibis Hotel Parking

Day/Date : Friday 3rd December 2021



Zone	Location	Capacity	1400	1500	1600	1700	1800	1900	2000	2100
A	Central Ave North Eastern Side	11	4	4	4	3	2	1	1	1
B	Central Ave South Eastern Side	19	12	9	7	9	12	12	13	10
C	Central Ave South Western Side	18	12	15	12	8	9	8	10	8
D	Central Ave North Western Side	10	7	6	6	2	1	1	1	1
	IBIS HOTEL Car Park	75	12	15	26	24	26	27	32	30
	Total of Vehicles Parked	133	47	49	55	46	50	49	57	50
	Number of Vacant Spaces		86	84	78	87	83	84	76	83
	% of Capacity Used		35.3%	36.8%	41.4%	34.6%	37.6%	36.8%	42.9%	37.6%

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**R.O.A.R. DATA**

Reliable, Original & Authentic Results
Mob.0418-239019

Client : TTTP
Job No / Name : 7598 THORNLEIGH Ibis Hotel Parking
Day/Date : Saturday 11th December 2021



Zone	Location	Capacity	1400	1500	1600	1700	1800	1900	2000	2100
A	Central Ave North Eastern Side	11	2	2	1	2	1	1	1	1
B	Central Ave South Eastern Side	19	7	8	5	5	8	9	9	8
C	Central Ave South Western Side	18	2	1	0	1	1	10	11	6
D	Central Ave North Western Side	10	5	3	3	3	3	2	2	2
	IBIS HOTEL Car Park	75	12	15	17	18	20	21	27	28
	Total of Vehicles Parked	133	28	29	26	29	33	43	50	45
	Number of Vacant Spaces		105	104	107	104	100	90	83	88
	% of Capacity Used		21.1%	21.8%	19.5%	21.8%	24.8%	32.3%	37.6%	33.8%

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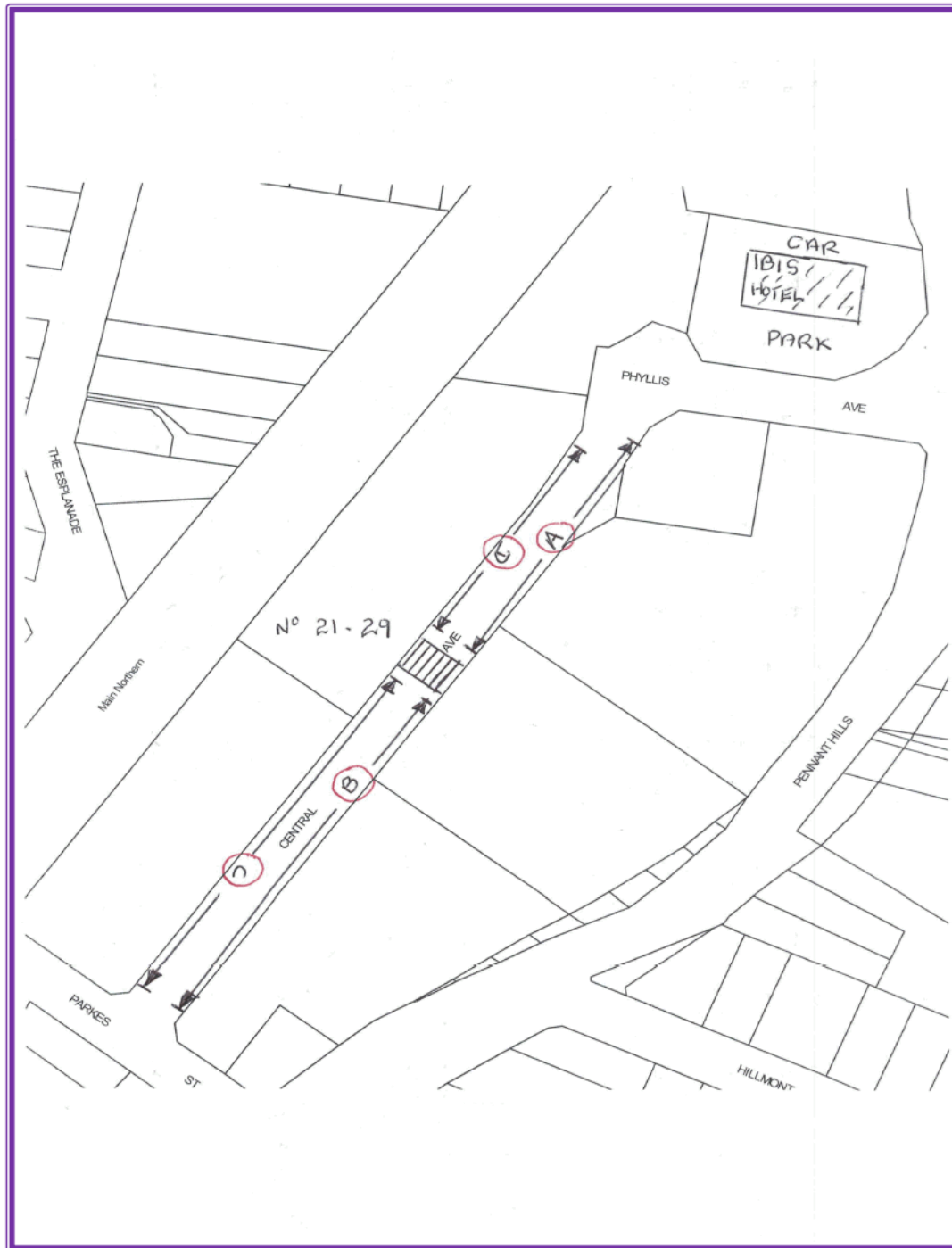
**R.O.A.R. DATA****Reliable, Original & Authentic Results**

Mob.0418-239019

Client : TTPP

Job No / Name : 7598 THORNLEIGH Ibis Hotel Parking

Day/Date : Friday 3rd & Saturday 11th December 2021

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Annexure 3: Updated Acoustic Impact Assessment

ATTACHMENT 7 - ITEM 4



Ibis Budget Thornleigh, 200 Pennant Hills Road, Thornleigh – DA Acoustic Assessment

Iris Capital

Suite 41.04, 264 George Street,
Sydney NSW 2000

Report number: 210133 - Ibis Budget Thornleigh - DA Acoustic Assessment - R3.docx

Date: 2 February 2022

Version: For Submission

Project Number: 210133

PULSE WHITE NOISE ACOUSTICS Level 5, 73 Walker Street, North Sydney NSW 2060
P 1800 4 PULSE (1800 478 573) E info@pwna.com.au pwna.com.au ABN 95 642 886 306

Iris Capital
Suite 41.04, 264 George Street,
Sydney NSW 2000



DOCUMENT CONTROL

Project Name	Ibis Budget Thornleigh, 200 Pennant Hills Road, Thornleigh – DA Acoustic Assessment
Project Number	210133
Report Reference	210133 - Ibis Budget Thornleigh - DA Acoustic Assessment - R3.docx
Client:	Iris Capital

Revision	Description	Reference	Date	Prepared	Checked	Authorised
1	For Information	210133 - Ibis Budget Thornleigh - DA Acoustic Assessment - R1.docx	18 th July 2021	Matthew Furlong	Alex Danon	Ben White
2	For Submission	210133 - Ibis Budget Thornleigh - DA Acoustic Assessment - R2.docx	24 th August 2021	Matthew Furlong	Alex Danon	Ben White
3	Updated with Council RFI's	210133 - Ibis Budget Thornleigh - DA Acoustic Assessment - R3.docx	2 nd February 2022	Matthew Furlong	Alex Danon	Ben White

PREPARED BY:

Pulse White Noise Acoustics Pty Ltd
ABN 95 642 886 306
Level 5, 73 Walker Street, North Sydney, 2060
1800 4 PULSE

This report has been prepared by Pulse White Noise Acoustics Pty Ltd with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Iris Capital. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of Iris Capital
No warranties or guarantees are expressed or should be inferred by any third parties.
This report may not be relied upon by other parties without written consent from Pulse White Noise Acoustics.
This report remains the property of Pulse White Noise Acoustics Pty Ltd until paid for in full by the client, Iris Capital.

Pulse White Noise Acoustics disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

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1 INTRODUCTION

Pulse White Noise Acoustics (PWNA) have been engaged to undertake an acoustic assessment of the proposed licensed venue extensions for the Ibis Hotel Thornleigh situated at 200 Pennant Hills Road, Thornleigh.

As part of this proposal the following operational conditions are proposed, these form the basis of our assessment detailed in following sections.

- **Licensed Venue Components**

- Operational Hours:

- 7:00am to 12:00am (midnight), Monday to Saturday; and
 - 7:00am to 10:00pm on Sunday.

- Patrons:

- To conduct this assessment, we are assuming approximately 340 Patrons, as per below:
 - Bistro Area: 100.
 - Sports Bar Area: 100.
 - Smoking Bar: 50.
 - VIP Lounge: 90.

The development will be assessed against relevant statutory regulations and guidelines including the following.

- Hornsby Shire Council document titled *Hornsby Development Control Plan (DCP) 2013*.
- New South Wales (NSW) Environmental Protection Authority (EPA) document titled *Noise Policy for Industry 2017 (NPI)*.
- New South Wales (NSW) Department of Environment, Climate Change and Water NSW document titled *NSW Road Noise Policy (RNP) 2011*.
- NSW Liquor and Gaming typically imposed noise conditions;
- Association of Australasian Acoustical Consultants document titled *Licensed Premises Noise Assessment Technical Guideline v2*.

Site plan and level one floor plate for the future hotel are provided in Figure 1 and Figure 2.

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Figure 1 Proposed Site Plan

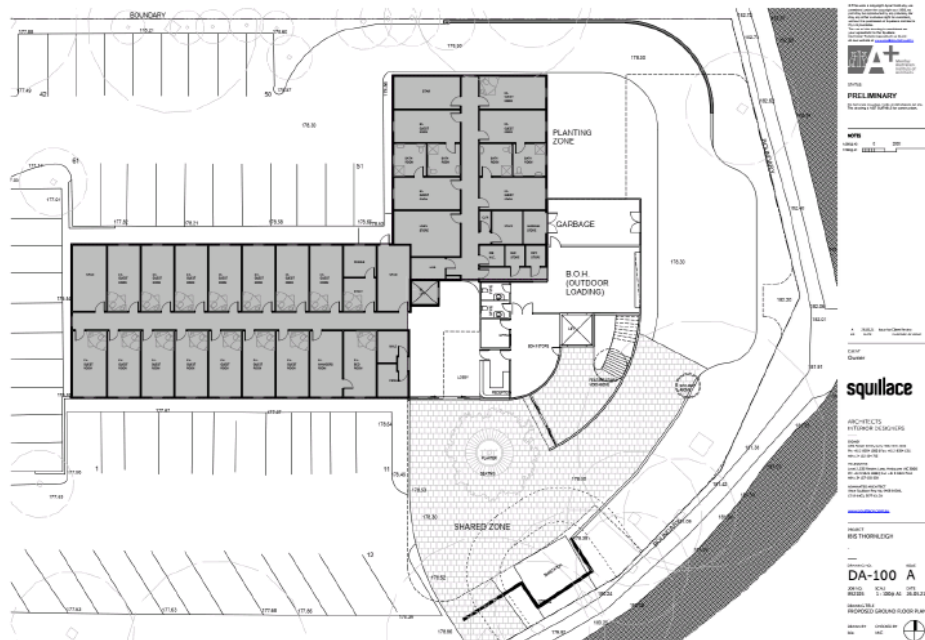
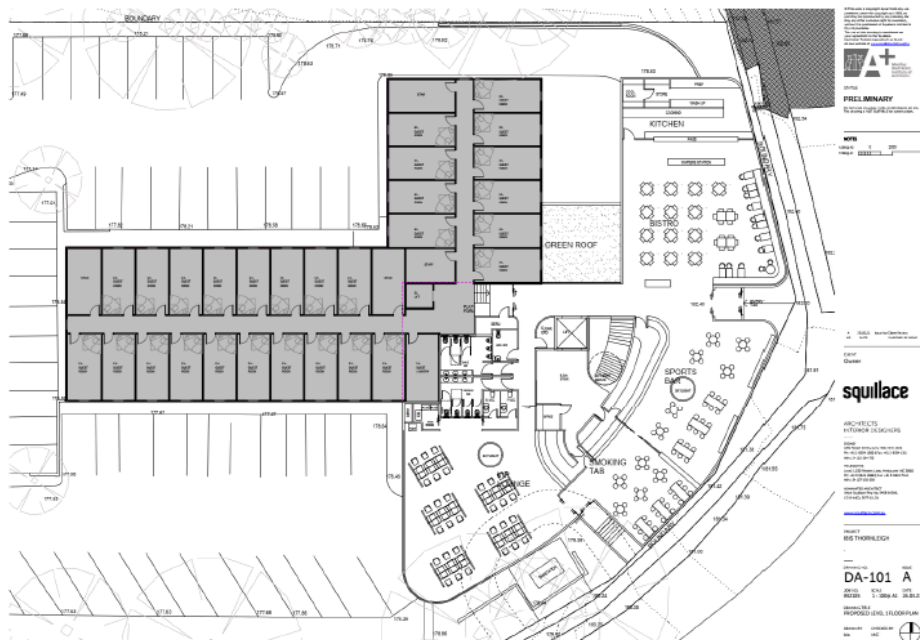


Figure 2 Proposed Level One Floor Plan



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2 SITE DESCRIPTION AND SURROUNDING RECEIVERS

The site is bounded by the following:

- Kennards Self Storage Thornleigh is located to the north of the site.
- Pennant Hills Road along the eastern boundary of the site with existing residential and places of worship located on the opposite side of Pennant Hills Road.
- Phyllis Avenue located along the southern boundary of the site with additional commercial developments located further south.
- Along the western boundary of the site is the Thornleigh McDonalds Overflow Carpark and T9 rail corridor further west.

The nearest sensitive noise receivers to the future food premise are detailed below:

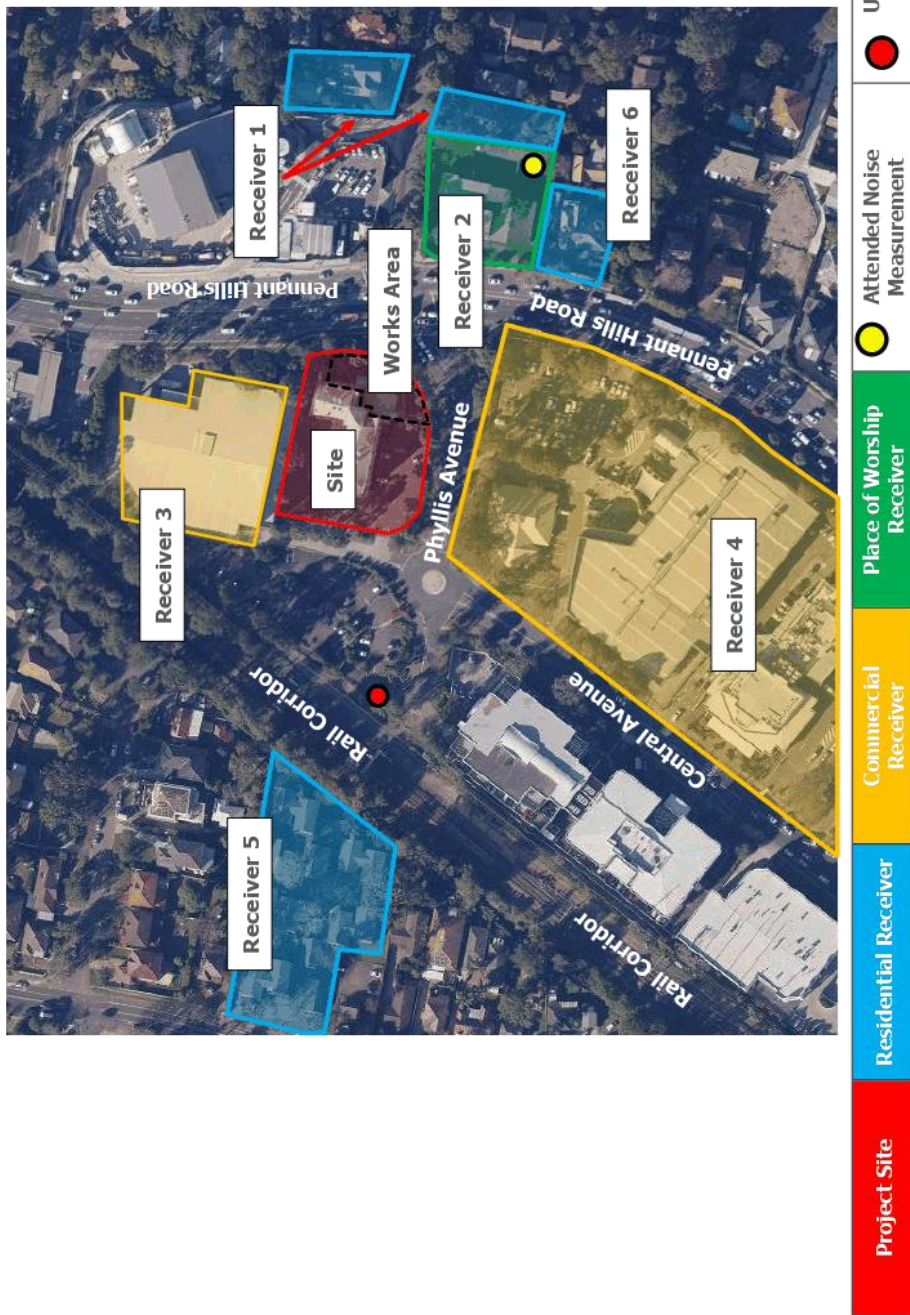
Receiver 1 -	Existing residential dwellings located across Pennant Hills Road situated at 5 and 8 Loch Maree Avenue, Thornleigh.
Receiver 2 -	Existing Chinese Australian Baptist Church Thornleigh located directly opposite along the Pennant Hills Road, situated at 235 Pennant Hills Road, Thornleigh.
Receiver 3:	Existing Kennards Self Storage located along the northern boundary of the site.
Receiver 4:	Existing commercial developments located to the south across Phyllis Avenue.
Receiver 5:	Existing residential dwellings across the train tracks situated at 35-41 The Esplanade, Thornleigh.
Receiver 6:	Existing residential dwellings across Pennant Hills Road situated at 237 Pennant Hills Road, Thornleigh.

A site map has been provided below which identifies and surrounding receivers and monitoring locations, see Figure 3.



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Figure 3 Site Map, Measurement Location and Surrounding Receivers – Sourced from SixMaps NSW



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3 NOISE DESCRIPTORS AND TERMINOLOGY

Environmental noise constantly varies in level with time. It is therefore necessary to measure environmental noise in terms of quantifiable time periods and statistical descriptors. Typically, environmental noise is measured over 15-minute periods and relevant statistical descriptors of the fluctuating noise are determined to quantify the measured level.

Noise (or sound) consists of minute fluctuations in atmospheric pressure capable of detection by human hearing. Noise levels are expressed in terms of decibels, abbreviated as dB or dB(A), the A indicating that the noise levels have been frequency weighted to approximate the characteristics of normal human hearing. Because noise is measured using a logarithmic scale, 'normal' arithmetic does not apply, e.g. adding two sources of sound of an equal value results in an increase of 3dB (i.e. 60 dBA + 60 dBA = 63 dBA). A change of 1 dB or 2 dB in the level of a sound is difficult for most people to detect, whilst a 3 dB – 5 dB change corresponds to a small but noticeable change in loudness. A 10 dB change roughly corresponds to a doubling or halving in loudness.

The most relevant environmental noise descriptors are the LAeq, LA1, LA10 and LA90 noise levels. The LAeq noise level represents the "equivalent energy average noise level". This parameter is derived by integrating the noise level measured over the measurement period and is equivalent to a level that would have been experienced had the fluctuating noise level remained constant during the measured time period.

The LA1, LA10 and LA90 levels are the levels exceeded for 1%, 10% and 90% of the sample period. These levels are sometimes thought of as the typical maximum noise level, the average repeatable maximum and average repeatable minimum noise levels, respectively.

Specific acoustic terminology is used in this assessment report. An explanation of common acoustic terms is included as Appendix A.

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4 EXISTING NOISE ENVIRONMENT

4.1 Unattended Noise Monitoring

As part of this assessment an acoustic survey of the existing acoustic environment at the site and surrounding receivers was undertaken. The survey included long-term unattended noise logging between Tuesday 18 January 2022 and Wednesday 26 January 2022. Data affected by adverse meteorological conditions and by spurious and uncharacteristic events have been excluded from the results, and also excluded from the data used to determine the noise emission criteria. Meteorological information has been obtained from the Terrey Hills weather station (ID 66059).

Noise logging was undertaken at one location on the site using a SVAN 971 type noise monitor with serial number 103360. Calibration of the loggers were checked prior to and following the measurements. Drift in calibration did not exceed ± 0.5 dB. All equipment carried appropriate and current NATA (or manufacturer) calibration certificates.

The unattended noise monitor was located at 11-12 Phyllis Avenue, Thornleigh alongside the Thornleigh McDonald's overflow car park. This monitor was used to determine the background noise in order to establish the maximum allowable noise for residential receivers.

The location of the noise logger is shown in Figure 3. The noise logger was positioned such that it did not require façade corrections.

Charts presenting summaries of the measured daily noise data are attached to this report in Appendix B. The charts present each 24-hour period and show the LA_1 , LA_{10} , LA_{eq} and LA_{90} noise levels for the corresponding 15-minute periods. This data has been filtered to remove periods affected by adverse weather conditions based on weather information.

4.1.1 Results in accordance with the NSW EPA Noise Policy for Industry (NPI) 2017 (RBL's)

In order to assess the potential noise impacts of the development on nearby sensitive receivers the measured background noise data was processed in accordance with the Environmental Protection Authority (EPA) *Noise Policy for Industry* (NPI).

The Rating Background Noise Level (RBL) is the background noise level used for assessment purposes at the nearest potentially affected receiver. It is the 90th percentile of the daily background noise levels during each assessment period, being day, evening and night. RBL levels LA_{90} (15minute) and LA_{eq} noise levels are presented in Table 4.

Data affected by adverse meteorological conditions and by spurious and uncharacteristic events has been excluded from the results, and also excluded from the data used to determine the noise emission criteria. Meteorological information has been obtained from the Terrey Hills weather station (ID 66059).

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Table 1 Measured Ambient Noise Levels corresponding to the NPI's Assessment Time Periods

Measurement Location	Daytime ¹ 7:00 am to 6:00 pm		Evening ¹ 6:00 pm to 10:00 pm		Shoulder Night Period (10:00pm-12:00am)		Night-time ¹ 10:00 pm to 7:00 am	
	L _{A90} ² (dBA)	L _{Aeq} ³ (dBA)	L _{A90} ² (dBA)	L _{Aeq} ³ (dBA)	L _{A90} ² (dBA)	L _{Aeq} ³ (dBA)	L _{A90} ² (dBA)	L _{Aeq} ³ (dBA)
11-12 Phyllis Avenue, Thornleigh – See Figure 1	44	58	42	57	38	57	37	57

Note 1: For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 7:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 8:00 am

Note 2: The L_{A90} noise level is representative of the "average minimum background sound level" (in the absence of the source under consideration), or simply the background level.

Note 3: The L_{Aeq} is the energy average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.

4.1.2 Results in accordance with the NSW SEPP (INFRASTRUCTURE) 2007 (Noise Intrusion)

In determining the required façade construction for the proposed building in accordance with the internal noise level requirements of NSW *State Environmental Planning Policy Infrastructure 2007* (SEPP), measured noise levels are shown based on the time periods defined by the SEPP below.

Data affected by adverse meteorological conditions and by spurious and uncharacteristic events have been excluded from the results, and also excluded from the data used to determine the noise emission criteria.

Table 2 Measured Ambient Noise Levels corresponding to the SEPP Assessment Time Periods

Measurement Location	Daytime ¹ 7:00 am to 10:00 pm	Night-time ¹ 10:00 pm to 7:00 am
	L _{Aeq} (whole period) ² (dBA)	L _{Aeq} (whole period) ² (dBA)
11-12 Phyllis Avenue, Thornleigh – See Figure 1	58	57

Note 1: For Monday to Saturday, Daytime 7:00 am – 10:00 pm; Night-time 10:00 pm – 7:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 10:00 pm; Night-time 10:00 pm – 8:00 am.

Note 2: The L_{Aeq} is the energy average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.

In addition to the overall broadband noise levels identified above, the unattended measurement was recording the associated single octave (1/1) noise spectra for each period. These are provided below.

The use of single octave spectra is for the establishment of the patron and music acoustic criteria in accordance with the relevant NSW Liquor and Gaming requirements.

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Table 3 Measured Single Octave (1/1) Spectra

Time Period	Parameter ¹	Octave Band Centre Frequency, Hz									Overall dBA
		31.5	63	125	250	500	1k	2k	4k	8k	
10:00pm – 12:00am (midnight)	Noise Monitor Location										
	Measured L _{A90}	43	44	39	40	32	33	30	24	18	38

Note 1: The L_{A90} noise level is representative of the "average minimum background sound level" (in the absence of the source under consideration), or simply the background level.

Note 2: For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 1:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 1:00 am.

4.2 Attended Noise Monitoring

An attended noise survey was conducted on Friday 23rd April 2021 between 12:30am and 1:00am at the location shown in Figure 3 above. This survey was conducted in order to verify the noise levels during the night periods being the most sensitive and within the late trading hours proposed for the licensed venue.

The attended noise measurements were conducted using a Brüel & Kjær Type 2250 sound level meter (serial number 2709757). Calibration of the sound level meter was checked prior to and following the measurements using a Brüel & Kjær Type 4231 sound calibrator (serial number 3009148). The calibrator emitted a calibration tone of 94 dB at 1 KHz. The drift in calibration did not exceed ±0.5 dB. All equipment carries appropriate and current NATA (or manufacturer) calibration certificates.

In order to assess the acoustical implications of the development at nearby noise sensitive receivers, the measured background noise data was processed in accordance with the NSW EPA's *Noise Policy for Industry* (NPI, 2017).

Table 4 Measured Ambient Noise Levels corresponding to the NPI's Assessment Time Periods

Measurement Location	Night ¹ 12:30 am to 1:00 am		Measurement Observations
	LA90 ¹ (dBA)	LAeq ² (dBA)	
Carpark of Chinese Baptist Church – See Figure 3	42	48	Distant Traffic Noise from Pennant Hills Road

Note 1: The L_{A90} noise level is representative of the "average minimum background sound level" (in the absence of the source under consideration), or simply the background level.

Note 2: The L_{Aeq} is the energy average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.

In addition to the overall broadband noise levels identified above, the attended measurement at the residential receiver (Carpark of Chinese Baptist Church) was recording the associated single octave (1/1) noise spectra for each period. These are provided below.

The use of single octave spectra is for the establishment of the patron and music acoustic criteria.

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Table 5 Measured Single Octave (1/1) Spectra

Time Period	Parameter ¹	Octave Band Centre Frequency, Hz									Overall dBA
		31.5	63	125	250	500	1k	2k	4k	8k	
12:30am – 1:00am	Carpark of Chinese Baptist Church										
	Measured L _{A90}	51	48	42	38	37	39	34	23	15	42
<p><i>Note 1: The L_{A90} noise level is representative of the "average minimum background sound level" (in the absence of the source under consideration), or simply the background level.</i></p> <p><i>Note 2: For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 1:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 1:00 am.</i></p>											

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5 ACOUSTIC CRITERIA

5.1 Noise Intrusion Acoustic Criteria

5.1.1 Hornsby Shire Council document titled Hornsby Development Control Plan (DCP) 2013

A review of the current Hornsby DCP 2013, the document does not contain any applicable building envelope acoustic criteria for hotel developments. As such in the absence of any applicable requirements, objectives listed in AS/NZS standard below will be adopted.

5.1.2 Australian / New Zealand Standard AS/NZS 2107:2016 Acoustics - Recommended design sound levels and reverberation times for building interiors - (AS/NZS 2107:2016)

Recommended ambient noise levels and reverberation times for internal spaces are given in a number of publications including Table 1 of Australian / New Zealand Standard 2107:2016 "Acoustics - Recommended design sound levels and reverberation times for building interiors". Unlike the previous version of this Standard, this latest edition recommends a range with lower and upper levels (rather than "satisfactory" and "maximum" internal noise levels) for building interiors based on room designation and location of the development relative to external noise sources. This change has occurred due to the fact that sound levels below 'satisfactory' could be interpreted as desirable, but the opposite may in fact be the case. Levels below those which were listed as 'satisfactory' can lead to inadequate acoustic masking resulting in loss of acoustic isolation and speech privacy.

Internal noise levels due to the combined contributions of external noise intrusion and mechanical ventilation plant should not exceed the maximum levels recommended in this Standard. The levels for areas relevant to this development are given in Table 6 below. The mid to maximum points of the internal noise level ranges are generally adopted as the internal design noise criteria for the combined effect of mechanical services and external noise intrusion. In this report we will confine our recommendations to dBA levels, however, where the background noise appears to be unbalanced, AS/NZS 2107:2016 provides direction in terms of suitable diagnostic tools that can be used to assess the spectrum distribution of the background noise.

Table 6 Recommended Design Sound Levels

Type of Occupancy/Activity	Design sound level range dBA (LAeq,t)	Project Design Noise Level ¹ dBA (LAeq,t)
Residential Buildings		
<u>Hotels and motels—</u>		
Bars and lounges	<50	<50
Dining rooms	40 to 45	43
Foyers and recreation areas	45 to 50	47
<u>Sleeping areas (night time)—</u>		
Hotels and motels in inner city areas or entertainment districts or near major roads	30 to 35	35
<i>Note 1: Overall recommended level for mechanical services noise and intrusive noise, combined.</i>		

Section 6.18 of AS/NZ 2107:2016 notes that the presence of discrete frequencies or narrow band signals may cause the sound level to vary spatially within a particular area and be a source of distraction for occupants. Where this occurs, the sound level shall be determined as the highest level measured in the occupied location(s).

If tonal components are significant characteristics of the sound within a measurement time interval, an adjustment shall be applied for that time interval to the measured A-weighted sound pressure level to allow for the additional annoyance. If the background sounds include spectral imbalance, then the RC (Mark II) levels indicated in the Standard should be referenced (see also Appendix D of AS/NZ 2107:2016 for additional guidance).

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Generally, where the final noise levels are within +/- 2 dB of the specified level given above, the design criteria will be considered met. Both the upper and lower limits will need to be satisfied especially where privacy is important or where noise intrusion to be avoided.

5.2 Noise Emission Criteria

5.2.1 Hornsby Shire Council document titled Hornsby Development Control Plan (DCP) 2013

A review of the current Hornsby DCP 2013, the document does not contain any applicable noise emission criteria for hotel developments. As such in the absence of any applicable requirements, objectives listed in NSW EPA NPI 2017 detailed below will be adopted.

5.2.2 NSW EPA Noise Policy for Industry (NPI) 2017

In NSW, the control of noise emissions is the responsibility of Local Government (Council) and the NSW Environment Protection Authority (NSW EPA).

The NSW EPA has recently released a document titled *Noise Policy for Industry* (NSW NPI 2017) which provides a framework and process for determining external noise criteria for the assessment of noise emission from industrial developments. The NSW NPI criteria for industrial noise sources have two components:

- Controlling the intrusive noise impacts for residents and other sensitive receivers in the short term; and
- Maintaining noise level amenity of particular land uses for residents and sensitive receivers in other land uses.

5.2.2.1 Intrusive Noise Impacts (Residential Receivers)

The NSW NPI states that the noise from any single source should not intrude greatly above the prevailing background noise level. Industrial noises are generally considered acceptable if the equivalent continuous (energy-average) A-weighted level of noise from the source (LAeq), measured over a 15 minute period, does not exceed the background noise level measured in the absence of the source by more than 5 dB(A). This is often termed the Intrusiveness Criterion.

The 'Rating Background Level' (RBL) is the background noise level to be used for assessment purposes and is determined by the methods given in the NSW NPI. Using the rating background noise level approach results in the intrusiveness criterion being met for 90% of the time. Adjustments are to be applied to the level of noise produced by the source that is received at the assessment point where the noise source contains annoying characteristics such as tonality or impulsiveness.

5.2.2.2 Protecting Noise Amenity (All Receivers)

To limit continuing increases in noise levels, the maximum ambient noise level within an area from industrial noise sources should not normally exceed the acceptable noise levels specified in Table 2.2 of the NSW NPI. That is, the ambient LAeq noise level should not exceed the level appropriate for the particular locality and land use. This is often termed the 'Background Creep' or Amenity Criterion.

The amenity assessment is based on noise criteria specified for a particular land use and corresponding sensitivity to noise. The cumulative effect of noise from industrial sources needs to be considered in assessing the impact. These criteria relate only to other continuous industrial-type noise and do not include road, rail or community noise. If the existing (measured) industrial-type noise level approaches the criterion value, then the NSW NPI sets maximum noise emission levels from new sources with the objective of ensuring that the cumulative levels do not significantly exceed the criterion.

5.2.2.2.1 Area Classification

The NSW NPI characterises the "Urban" noise environment as an area with an acoustical environment which shows the following:

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- It is dominated by 'urban hum' or industrial source noise, where urban hum means the aggregate sound of many unidentifiable sources, consisting mostly of traffic and/or industrial related sounds
- Has through traffic with characteristically heavy and continuous traffic flows during peak periods
- It is near commercial or industrial districts
- It has a combination of any of the above

The residential area surrounding the proposed development falls under the "Urban" area classification (residential areas are located within R1 zones which are classified as "urban" in Table 2.3 of the NSW NPI). For residential and non-residential receivers in an urban area, the recommended amenity criteria are shown in Table 7 below.

Table 7 NSW NPI – Recommended L_{Aeq} Noise Levels from Industrial Noise Sources

Type of Receiver	Indicative Noise Amenity Area	Time of Day ¹	Recommended Amenity Noise Level ($L_{Aeq, period}$) ²
Residence	Urban	Day	60
		Evening	50
		Night	45
Commercial	All	When in use	65
Place of worship – internal	-	When in use (Internal)	40
<p><i>Note 1: For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 7:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 8:00 am</i></p> <p><i>Note 2: The L_{Aeq} is the energy average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.</i></p>			

When the existing noise level from industrial noise sources is close to the recommended "Amenity Noise Level" (ANL) given above, noise from the new source must be controlled to preserve the amenity of the area in line with the requirements of the NSW NPI.

Where existing road traffic noise is high enough to render stationary industrial noise sources effectively inaudible, the ANL can be modified so that the amenity criteria is not unduly stringent in an environment where road traffic noise is the dominant source of environmental noise. If all the conditions below are satisfied, the ANL becomes $L_{Aeq, traffic}$ minus 15 dBA. The conditions are:

- The road traffic noise is the dominant noise source.
- The existing noise is 10dB(A) or more above the acceptable ANL for the area.
- It is highly unlikely the road traffic noise levels would reduce in the near future.

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5.2.2.3 Maximum Noise Level Event (Sleeping Disturbance)

Section 2.5 of the NPI states the following:

The potential for sleep disturbance from maximum noise level events from premises during the night-time period needs to be considered. Sleep disturbance is considered to be both awakenings and disturbance to sleep stages.

Where the subject development/premises night-time noise levels at a residential location exceed:

- $L_{Aeq, 15min}$ 40 dB(A) or the prevailing RBL plus 5 dB, whichever is the greater, and/or
- L_{AFmax} 52 dB(A) or the prevailing RBL plus 15 dB, whichever is the greater,

a detailed maximum noise level event assessment should be undertaken.

As outlined in section above, the measured rating background noise level during the night hours (10:00pm to 7:00am) is 41dBAL_{A90}. Therefore, the resultant RBL + 15dB is 56dBA.

5.2.2.4 Project Specific External Noise Emission Criteria

The intrusive and amenity criteria for industrial noise emissions, derived from the measured data, are presented in Table 8. These criteria are nominated for the purpose of determining the operational noise limits for mechanical plant associated with the development which can potentially affect noise sensitive receivers.

For each assessment period, the lower (i.e., the more stringent) of the amenity or intrusive criteria are adopted. These are shown in bold text in Table 8.

Table 8 External noise level criteria in accordance with the NSW NPI

Location	Time of Day ¹	Project Amenity Noise Level, $L_{Aeq, period}$ ² (dBA)	Measured $L_{A90, 15 min}$ (RBL) ³ (dBA)	Measured $L_{Aeq, period}$ Noise Level (dBA)	Intrusive $L_{Aeq, 15 min}$ Criterion for New Sources (dBA)	Amenity $L_{Aeq, 15 min}$ Criterion for New Sources (dBA) ⁵
Surrounding Residences	Day	55	44	58	49	58
	Evening	45	42	57	47	48
	Night	40	37	57	42	43
Commercial	When in use	60	N/A	N/A	N/A	63
Place of worship – internal	When in use	40	N/A	N/A	N/A	38
<p><i>Note 1: For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 1:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 1:00 am.</i></p> <p><i>Note 2: Project Amenity Noise Levels corresponding to "Urban" areas, equivalent to the Recommended Amenity Noise Levels minus 5 dBA.</i></p> <p><i>Note 3: L_{A90} Background Noise or Rating Background Level.</i></p> <p><i>Note 4: Project Noise Trigger Levels are shown in bold.</i></p> <p><i>Note 5: Where the resultant project amenity noise level is 10 dB or more lower than the existing traffic noise level or traffic levels are the dominant source, the project amenity noise levels can be set at 15 dB below existing industrial noise levels.</i></p> <p><i>Note 6: According to Section 2.2 of the NSW NPI, the $L_{Aeq, 15 minutes}$ is equal to the $L_{Aeq, period} + 3$ dB.</i></p>						

In addition, a maximum noise level criterion of 56dBA L_{AFmax} during the night period (10:00pm to 7:00am) at residential receivers also applies.

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5.2.3 NSW Liquor & Gaming Acoustic Requirements

Section 79 of the Liquor Act 2007 provides mechanisms for complaints to be made when the amenity of local areas is disturbed by the use of licensed premises and registered clubs (including disturbances caused by patrons). These complaints are addressed by the Director of Liquor and Gaming, and in this process they may impose temporary or permanent noise conditions on the licensed venue. Typical noise conditions that are imposed upon licensed premises are as follows:

The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8k Hz inclusive) by more than 5 dB between 07:00 am and 12:00 midnight at the boundary of any affected residence.*

The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8k Hz inclusive) between 12:00 midnight and 07:00 am at the boundary of any affected residence.*

Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00 am.

** For the purposes of this condition, the LA10 can be taken as the average maximum deflection of the noise emission from the licensed premises.*

This is a minimum standard. In some instances the Director may specify a time earlier than midnight in respect of the above condition.

Interior noise levels which still exceed safe hearing levels are in no way supported or condoned by the Director.

Note: NSW Liquor and Gaming criteria does not contain any requirements for commercial or industrial receivers. Noise impacts to these receivers will adopt the broadband criteria outlined in the NSW EPA NPI 2017, see above.

These criteria are applicable to noise emissions from the licensed venue component of the development, excluding noise from mechanical services. For external noise emissions, octave band spectral criteria for each assessment period have been summarised in Table 9 below.

Table 9 Liquor & Gaming NSW – L10 Criteria (external) – Residential Criteria Only

Time Period	Parameter ¹	Octave Band Centre Frequency, Hz									Overall dBA
		31.5	63	125	250	500	1k	2k	4k	8k	
Before Midnight (7:00am to 12:00am)	Period (BG+0dBA)										
	Adjusted Based on Unattended Noise Monitor										
	Measured L _{A90}	43	44	39	40	32	33	30	24	18	38
	Criteria L _{A10}	48	49	44	45	37	38	35	29	23	43

5.2.4 NSW DECCW - NSW Road Noise Policy (RNP) 2011

For existing residences and other sensitive land uses affected by additional traffic on existing roads, the NSW Road Noise Policy states that for noise associated with increased road traffic generated by land use developments, any increase in the total traffic noise level should be limited to 2 dB during both day and night-time periods. An increase of 2 dB represents a minor impact that is considered barely perceptible to the average person.

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6 ACOUSTIC ASSESSMENT

Assessment of each of the noise element associated with the proposal is outlined below.

6.1 Building Envelope Assessment

Preliminary façade acoustic treatments based on the external levels from surrounding roads and other commercial operations as discussed in section 5.1 above are provided below.

6.1.1 Glazing Recommendations

The recommended sound transmission loss requirement required to satisfy the specified internal noise level criteria outlined above are summarised in 5.1 below.

Please note for windows, this performance is not only subject to the glazing selection but also to the construction of the window frame and the frame seal selection. Therefore, it is recommended that the window manufacturer should confirm that the required sound insulation can be achieved. It is anticipated that the window system should comprise Q-Lon (or equivalent) or fin seals with deep C channels as part of the window track (**i.e., Performance levels outlined above need to be achieved with glazed panels + frame + seals**).

Table 10 In-principle Glazing Recommendations.

Facade	Occupancy Area ¹	Minimum Glazing System Rating Requirements ¹	Indicative Construction ¹
Northern Façade (Kennards Self Storage)	Licensed Venue	Rw (C;Ctr): 35 (-0;-3)	Windows with min. 10.38mm laminated.
Eastern Façade (Pennant Hills Road)	Licensed Venue	Rw (C;Ctr): 35 (-0;-3)	Windows with min. 10.38mm laminated.
Southern Façade (Phyllis Avenue)	Licensed Venue	Rw (C;Ctr): 35 (-0;-3)	Windows with min. 10.38mm laminated.
Western Façade (T9 Rail Corridor)	Licensed Venue	Rw (C;Ctr): 35 (-0;-3)	Windows with min. 10.38mm laminated.
<p><i>Note 1: These are preliminary selections will be confirmed in the detailed design stage once the layouts and façade orientations are finalised.</i></p> <p><i>Note 2: Glazing recommendations have been formulated in conjunction with noise emission control mitigation measures.</i></p>			

6.1.2 External Wall Construction

External wall constructions which are constructed from a concrete or masonry construction will be acoustically sufficient and no further acoustic upgrading is required. However, for wall systems constructed from a lightweight cladding system, the following construction is recommended.

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Table 6-11 Recommended Light Weight External Wall Construction

Location	Occupancy Area ¹	External Lining	Studwork System	Internal Lining
All other Facades	All Areas	Facade Cladding System (Assumed to be equal to 9mm Fibre Cement Sheeting)	Min. 92mm Steel Studwork with 75mm thick 14kg/m ³ glasswool insulation in the cavity	1 x 13mm Standard Plasterboard OR 1 x 6mm Fibre Cement Sheeting
<p><i>Note 1: Recommended constructions are identical for each level.</i></p> <p><i>Note 2: These are preliminary selections will be confirmed in the detailed design stage once the layouts and facade orientations are finalised.</i></p> <p><i>Note 3: Alternate constructions are suitable on assumption equal acoustic performance is achieved.</i></p>				

If penetrations through any external skin are required, all gaps remaining in the penetration are to be filled with an acoustic grade sealant which provides an equal or better performance to the system being penetrated.

6.1.3 External Roof Construction

New external roof constructions which are constructed from a concrete or masonry construction will be acoustically sufficient and no further acoustic upgrading is required. However, for wall systems constructed from a lightweight sheeting system, the following construction is recommended.

Table 6-12 Recommended Light Weight External Roof Construction

Location	Occupancy Area ¹	External Lining	Truss System	Internal Lining
All other Facades	All Areas	Sheet Metal (Assumed to be equal Colorbond™ Roof Sheeting)	Min. 200mm truss void with 75mm thick 14kg/m ³ glasswool insulation in the cavity	1 x 13mm Standard Plasterboard OR 1 x 6mm Fibre Cement Sheeting
<p><i>Note 1: These are preliminary selections will be confirmed in the detailed design stage once the layouts and facade orientations are finalised.</i></p> <p><i>Note 2: Alternate constructions are suitable on assumption equal acoustic performance is achieved</i></p>				

If penetrations through any external skin are required, all gaps remaining in the penetration are to be filled with an acoustic grade sealant which provides an equal or better performance to the system being penetrated.

6.2 Engineering Services Assessment

Three mechanical/refrigeration systems are proposed to be installed; each are discussed below:

- 1 Kitchen Exhaust System
- 2 Air Conditioning Plant
- 3 Toilet Exhaust System.
- 4 Refrigeration Plant

At this stage of the project the exact selections of the mechanical equipment to be installed are not known. However, to ensure the proposed layouts and locations for the systems are acoustically acceptable a "Proof of Concept" assessment is conducted below. The assumptions for fan selections detailed below are from our experience.

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For the commercial kitchen exhaust systems, it is anticipated that the physical fans would be installed within the tenancy or vertical riser as shown on the drawings. On the assumption of the Sound Power Level above and the ductwork that is installed is acoustically treated with 50mm internal lining or attenuators (depending on the exact location/selection), compliance with the acoustic requirements outlined in section 5.1 would be achieved.

Toilet exhaust fans for the units will individually discharge along the façade utilising a façade louvre above the glazed elements. It is recommended that 1m with acoustic flexible ducting is used on the intake and discharge side of the fan, on this assumption compliance would be achieved.

Air conditioning condensers are recommended to have the following acoustic treatments installed.

- Condenser plant are to be isolated from the base building structure with a rubber pad.
- Night operation mode must be in operation between 9:00pm and 7:00am and provided a minimum of 4-5dBA.

6.3 Licensed Venue Assessment

As previously discussed, the estimated maximum patron capacity for the development is 340 patrons and have operational hours until 12:00am midnight on several nights.

6.3.1 Assumed Source Noise Levels

The internal noise level in the internal area will consist of patron noise and low-level background music. The internal noise level for the following operating scenario has been calculated:

- 340 patrons, spaced out through the venue as per below:
 - Bistro Area: 100.
 - Sports Bar Area: 100.
 - Smoking Bar: 50.
 - VIP Lounge: 90.
- Background music played within all indoor areas during the venues operating hours.

Since it is unlikely that patrons will be talking in groups of only two, this is a relatively conservative calculation. The assessment of noise emission from the development using this operating scenario has been made against the Liquor and Gaming NSW criteria identified previously.

For the purposes of this assessment, we have assumed a person speaking with a raised voice has a Sound Power Level (Lw) of 76dBA. This has been formulated in accordance with the published noise levels from Klark Teknik (*The Audio System Designer Technical Reference*, Chapman Partnership).

With regards to background music within each of the areas within the venue we have assumed a Sound Pressure Level (SPL) within the Smoking Bar and VIP area of 70dBAL_{eq} (1-minute). For the Sports / Bistro Dining area is 65dBAL_{eq} (1-minute).

6.3.2 Assumed Source Noise Levels vs AAAC Guideline

A comparison of assumed source noise levels as detailed above, and the noise levels outlined in the Association of Australasian Acoustical Consultants' (AAAC) guideline for, Licensed Premises Noise Assessment Technical Guideline Version 2.0 (**including an assessment of the Lombard effect**) as requested by Council has been undertaken.

From this review, assumed source noise levels are within the guideline and are deemed suitable. It is also noted these noise levels which are adopted in this assessment are not theoretical, they are based on real world sample testing previously undertaken by PWNA.

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6.3.3 Predicted Licensed Venue Noise Levels

Noise emission calculations for the combination of patron noise and music are provided below.

Predicted noise levels to the surrounding residential receivers are based on a full capacity within the venue and during the early morning period after midnight when the acoustic criteria is most stringent.

For the purpose of this assessment, we have assumed operable façade elements of the internal licensed areas are closed after midnight, however the smoking area hopper windows are open for ventilation purposes.

Table 13 Receiver 1 – Predicted Noise Levels to 5 & 8 Loch Maree Avenue Residences

Parameter	Octave Band Centre Frequency, Hz									Overall dBA
	31.5	63	125	250	500	1000	2000	4000	8000	
Predicted L _{A10} Noise Levels	29	28	28	33	36	32	28	21	14	37
L&G NSW criterion	48	49	44	45	37	38	35	29	23	43
Compliance	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Table 14 Receiver 1 – Predicted Noise Levels to 237 Pennant Hills Road Residences

Parameter	Octave Band Centre Frequency, Hz									Overall dBA
	31.5	63	125	250	500	1000	2000	4000	8000	
Predicted L _{A10} Noise Levels	32	31	31	36	38	35	31	24	17	39
L&G NSW criterion	48	49	44	45	37	38	35	29	23	43
Compliance	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Table 15 Receiver 1 – Predicted Noise Levels to 35-41 The Esplanade Residences

Parameter	Octave Band Centre Frequency, Hz									Overall dBA
	31.5	63	125	250	500	1000	2000	4000	8000	
Predicted L _{A10} Noise Levels	23	22	22	27	39	26	22	15	8	31
L&G NSW criterion	48	49	44	45	37	38	35	29	23	43
Compliance	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

6.4 Loading Dock Acoustic Assessment

No changes to the existing loading dock are proposed, therefore an assessment has not been undertaken.

6.5 Noise Impacts on Surrounding Roadways

Noise impacts from the increase in vehicle movements along Pennant Hills Road are to be assessed in accordance with the NSW EPA Road Noise Policy (RNP) 2011.

A peak hour increase proposed for the number vehicles associated with the development will not exceed a 2dBA increase at a residential receiver as summarised in the NSW EPA RNP to be barely perceptible to the average person and therefore considered acoustically acceptable.

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7 ASSESSMENT RESULTS AND RECOMMENDATIONS

Predicted noise levels from the operation of the proposed food premise in full operation (all patrons and background music) has been predicted. To ensure compliance is achieved, the following recommendations must be implemented:

- No more than 340 patrons in the venue at any one time, staff not included. Separated as per below.
 - Bistro Area: 100.
 - Sports Bar Area: 100.
 - Smoking Bar: 50.
 - VIP Lounge: 90.
- Operation hours are as per the below
 - 7:00am to 12:00am (midnight), Monday to Saturday; and
 - 7:00am to 10:00pm on Sunday.
- Glazed openings in the façade are permitted to open between 7:00am and 12:00am, except the hopper style windows for the smoking areas.
- All glazed openings (except the hopper smoking windows) must be closed after 12:00am (midnight).
- Background music within the premise must not exceed a maximum noise level of 70dBA (sound pressure level).
- An audio limiter is to be installed within the venue which limits background music from exceeding 70dBA sound pressure level.
- All mechanical selections and layouts must be reviewed prior to installation to ensure compliance with the project requirements outlined in section 5 above.
- Removal of glass or waste should be done internally and must not be taken after 10:00pm and before 7:00am.
- A contact number must be displayed for the purposes of receiving any complaints if they arrive.
- Signs must be displayed at all exits reminding patrons to be mindful of noise when leaving the premise.
- Any speakers within the venue are recommended to be installed on isolated from the base building structure.

On the assumption the recommendations outlined are incorporated compliance with the acoustic project criteria outlined in section 5 above will be achieved.

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8 CONCLUSION

Pulse White Noise Acoustics (PWNA) have been engaged to undertake an acoustic assessment of the proposed licensed venue extensions for the Ibis Hotel Thornleigh situated at 200 Pennant Hills Road, Thornleigh.

- Minimum acoustic performances and associated indicative constructions for the building envelope have been provided in section 6.1 of this report. The recommended treatments have been provided to ensure compliance with the objectives presented in section 5.
- To control noise impacts at external receivers, recommended indicative treatments for major engineering services have been provided in section 6.2. From our review we have formulated the following opinion:
 - At this stage of the project the exact selections/locations of plant items are not known. A preliminary assessment, however, has been carried out using our experience with similar types of developments and the typical plant items installed in each type of plant room.
 - From this review we recommend the selection of high-performance acoustic treatment to ensure that the operation of the plant items comply with the project criteria. Therefore, it is recommended that prior to the issue of a Construction Certificate (CC) a detailed acoustic assessment is undertaken to ensure all cumulative noise from engineering services (including the roof plant room) comply with the requirements as listed in section 5.2.
- Detailed acoustic modelling has indicated that noise from the operation of the licensed venue elements of the development are likely to result in compliance with the typically imposed NSW Liquor and Gaming acoustic requirements. To ensure compliance, recommended building and management controls are recommended in this report.
- An assessment of the impacts associated with number of vehicles on surrounding public roads around the site and the impact is less than 2dBA and therefore is compliant with the NSW EPA RNP.

For any additional information please do not hesitate to contact the person below.

Regards,

Matthew Furlong
Senior Acoustic Engineer
PULSE WHITE NOISE ACOUSTICS PTY LTD

Iris Capital
Suite 41.04, 264 George Street,
Sydney NSW 2000



APPENDIX A – ACOUSTIC GLOSSARY

The following is a brief description of the acoustic terminology used in this report.

<i>Ambient Sound</i>	The totally encompassing sound in a given situation at a given time, usually composed of sound from all sources near and far.																				
<i>Audible Range</i>	The limits of frequency which are audible or heard as sound. The normal ear in young adults detects sound having frequencies in the region 20 Hz to 20 kHz, although it is possible for some people to detect frequencies outside these limits.																				
<i>Character, acoustic</i>	The total of the qualities making up the individuality of the noise. The pitch or shape of a sound's frequency content (spectrum) dictate a sound's character.																				
<i>Decibel [dB]</i>	The level of noise is measured objectively using a Sound Level Meter. The following are examples of the decibel readings of every day sounds; <table> <tr><td>0dB</td><td>the faintest sound we can hear</td></tr> <tr><td>30dB</td><td>a quiet library or in a quiet location in the country</td></tr> <tr><td>45dB</td><td>typical office space. Ambience in the city at night</td></tr> <tr><td>60dB</td><td>Martin Place at lunch time</td></tr> <tr><td>70dB</td><td>the sound of a car passing on the street</td></tr> <tr><td>80dB</td><td>loud music played at home</td></tr> <tr><td>90dB</td><td>the sound of a truck passing on the street</td></tr> <tr><td>100dB</td><td>the sound of a rock band</td></tr> <tr><td>115dB</td><td>limit of sound permitted in industry</td></tr> <tr><td>120dB</td><td>deafening</td></tr> </table>	0dB	the faintest sound we can hear	30dB	a quiet library or in a quiet location in the country	45dB	typical office space. Ambience in the city at night	60dB	Martin Place at lunch time	70dB	the sound of a car passing on the street	80dB	loud music played at home	90dB	the sound of a truck passing on the street	100dB	the sound of a rock band	115dB	limit of sound permitted in industry	120dB	deafening
0dB	the faintest sound we can hear																				
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100dB	the sound of a rock band																				
115dB	limit of sound permitted in industry																				
120dB	deafening																				
<i>dB(A)</i>	<i>A-weighted decibels</i> The ear is not as effective in hearing low frequency sounds as it is hearing high frequency sounds. That is, low frequency sounds of the same dB level are not heard as loud as high frequency sounds. The sound level meter replicates the human response of the ear by using an electronic filter which is called the "A" filter. A sound level measured with this filter switched on is denoted as dB(A). Practically all noise is measured using the A filter. The sound pressure level in dB(A) gives a close indication of the subjective loudness of the noise.																				
<i>Frequency</i>	Frequency is synonymous to <i>pitch</i> . Sounds have a pitch which is peculiar to the nature of the sound generator. For example, the sound of a tiny bell has a high pitch and the sound of a bass drum has a low pitch. Frequency or pitch can be measured on a scale in units of Hertz or Hz.																				
<i>Loudness</i>	A rise of 10 dB in sound level corresponds approximately to a doubling of subjective loudness. That is, a sound of 85 dB is twice as loud as a sound of 75 dB which is twice as loud as a sound of 65 dB and so on																				
<i>L_{Max}</i>	The maximum sound pressure level measured over a given period.																				
<i>L_{Min}</i>	The minimum sound pressure level measured over a given period.																				
<i>L₁</i>	The sound pressure level that is exceeded for 1% of the time for which the given sound is measured.																				
<i>L₁₀</i>	The sound pressure level that is exceeded for 10% of the time for which the given sound is measured.																				
<i>L₉₀</i>	The level of noise exceeded for 90% of the time. The bottom 10% of the sample is the L ₉₀ noise level expressed in units of dB(A).																				
<i>L_{eq}</i>	The "equivalent noise level" is the summation of noise events and integrated over a selected period of time.																				
<i>Background Sound Low</i>	The average of the lowest levels of the sound levels measured in an affected area in the absence of noise from occupants and from unwanted, external ambient noise sources. Usually taken to mean the L ₉₀ value																				

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<i>Ctr</i>		A frequency adaptation term applied in accordance with the procedures described in ISO 717.
<i>dB (A)</i>		'A' Weighted overall sound pressure level
<i>Noise Reduction</i>		The difference in sound pressure level between any two areas. The term "noise reduction" does not specify any grade or performance quality unless accompanied by a specification of the units and conditions under which the units shall apply
<i>NR Rating</i>	<i>Noise</i>	Single number evaluation of the background noise level. The NR level is normally around 5 to 6 dB below the "A" weighted noise level. The NR curve describes a spectrum of noise levels and is categorised by the level at 1000 Hz ie the NR 50 curve has a value of 50 dB at 1000 Hz. The NR rating is a tangential system where a noise spectrum is classified by the NR curve that just encompasses the entire noise spectrum consideration.
<i>R_w</i>		Weighted Sound Reduction Index - Laboratory test measurement procedure that provides a single number indication of the acoustic performance of a partition or single element. Calculation procedures for <i>R_w</i> are defined in ISO 140-2:1991 "Measurement of Sound Insulation in Buildings and of Building Elements Part 2: Determination, verification and application of precision data".
<i>R'_w</i>		Field obtained Weighted Sound Reduction Index - this figure is generally up to 3-5 lower than the laboratory test determined level data due to flanked sound transmission and imperfect site construction.
<i>Sound Isolation</i>		A reference to the degree of acoustical separation between any two areas. Sound isolation may refer to sound transmission loss of a partition or to noise reduction from any unwanted noise source. The term "sound isolation" does not specify any grade or performance quality and requires the units to be specified for any contractual condition
<i>Sound Pressure Level, L_p dB</i>		A measurement obtained directly using a microphone and sound level meter. Sound pressure level varies with distance from a source and with changes to the measuring environment. Sound pressure level equals 20 times the logarithm to the base 10 of the ratio of the rms sound pressure to the reference sound pressure of 20 micro Pascals.
<i>Sound Power Level, L_w dB</i>		Sound power level is a measure of the sound energy emitted by a source, does not change with distance, and cannot be directly measured. Sound power level of a machine may vary depending on the actual operating load and is calculated from sound pressure level measurements with appropriate corrections for distance and/or environmental conditions. Sound power levels is equal to 10 times the logarithm to the base 10 of the ratio of the sound power of the source to the reference sound power of 1 picoWatt
<i>Speech Privacy</i>		A non-technical term but one of common usage. Speech privacy and speech intelligibility are opposites and a high level of speech privacy means a low level of speech intelligibility. It should be recognised that acceptable levels of speech privacy do not require that speech from an adjacent room is inaudible.
<i>Transmission Loss</i>		Equivalent to Sound Transmission Loss and to Sound Reduction Index in terminology used in countries other than Australia. A formal test rating of sound transmission properties of any construction, by usually a wall, floor, roof etc. The transmission loss of all materials varies with frequency and may be determined by either laboratory or field tests. Australian Standards apply to test methods for both situations.

Iris Capital
Suite 41.04, 264 George Street,
Sydney NSW 2000



APPENDIX B: UNATTENDED NOISE MONITORING RESULTS – 11-12 PHYLLIS AVENUE, THORNLEIGH

Weather Station: Terrey Hills

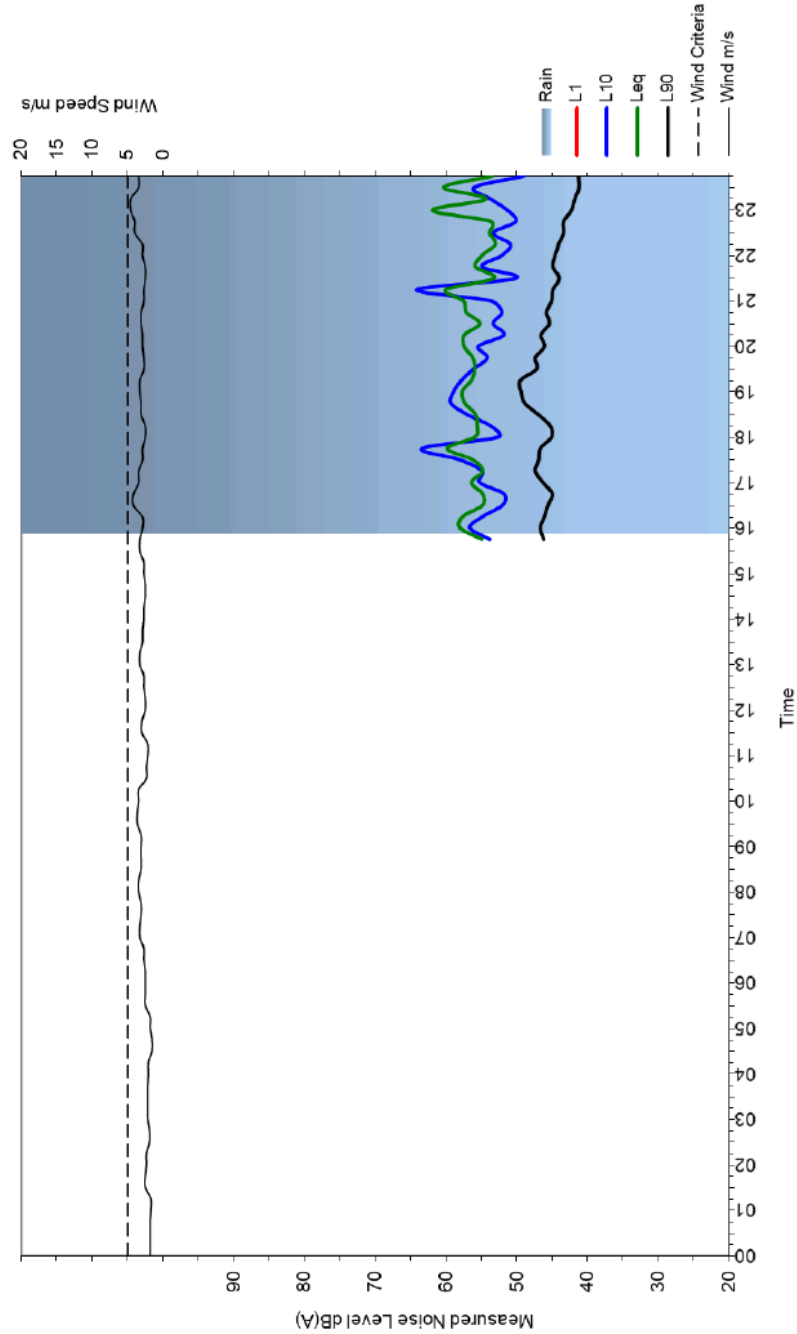
Weather Station ID: 66059

Coordinates: Lat: -33.69, Lon: 151.23, Height: 199 m

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Suite 41.04, 264 George Street,
Sydney NSW 2000



Ibis Thornleigh
Tuesday 18 January 2022

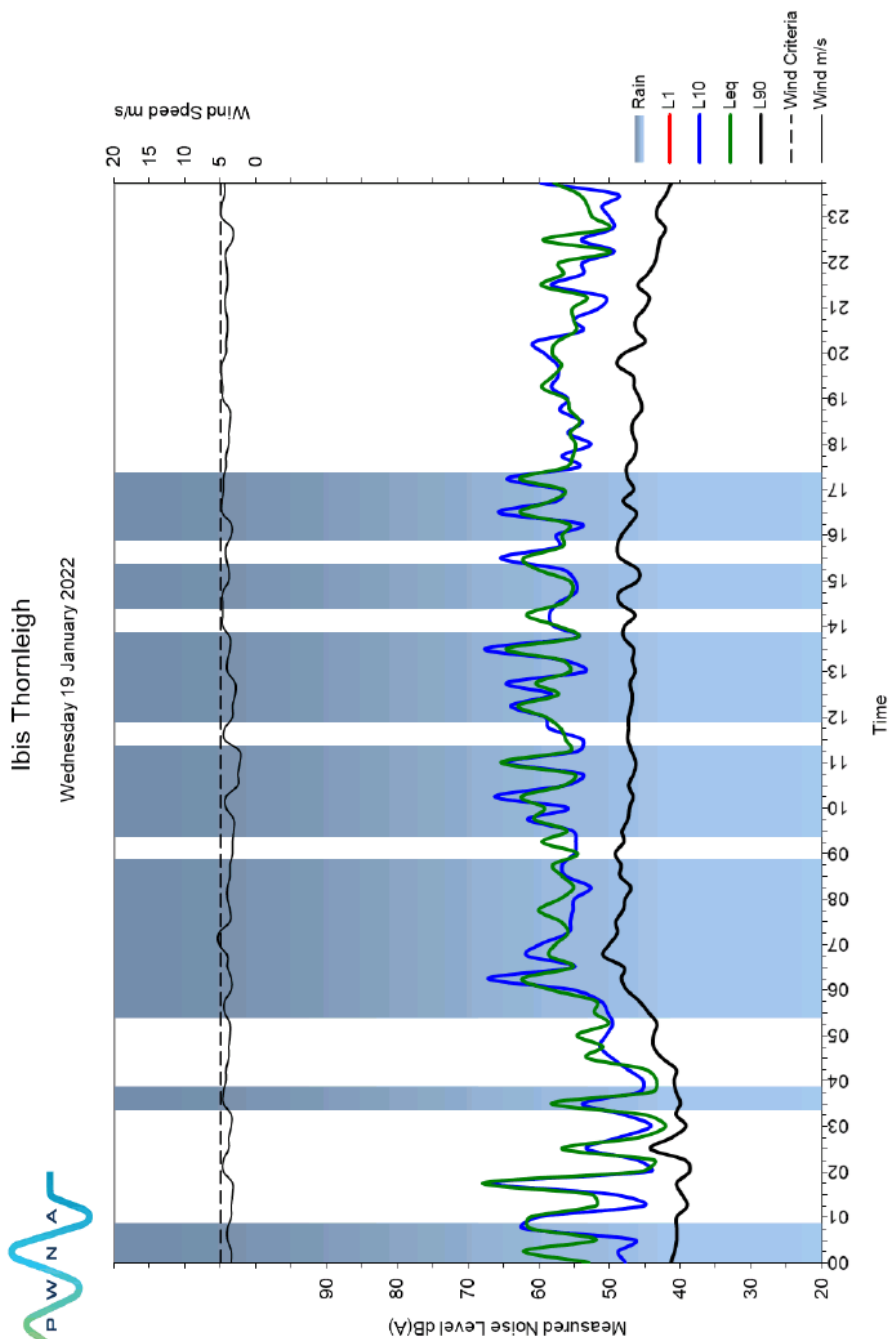


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Suite 41.04, 264 George Street,
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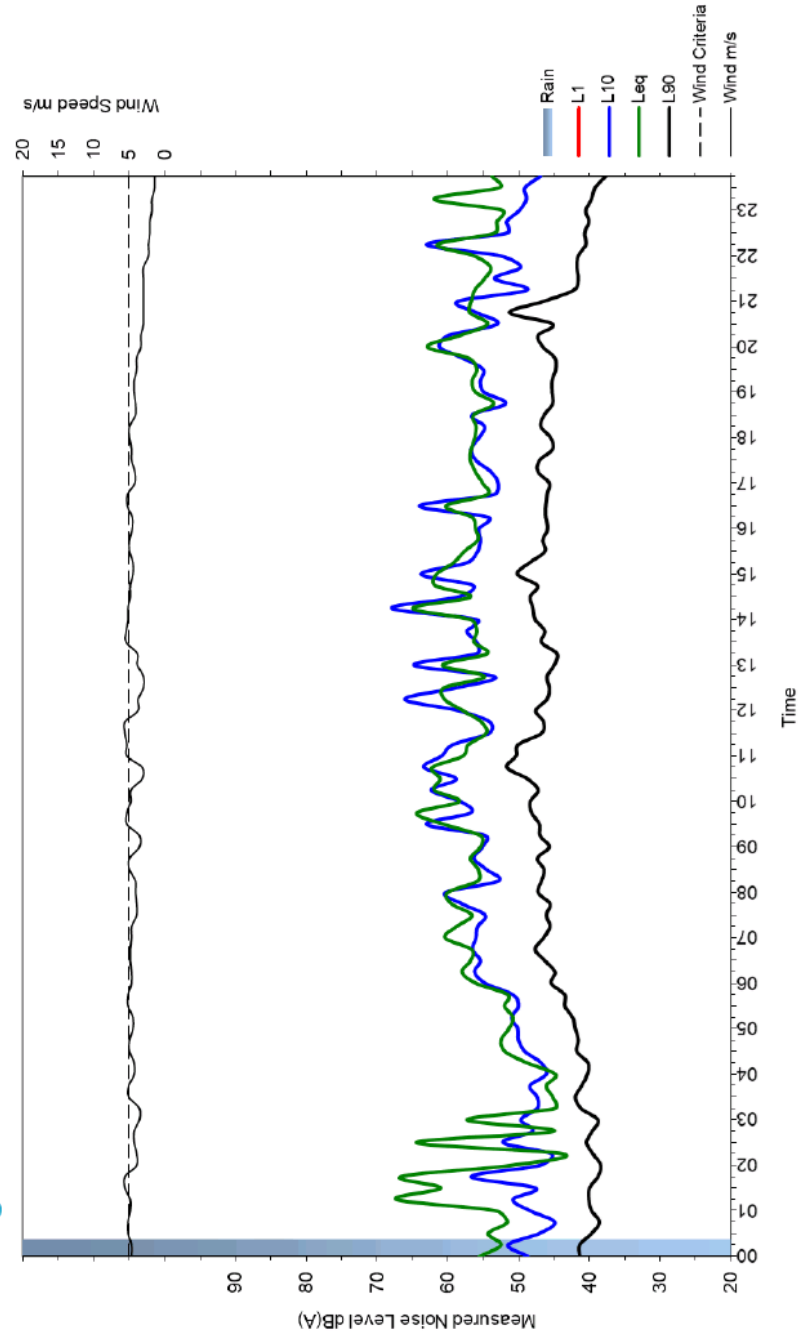
Pulse White Noise Acoustics Pty Ltd

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Iris Capital
Suite 41.04, 264 George Street,
Sydney NSW 2000



Ibis Thornleigh
Thursday 20 January 2022

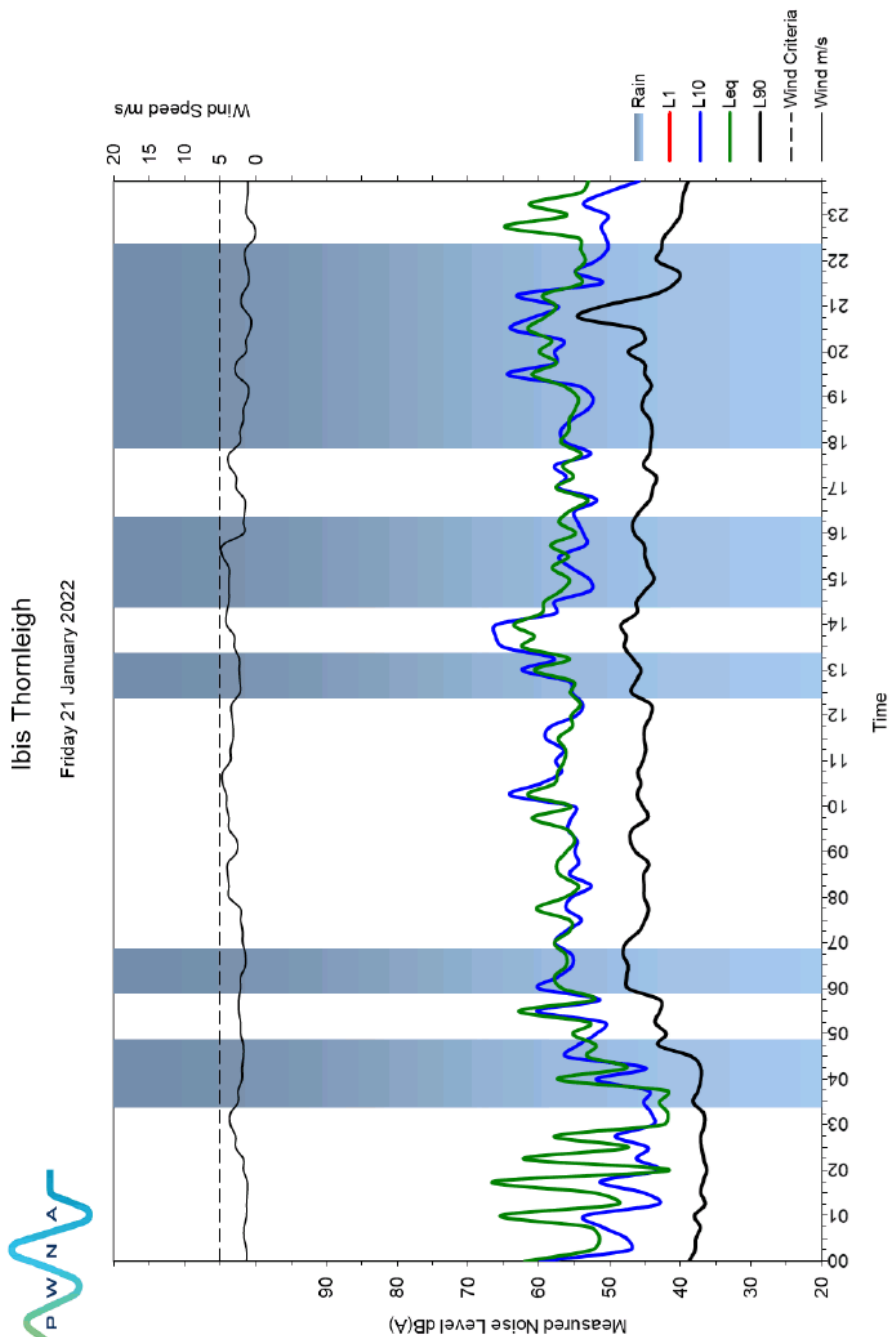


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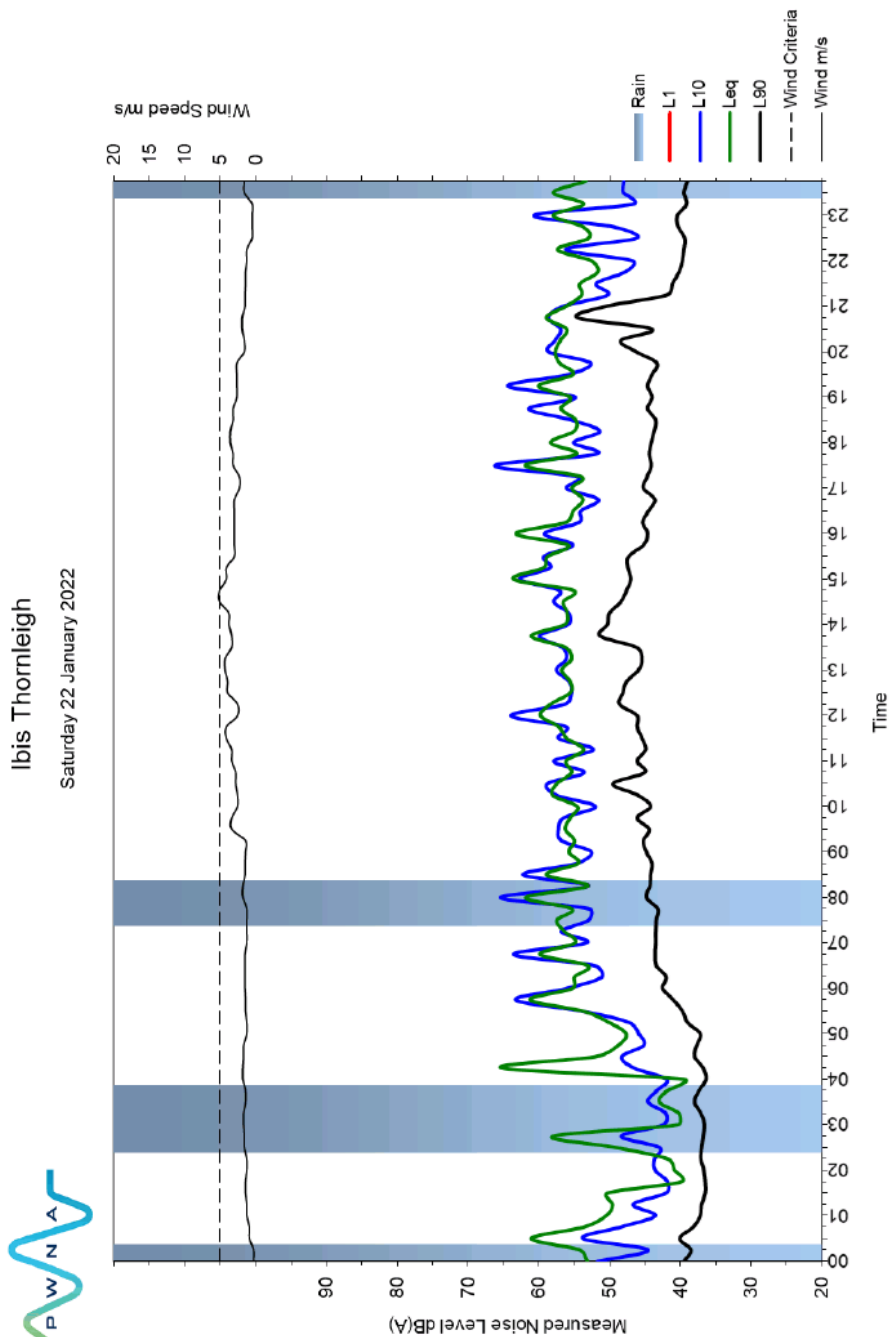
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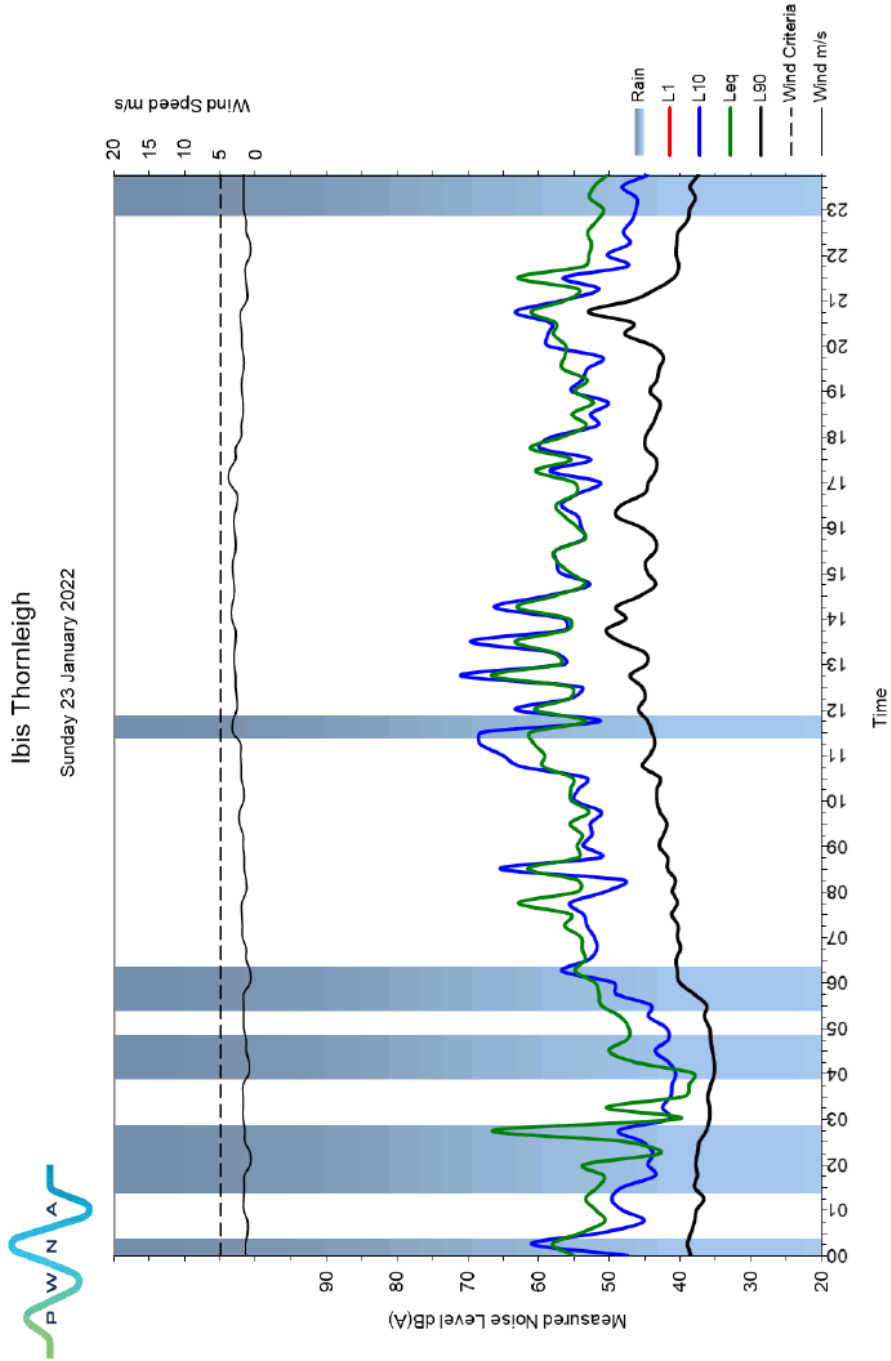


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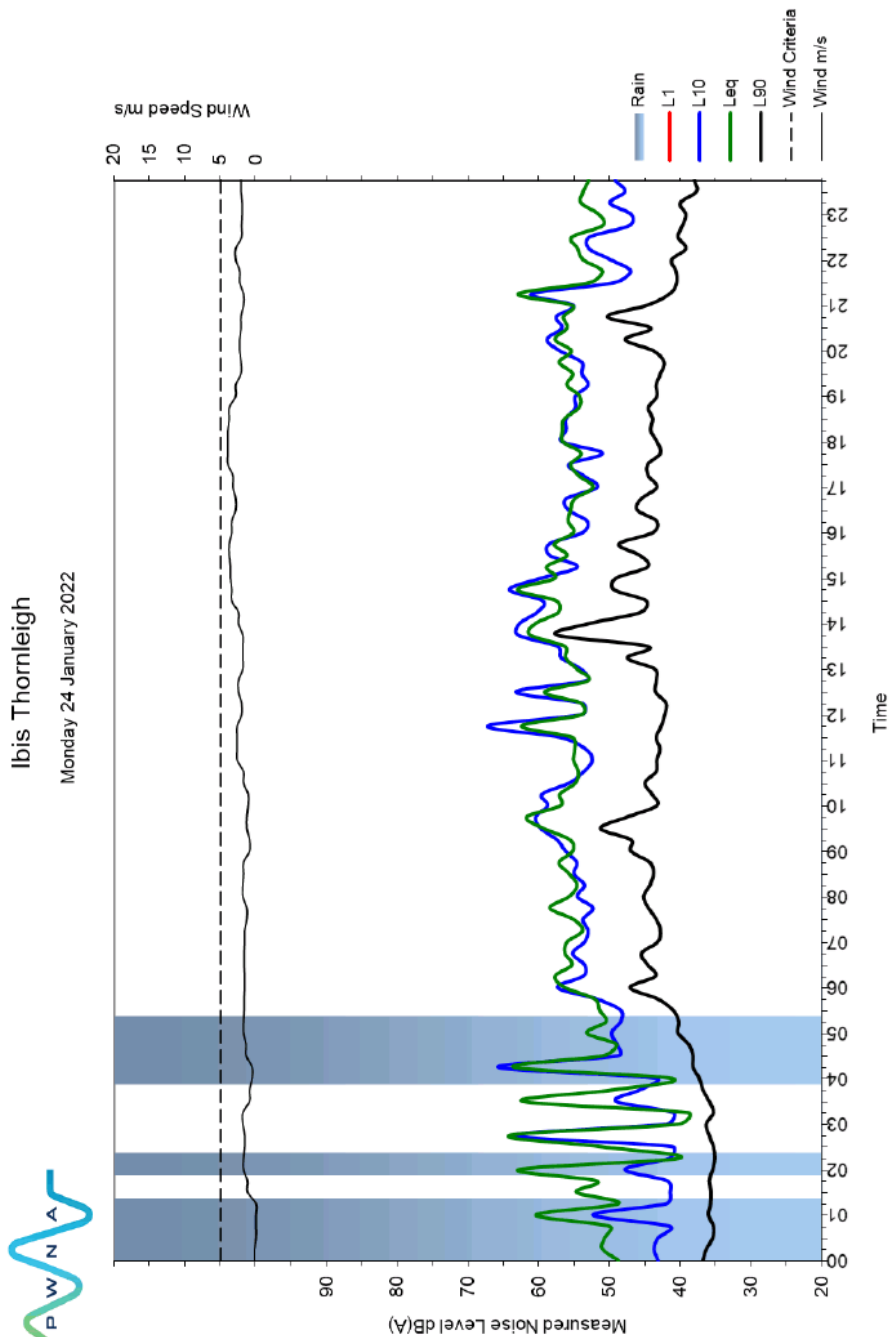


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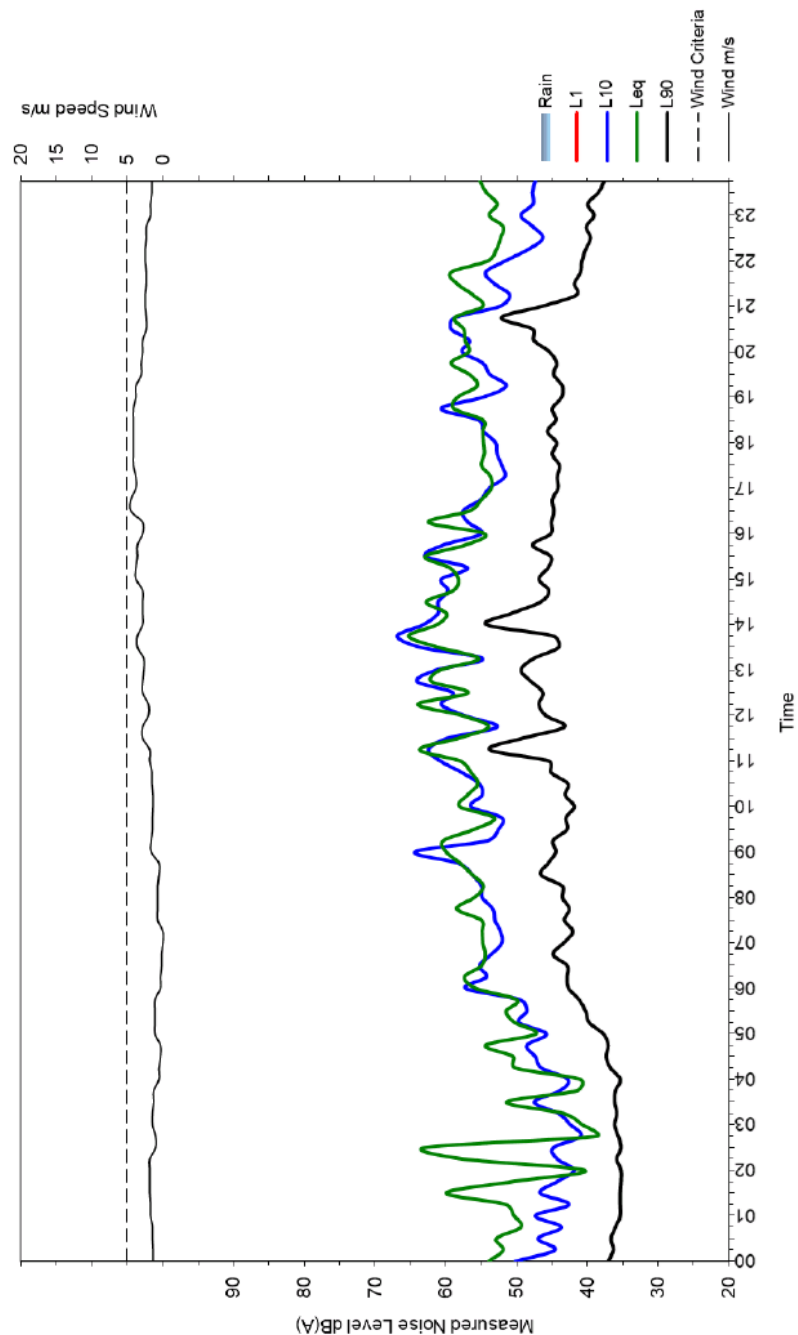
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Ibis Thornleigh
Tuesday 25 January 2022



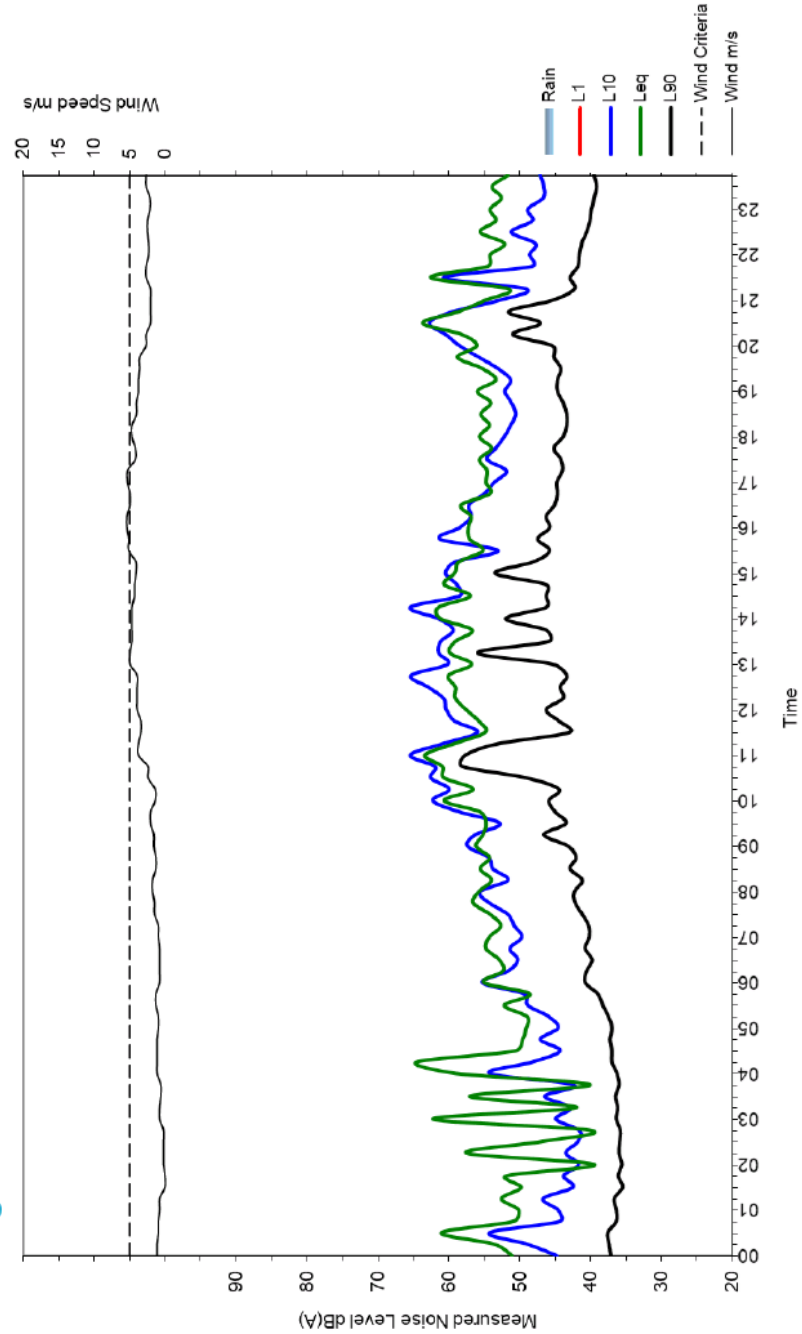
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Ibis Thornleigh
Wednesday 26 January 2022



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ATTACHMENT 7 - ITEM 4

Annexure 4: Updated Plan of Management

ATTACHMENT 7 - ITEM 4



PLAN OF MANAGEMENT

IRIS Hotel Group application for a hotel licence to
operate from premises at 200-212 Pennant Hills
Road Thornleigh

August 2021

ATTACHMENT 7 - ITEM 4

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DEFINITIONS

affected residence includes a lot in the strata scheme or any other strata scheme, premises for short-term accommodation and hospitals.

approved manager means a person appointed by the licensee under section 66 of the Liquor Act 2007 to manage the licensed premises,

boundary includes any window or elevated window of an affected residence.

licensee means the holder of a licence under the Liquor Act 2007

Senior staff means the nominated licensee or appointed manager(s) with delegated operational control who has a high understanding of licencing requirements and ensures compliance with POM conditions. Senior Staff are responsible for the proper and professional operation of the venue

Supervisory staff means staff who take direction from Senior Staff. Supervisory Staff have authority and direct staff at the venue to ensure the proper and professional operation of the venue

INTRODUCTION

This overarching Plan of Management (POM) is intended to encompass venue management, security management, alcohol management and community liaison.

The operation and management of the premises shall be in accordance with the Council approved POM.

The approved POM shall be filed with Council and the Licensing Police of the Ku-Ring-Gai Police Area Command prior to the issue of an occupation certificate that would permit the hotel to operate.

If, in circumstances where better management or improved amenity outcomes can be achieved by amendments to this POM, any such amendments shall be made in consultation with the Police Area Command and shall require the approval of Council. The updated POM is to be provided to Council and the Police.

An independent review of the Plan of Management may be undertaken by the Council or the Licensing Police of the Police Area Command upon providing the applicant with written notice.

The POM has been developed based on a risk assessment which focused on the responsible service of alcohol; minimising potential impacts for local residents and/or businesses; encouraging responsible attitudes towards the promotion, sale and consumption of alcohol; and preventing underage persons from accessing or consuming alcohol. In doing so a range of factors were taken into consideration, including venue design and layout, the social environment and attributes required of staff.

Implementation of the measures outlined in the POM will be administered by the licensee and management staff. Staff will receive comprehensive instruction upon induction and during training sessions to ensure they are conversant with their legal and social obligations to provide a safe environment for themselves, patrons and the local community.

The plan shall be reviewed (at minimum) on an annual basis, and at any time there is a change in business ownership of the premises, to ensure harms that arise are mitigated. No changes shall be made to the plan without the prior approval of the Council.

PART 1 PURPOSE

The purpose of this Plan of Management is to establish performance criteria for various aspects of the operations of the hotel [including the sports bar], having regard to the relevant matters under the Environmental Planning and Assessment Act, 1979, the *Liquor Act 2007* and the *Liquor Regulation 2018*. Particular emphasis has been placed on performance criteria regarding the responsible service of alcohol; community liaison; and the departure of patrons from the hotel in order to maintain the quiet and good order of the neighbourhood. All staff shall be made familiar with this Plan of Management and will have access to the plan on site.

Staff will receive a copy of this Plan of Management as approved by Hornsby Council, the development consent Notice of Determination and current Liquor Licence as part of their employment induction pack and copies of the Plan of Management will be retained at the venue for subsequent reference, and available at all times of staff members and security as well as immediate inspection by an authorised officer of Hornsby Shire Council, NSW police or a Liquor & Gaming NSW inspector upon request

PART 2 SITE + LOCALITY

The Thornleigh Hotel is located at 200-212 Pennant Hills Road Thornleigh.

The hotel is a development to enhance or increase the current hospitality offering and amenities at the existing location. The ground floor includes a pub facility including a bistro, sports bar, TAB/smoking area and VIP lounge. 104 rooms of accommodation are provided over three floors. There are approximately 70 parking spaces at the hotel.

PART 3 HOURS OF OPERATION

The hotel's approved hours of trade are:

Monday to Saturday: 7am to 12 midnight
Sunday: 7am to 10pm.

These hours are to be displayed at or near the entry.

The set-up and clean-up for the premises may occur for one hour before and one hour after the approved hours of operation. During this time, the premises shall not trade nor be open to the public.

Alcohol is not to be served or consumed on the premises between close of trade and 8am.

Staff may enter, or remain on, the premises at any time (for reasons including health and safety, security, attendance at out of hours trade works, emergencies and the like). Trades persons engaged by the hotel may enter or remain on the premises at any time (for reasons including health and safety, security, attendance at out of hours trade works, emergencies and the like), provided they are accompanied by a staff member and that their activities do not give rise to disturbance of the neighbourhood.

PART 4 PATRON CAPACITY

The total capacity for all patrons within the boundaries of the licensed premises (i.e. pub/hotel) as denoted on the plan prepared by Squillace Architects Drawing and referred to in Appendix A is 340 patrons.

Staff/Security will be required to monitor the number of patrons in each area at all times.
The overall breakdown of the patron population capacity is identified below:

Use/Area	Patron Population
Sports Bar	100
Smoking TAB	50
VIP Lounge	90
Bistro	100
Overall total patron capacity	340
Staff and security (dependent on trade and any conditions imposed)	8
Overall person capacity = 448 persons (comprising 440 patrons and 8 staff and security)	348

PART 5 RESPONSIBLE SERVICE OF ALCOHOL

The licensee and staff shall comply with their legal and social obligations in relation to the responsible service of liquor and are committed to providing a safe environment for patrons, staff and the local community.

The hotel operates under the direct supervision of the licensee/approved manager or appropriately experienced supervisory staff whenever liquor is being sold and supplied.

The following operational measures for the responsible service of alcohol shall apply:

- All managers and permanent employees of the hotel must have completed an approved course in the Responsible Service of Alcohol within the last 5 years and hold a current RSA competency card
- The hotel and its employees will at all times comply with the Liquor Promotion Guidelines
- All staff (management, security, food and beverage staff, glass collectors/cleaners) contribute to a wholistic approach to RSA
- Should any staff observe or suspect that a patron is consuming liquor rapidly or irresponsibly they are to intervene at the earliest opportunity to assist with preventing intoxication, and report this to the licensee/manager/security
- Uniformed security guard duties will include actively monitoring the arrival of patrons to the premises and declining entry to any person showing signs of intoxication.
- There will at all times be sufficient staff rostered for duty to allow for effective monitoring of patrons both at the point of sale and generally throughout the hotel
- Lighting in the vicinity of bar service areas will be sufficient to enable staff conduct assessments for signs of intoxication
- The hotel will cease service of alcoholic beverages half an hour before hotel closure on each day of trade.

Low alcohol beer and non-alcoholic beverages will be available at all times.

Food will be available from the premises on request whenever alcohol is available.

Free drinking water will be available at all times.

If a patron is identified as displaying intoxication or violent, quarrelsome or disorderly behaviour, hotel staff and/or security will take the following relevant steps in accordance with section 73 of the *Liquor Act 2007*:

- Refuse to serve the person liquor after becoming aware the person was intoxicated, and
- Ask the person to leave the premises, and
- If the person did not leave the premises immediately after being asked to leave or refuses to leave, contact will be made with police to request police assistance with removing the person from the premises.

All conditions imposed on the hotel's licence shall be met.

The licensee and management of the hotel will oversight staff RSA practices and provide immediate feedback and training if/when required. Immediate feedback will serve to minimise any risk and reinforce the hotel's culture of compliance.

PART 6 MINORS

In line with responsible service of alcohol principles, anyone who appears under 25 years old need to provide proof of age when entering the hotel or attempting to buy or consume alcohol at the hotel.

Service of alcohol will be refused to any person who cannot produce appropriate proof of age. Only the following types of photo identification will be accepted:

- State or Territory photo drivers licence
- Australian or International photo passport
- NSW photo card (RMS)

All forms of proof of age documents must be current to be accepted as valid.

All staff shall be trained in the use of a checklist to thoroughly check proof of age documents. In addition to the mandatory signage relating to minors on licensed premises, relevant voluntary signage (Under 25 poster) will be displayed at or near entry points and bar service areas.

PART 7 AMENITY OF NEIGHBOURHOOD

Management of the hotel recognise their obligation to make sure any potential negative impact on local residents or businesses is minimised.

The management of the Hotel shall:

- ensure patrons do not crowd or loiter in the vicinity of the premises in such manner that pedestrian movement is obstructed or hindered.
- ensure that the manner in which the business of the premises is conducted and/or the behaviour of patrons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by patrons and/or premises operations.
- record in the incident register kept at the premises full details of any disturbance complaint/s made by a person to management or staff in respect to the manner in which the business of the premises is conducted and/or the behaviour of patrons entering or leaving the premises. Such recording will include time, date, nature of the complaint/s and any complainant details if provided.
- respond to any disturbance complaint/s in a timely and effective manner. All actions undertaken by management / staff to resolve such complaint/s shall be recorded in the incident register

- maintain a telephone contact number which must be answered at any time that the premises is operating or whilst a staff/contractors associated with the licensed part of the premises are on site

Complaint management procedures shall include:

- Maintenance of a telephone contact number which must be answered at any time that the premises is operating
- A dedicated phone number (include the dedicated number here) will be prominently displayed in the venue and/or on the venue website
- A dedicated staff member (such as a supervisor) will be available to talk to residents or business owners about their complaint or disturbance concern at any time while the premises is operating or whilst staff/contractors associated with the licensed part of the premises are on site.

The licensee shall review the incident register regularly and ensure that the above procedures are being implemented effectively and, where necessary or appropriate, contact the complainant to determine if their concerns have been addressed.

All complaints can be notified to head office of Iris Hotel Group for referral to the Chief Operations Officer Mr Paul Devine on 92516498.

To assist patrons leave the hotel quickly, quietly and safely, staff will contact local taxi services upon request of patrons. Signage at the hotel will remind customers of this free service.

A secure location in the hotel car park will be nominated as the taxi/UBER pick up point. Patrons will be encouraged to remain inside the hotel until their transport arrives.

PART 8 COMMUNITY LIAISON

The licensee or senior management nominee of the premises shall meet with licensing police and are always available to discuss any issues and to review the measures in place to minimise the potential for any disturbance to the neighbourhood.

The licensee and/or manager will be available to meet with any local resident to discuss and work towards resolving any reasonable concerns about the operation of the hotel.

PART 9 SECURITY AND MANAGEMENT CLOSING PROCEDURE

Uniformed security staff and/or management are responsible for the following duties:

The main hotel bar entry / exit door. Duties will include, but are not limited to, ensuring the door is utilised by departing patrons only, with no entry for patrons permitted. In addition, this guard will ensure departing patrons leave the vicinity of the premises quickly and quietly.

The sale or supply of liquor, for consumption on the premises, is to cease half an hour prior to the cessation of trading hours.

At the cessation of trade, on any given day, the licensee will ensure that security engaged at the premises in accordance with licence conditions remain for a minimum of thirty minutes after the hotel ceases trading or until the last patron has left the vicinity of the hotel and are actively involved in ensuring patrons leave the area quickly, quietly and in an orderly manner.

After close security must do a patrol of the vicinity of the hotel to make sure no loitering from patrons. Patrons loitering unnecessarily will be politely asked to leave the area quickly and quietly.

PART 10 SENIOR STAFF – SECURITY MANAGEMENT

Not less than one senior staff member shall be on duty within the hotel at all times it is open.

The licensee shall require the duty manager or senior staff person on duty to:

- Be readily identifiable to patrons at all times.

Make patrols of the interior of the hotel from time to time for the purpose of:

- Monitoring and assessing RSA practices by staff
- Monitoring alcohol consumption and patron behaviour for signs of irresponsible or rapid consumption of alcohol and for signs of intoxication
- Intervening at an early stage to assist in preventing intoxication
- Request any hotel patron in the area patrolled to behave in a quiet and orderly manner if that action is considered necessary or appropriate.
- Prevent any patron, assessed as showing signs of intoxication, from entering the premises and bring to the notice of the manager or licensee any patron on the premises who might be considered intoxicated.
- Monitor patron behaviour in the vicinity of the hotel until all patrons have left the vicinity, taking all practical steps to ensure the quiet and orderly departure of patrons.

Cooperate with the police operating in the vicinity of the hotel.

Ensure all emergency exits are kept clear at all times and retain a list of emergency telephone numbers near all phones at all times.

Ensure that all staff are aware of the fire safety procedures to be followed in the event of a fire including evacuation to assembly points for patrons. The safety of patrons, neighbours and staff is to be paramount at all times.

Ensure all fire safety equipment is regularly maintained and certified by a qualified maintenance contractor.

The licensee/manager shall record in the Incident Register any complaints made directly to the management or staff of the hotel, by local residents or business people, about the operation of the hotel or the behaviour of its patrons. They shall endeavour to resolve any issues and concerns of people in the surrounding areas with the involvement of Council or the NSW Police Service and meet with complainants to address reasonable concerns.

PART 11 CRIME SCENE PRESERVATION

Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff must:

- Take all practical steps to preserve and keep intact the area where the act of violence occurred
- Retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police, as published from time to time on the Liquor and Gaming NSW website
- Make direct and personal contact with NSW Police to advise it of the incident

- Comply with any directions given by NSW Police to preserve or keep intact the area where violence occurred

"Staff member" means any person employed by or acting on behalf of the licensee of the premises, and includes any person who is employed to carry on security activities (e.g. crowd controller) on or about the premises.

PART 12 INCIDENT REGISTER

The licensee must maintain a register, in which the licensee is to record the details of any of the following incidents and any action taken in response to any such incident:

- Any incident involving violence or anti-social behaviour occurring on the premises
- Any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises
- Any incident that results in a person being turned out of the premises under section 77 of the Liquor Act 2007
- Any incident that results in a patron of the premises requiring medical assistance

The licensee must, if requested to do so by a police officer or inspector:

- Make any such incident register immediately available for inspection by a police officer or inspector, and
- Allow a police officer or inspector to take copies of the register or to remove the register from the premises

The licensee must ensure that the information recorded in the incident register under this measure is retained for at least 3 years from when the record was made.

PART 13 CLOSED CIRCUIT TELEVISION

The Management must maintain a closed-circuit television (CCTV) system on the premises.

The CCTV system must comply with the following requirements:

- Internal cameras must record continuously from opening time until one hour after the premises are required to close.
- It must record in digital format and at a minimum of 15 frames per second,
- Any recorded image must specify the time and date of the recorded image;

The system's cameras must cover the following areas:

- all entry and exit points of the premises,
- the footpath immediately adjacent to the premises,
- any rear access points to the premises, and
- all publicly accessible areas (other than toilets) within the premises.

Cameras must have the ability to record viewable footage in low light environments.

Any cameras monitoring the entry and exit points of the premises, shall provide recorded images in which the picture quality and detail is sufficient to enable the identity of person/s to be established.

CCTV recordings must be retained for at least 30 days.

Signage shall be clearly displayed adjacent to the principal entry (in lettering not less than 50mm high) alerting patrons entering the premises that CCTV is in operation with words "Closed Circuit Television in use on these premises". The same signage is to be displayed in a prominent position on each respective level of the premises.

At least one member of staff shall be on the premises at all time the premises is trading who is able to access and fully operate the system, including downloading and producing recordings of CCTV footage.

Provide any recordings made by the system to an Authorised Council or Police Officer/Liquor and Gaming NSW Inspector within 24 hours of any request by an Authorised Council or Police Officer/Inspector to provide such recordings.

All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The licensee shall record this daily checking activity in the security/incident register that meets the standards required by the licensing police and council.

The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage.

PART 14 CONTROL ON NUMBER OF PATRONS

The hotel is designed to minimise risks which can be associated with crowding that impedes patron movement throughout the hotel; inconvenient access to amenities such as the bistro, bar and rest rooms; and insufficient seating. Effective control of overall patron numbers and their distribution throughout the hotel is an important measure to minimise the potential of such risks. The layout of the hotel provides distinct spaces with comfortable seating for approved numbers of patrons.

The maximum number of patrons permitted in the premises at any one time shall be that designated in the current authority consents and as displayed at the entry to the premises.

At all times the licensee shall ensure that the total numbers of patrons present in the hotel in part of the premises do not exceed these numbers.

The licensee or duty manager shall either monitor the number of patrons in the premises or appoint a member of staff or a security person to do so.

When the person monitoring the number of patrons in each section of the premises forms the opinion that each area may be within 85% of the maximum permissible number of patrons, that person will ensure that a physical head count of the patrons present is undertaken.

If such a count reveals that there are within 85% patrons of the maximum number of patrons in each area of the premises, the licensee or duty manager shall assign staff or security personnel to monitor the number of people entering and leaving the premises to ensure that the maximum number of patrons present (including staff and security personnel) does not exceed the maximum.

PART 15 SIGNAGE

Signage in compliance with the *Liquor Act 2007*, including but not limited to signage required for the responsible service of alcohol, together with signage requesting patrons when leaving the hotel to respect the quiet and good order of the neighbourhood, shall be displayed at all appropriate locations within the hotel.

PART 16 NOISE

The LA10 noise level emitted from the licensed premises shall not exceed the LA90 background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5dB between 7:00am and midnight at the boundary of any affected residence.

The LA10 noise level emitted from the licensed premises shall not exceed the LA90 background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between midnight and 7:00am at the boundary of any affected residence.

The LA10 noise level emitted from the licensed premises shall not exceed the LA90 background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) at any time within any habitable room of any affected residence.

The 'LA10' may be taken as the average maximum A-weighted Fast Response sound level emitted from the premises.

Notwithstanding compliance with the above, the noise emitted from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of midnight and 7:00am.

Where this condition is inconsistent with the requirements imposed by the governing Liquor Authority, the more stringent conditions shall prevail.

To ensure that the amenity of nearby sensitive receivers is maintained, the glazed openings in the façade (aside from the hopper windows in the smoking areas) are only permitted to be open between 7:00am and 12 midnight.

The background noise level must not exceed 70dBA sound pressure level and an audio limiting device is to be installed within the venue to ensure that this limit is not exceeded.
Signage is to be installed and maintained at all exists to remind patrons to be mindful of their neighbours and minimise noise when leaving the premises.

PART 17 REMOVAL OF LIQUOR IN OPEN CONTAINERS

The licensee shall prevent patrons leaving the hotel with liquor in opened containers, glasses or the like.

PART 18 LIQUOR ACCORD

The licensee shall participate in the precinct liquor accord that applies to the Hornsby/Ku-Ring-Gai Liquor Accord.

PART 19 HOUSE POLICY

The hotel's house policy relates to matters including:

- Dress code,
- The responsible service of alcohol,
- Harm minimisation, and
- The admission of minors

This information shall be displayed both within the premises and on a suitable plaque outside the entry to the premises.

Patrons whose dress does not meet with the hotel's minimum dress code shall not be permitted to enter or remain on the premises.

No person wearing any form of clothing, jewellery or other accessory, displaying or indicating by form of wording, colours, logo, symbol or otherwise that they are members of are in any way associated with: (Bandidos, Black Uhlands, Coffin Cheaters, Commanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, Hells Angels, Scorpions, Notorious) be allowed entry into, or be permitted to remain on the licensed premises.

Mandatory outdoor 'no smoking' signage shall be displayed within seated outdoor dining areas. No smoking shall be permitted within 4 metres of any entrances to the licensed premises.

PART 20 INDUCTION AND TRAINING

Training will be provided to all staff members to ensure they are aware of their obligations to serve alcohol responsibly and to ensure that alcohol is not sold or supplied to minors. This includes reminding all staff that each member of our team has a legal responsibility to ensure alcohol is served responsibly and that they must refuse service to a patron if they believe the patron is showing signs of intoxication as a result of alcohol consumption.

All staff will be knowledgeable in relation to the definition of 'intoxicated' (as per section 5 of the *Liquor Act 2007*):

The person's speech, balance, co-ordination or behaviour is noticeably affected, and it is reasonable in the circumstances to believe that the affected speech, balance, co-ordination or behaviour is the result of the consumption of liquor.

Staff are provided with the following table of noticeable signs which could be an indication of patron intoxication as part of their training to detect intoxication at the earliest opportunity:

Speech	Balance	Co-ordination	Behaviour
<ul style="list-style-type: none"> • Slurring words • Rambling or unintelligible conversation • Incoherent or muddled speech • Not understanding normal conversation 	<ul style="list-style-type: none"> • Unsteady on feet • Swaying uncontrollably • Staggering • Difficulty walking straight • Stumbling • Bumping into furniture 	<ul style="list-style-type: none"> • Spilling drinks • Fumbling change • Difficulty counting money • Difficulty opening or closing doors • Fumbling change 	<ul style="list-style-type: none"> • Rudeness • Aggression • Argumentative • Offensive • Loud/boisterous • Drinking rapidly • Physically violent • Using offensive language

New staff will be issued with copies of the following documents (which will also be used for in-house training):

- Liquor Promotion guidelines 2019

- Prevention of Intoxication on Licensed Premises guidelines
- Intoxication guidelines
- NSW Police Crime Scene Preservation guidelines

Management will assess staff performance and compliance with their training during routine patrols of the hotel. Staff failing to comply with the measures as outlined in the plan of management, and in accordance with their training, will face sanctions.

PART 21 DELIVERIES AND WASTE REMOVAL

Loading and unloading of vehicles and delivery of goods to the premises shall at all times be carried out within the building during the hour of 8am to 6pm.

The removal of wastes and recyclable materials shall be made by Council or a recognised contractor between the hours of 7.00am and 8.00pm weekdays and 9.00am to 5.00pm weekends and public holidays.

PART 22 MAINTENANCE

The hotel furniture and decorations provide a pleasant environment for patrons. Management recognises that hotels that are poorly maintained, unclean or messy present an increased risk of having an adverse impact on the local community.

The hotel premises shall be kept in a clean and tidy condition and regularly maintained to the satisfaction of Council, both internally and externally.

PART 23 WASTE

Hotel waste will be collected in bins located throughout the tenancy and moved to the Hotel waste store. The waste store is located on ground level and will be near the Hotel loading dock. The various waste store sections are adequate for the waste volumes generated.

Private waste contractors servicing the Hotel will be able to park in the Hotel loading bay to collect the waste bins.

Hotel waste will be collected in bins located throughout the tenancy and moved to the Hotel waste store by the Hotel cleaners. The waste store is located on the Ground Floor and is near the Hotel loading dock. The waste will be collected by a private contractor from the dock area. Their truck will be able to enter and exit the building in a forward direction.

The operator shall ensure that waste paper is recycled. In this regard, the operator shall make arrangements with the owner to transfer paper for recycling to the recycling room for removal.

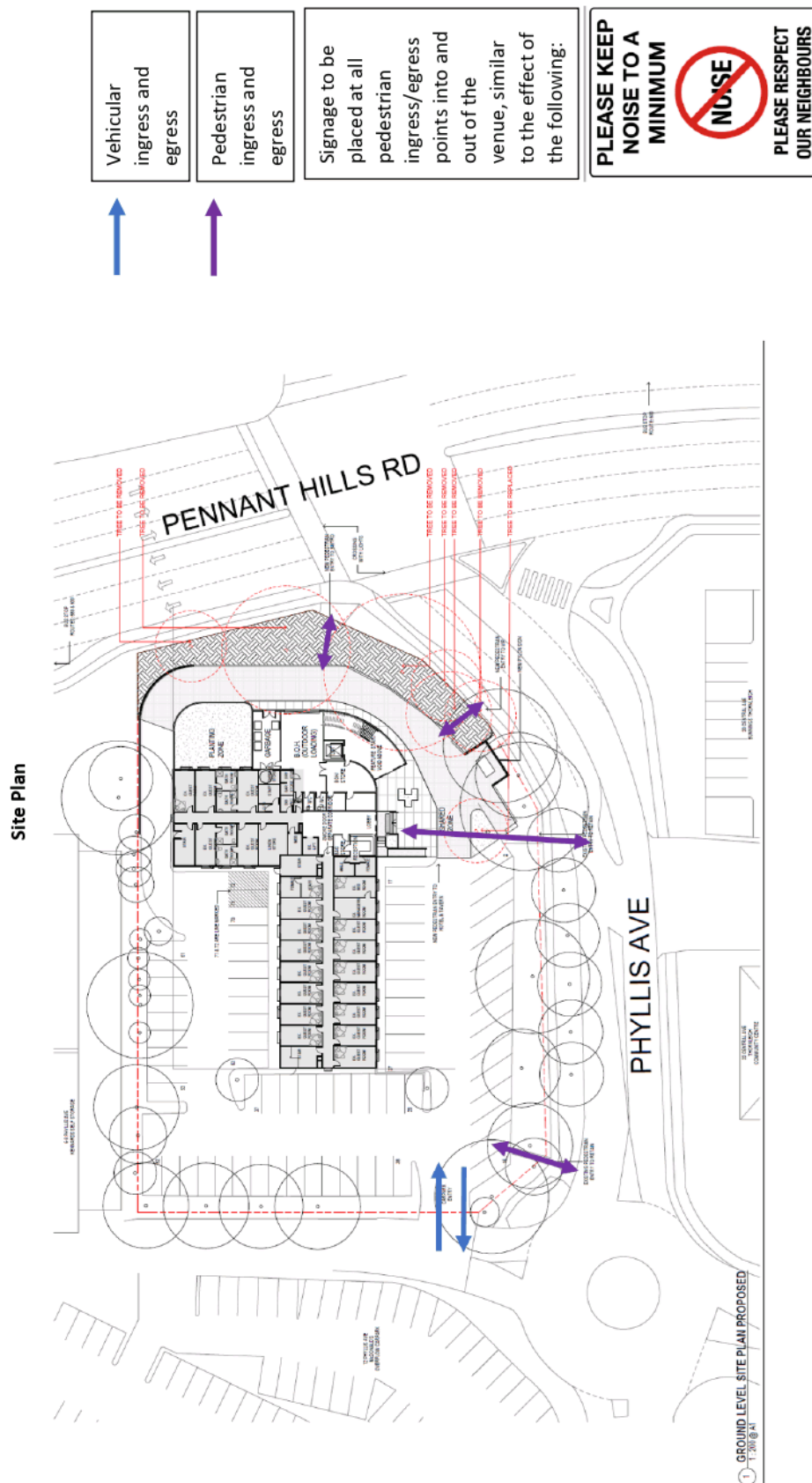
GLASS SORTING, CRUSHING OR COLLECTION. No bottle or glass sorting, recycling or collection shall take place between 8.00pm on any day and 8am Monday to Friday, 9am Saturday and 10am Sundays and Public Holidays.

PART 24 AMENDMENT TO THIS PLAN

If, in circumstances where experience shows that it is reasonable or desirable to modify any provision of this plan for the better management of the hotel, that modification shall be made to the plan only with the consent of Council, which consent shall not unreasonably be withheld.

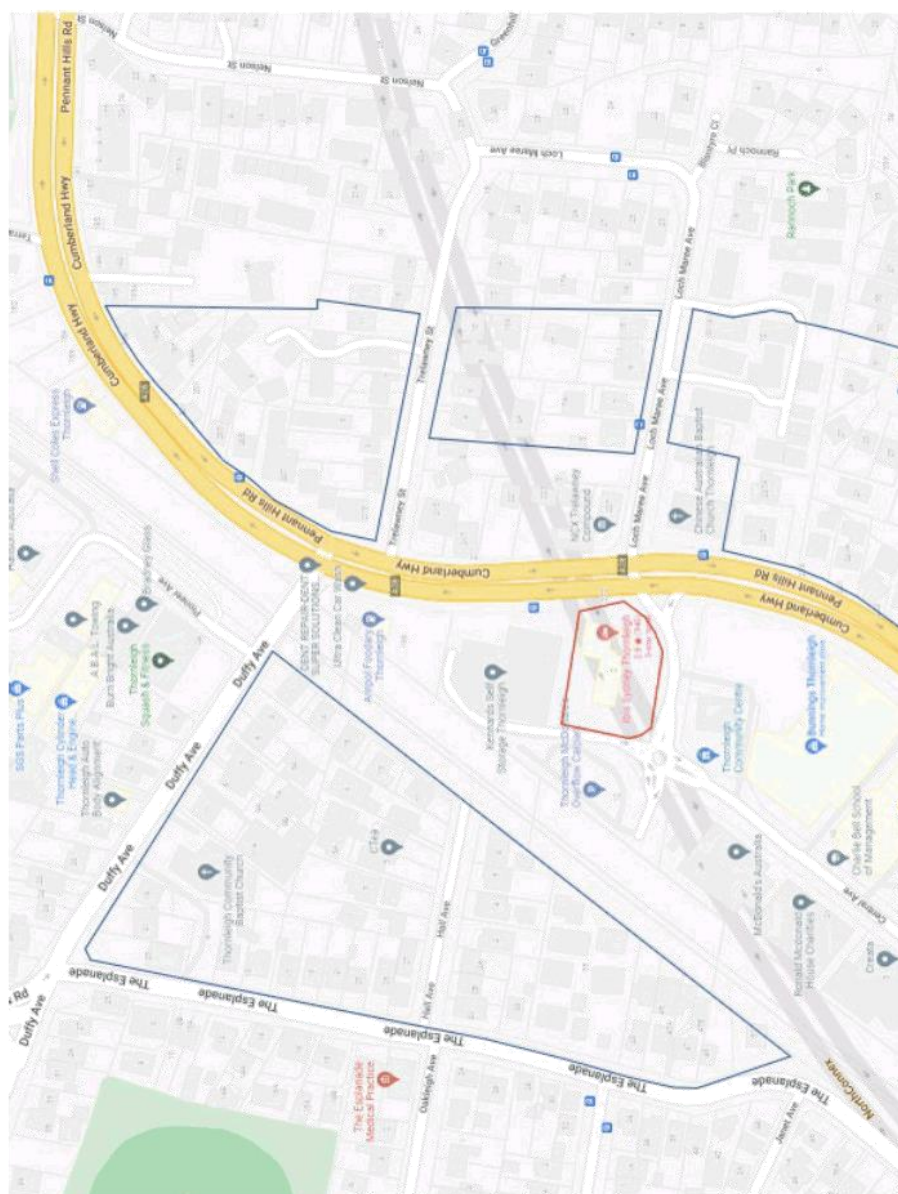
ANNEXURE 1: SITE PLAN AND CONTEXT PLAN

ATTACHMENT 7 - ITEM 4



ATTACHMENT 7 - ITEM 4

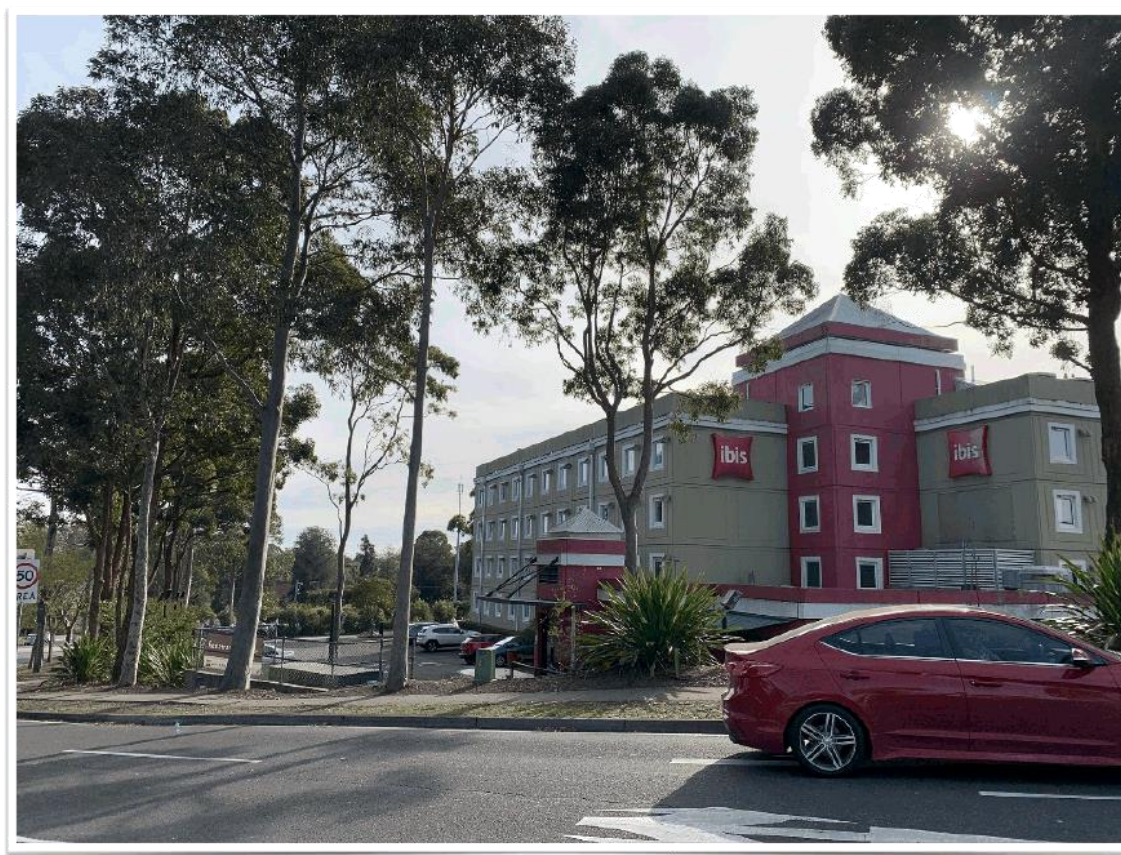
Context Plan – Sensitive Receivers



ATTACHMENT 7 - ITEM 4



Arboricultural Impact Assessment and Management Plan



206-212 Pennant Hills Road, Thornleigh.

Prepared for: **Iris Capital.**

Prepared by: **George Palmer, Botanics P/L.**

Dated: **July, 2021.**

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Arboricultural Impact Assessment and Management Plan for 206-212 Pennant Hills Road, Thornleigh.

ATTACHMENT 8 - ITEM 4



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Arboricultural Impact Assessment and Management Plan for 206-212 Pennant Hills Road, Thornleigh.



1.0 INTRODUCTION

1.1 Background

1.1 This Arboricultural Impact Assessment and Management Plan has been prepared in consultation with Warren Duarte at Iris Capital on behalf of the property owners. This report has been requested to assess the arboricultural impacts associated with the proposed development and to document the significance of those trees located within and adjacent to the site and make recommendations for their preservation or removal based on this, and their location in relation to the proposed construction.

1.2 The site currently holds a hotel and car park. The current horticultural and arboricultural amenity comes from a number of semi mature native trees that will have been planted here within the previous twenty (20) years. These are located within planters in the carpark footprint and on the site's southern and eastern boundaries.

1.3 The purpose of this report is to identify all existing trees, assess both health and condition, determine landscape significance and life expectancy. A determination for preservation, removal or transplantation will be made based on sustainability and suitability within the setting. For the purpose of this report *Botanics* has assessed the likely impact that the proposed development will have on the subject trees. This report will then provide recommendations in relation to the management of these in accordance with Australian Standard (AS) 4970 *for the Protection of Trees on Development Sites*. Pruning and removal works will be based on AS4373 *for the Pruning of Amenity trees* where applicable.

1.4 The Proposal

1.4.1 The impacts of the proposed works have been assessed based on the following supplied plans. These show the extent of the excavation required to allow for the basement and ground floor construction, as well as the surrounding gardens.

- **Squillace** Ibis Hotel Thornleigh- Ground Level Demolition Plan. DA-050.
- **Squillace** Ibis Hotel Thornleigh- Level Demolition Plan. DA-051.
- **Squillace** Ibis Hotel Thornleigh- Level 2 Demolition Plan. DA-052.
- **Squillace** Ibis Hotel Thornleigh- Roof Level Demolition Plan. DA053.
- **Squillace** Ibis Hotel Thornleigh- East/Southern Elevation Demolition. DA-054.
- **Squillace** Ibis Hotel Thornleigh- Site Plan Proposed. DA-099.
- **Squillace** Ibis Hotel Thornleigh- Level 1 Proposed Plan. DA101.
- **Squillace** Ibis Hotel Thornleigh- Level 2 Proposed Plan. DA-102.
- **Squillace** Ibis Hotel Thornleigh- Level 3 Proposed Plan. DA-103.



1.4.2 The provided plans show that the works will require the partial demolition of the existing commercial structure to allow for its extension and the amalgamation of the site. This will see the extension of the construction footprint to the eastern boundary and require the removal of those trees located here.

2.0 RESULTS

2.1 The Site

2.1 The site is accessed from its western Central Ave road boundary. This is via a vehicular driveway into the carpark. This boundary has been planted out with a number of native trees and under canopy plantings. A number of these smaller plantings had been removed prior to this site assessment.

2.2 The site slopes down from its Pennant Hills Road boundary to the west. The upper embankment adjacent to Pennant Hills Road has been supported with a concrete retaining wall.

2.2 The site will have likely been cleared as part of both the original subdivision and subsequently as part of ongoing landscape works.

2.2 The Trees

2.2.1 A total of twenty nine (29) trees have been assessed using Visual Tree Assessment (VTA) criteria and notes. As required under Clause 2.3.2 of the *Australian Standard 4970 (2009) for the Protection of Trees on Development Sites*, each tree has been allocated a Retention Value based on the tree's Useful Life Expectancy and Landscape Significance with consideration to its health, structure, condition and site suitability. The Retention Value does not take into account any proposed development. All trees have been allocated 1 of 4 Retention Values;

- High Value - Priority for Retention.
- Moderate Value - Consider for Retention.
- Low Value - Consider for Removal.
- Remove - Recommended for Removal Irrespective of works.

2.2.2 Trees 1, 2, 3 and 4 are all *Eucalyptus microcopies*, or Tallowwood trees. All have grown to a height of approximately 14m and are supported on well structured trunks of less than 50cm in diameter. All will have been planted within this elevated garden bed adjacent to the site's rear western boundary. Moderate value. Retain.

2.2.3 Tree 5 is a semi mature *Eucalyptus grandis*, or Flooded Gum. The tree has grown to approximately 15m in height and is supported on a single trunk of 38cm in diameter. The tree is located within the boundary planter adjacent to the site's south western corner. The tree remains a small fraction of its full biological potential. Moderate Value. Retain.



2.2.4 Tree 6 is semi mature *Melaleuca quinquenervia*, or Broad leafed Paperbark. This is a native tree species that will have been planted here within the past twenty (20) years. The tree has grown to a height of approximately 12m and is supported on multiple leaders from within 2m of ground level. Moderate Value. Retain.

2.2.5 Tree 7 is well establish *Eucalyptus microcopies*, or Tallowwood. The tree has grown to a height of approximately 14m and supported on a single well structured trunk. High Value. Retain.

2.2.6 Trees 8, 9, 10, 11, 12 and 13 are all *Cupaniopsis anacardioides*, or Tuckeroo trees. These have all been planted within the Phyllis Avenue verge to form an avenue. These are an important, locally native tree species that have grown to approximately 8m in height and are supported on trunks of less than 20cm in diameter. These have been partially suppressed by the canopies of remaining site trees. Moderate Value. Retain.

2.2.7 Tree 14 is a well established semi mature *Eucalyptus microcopies*, or Tallowwood. This tree has grown to over 16m with a trunk of 55cm. The tree retains a full canopy and has been considered as High Value and documented for retention.

2.2.8 Tree 15 is a semi mature *Corymbia maculate*, or Spotted Gum. The tree has grown over the canopies of surrounding trees to a height of over 15m. The tree remains a small fraction of its full biological potential. Moderate Value. Retain.

2.2.9 Tree 16 is another *Eucalyptus microcopies*, or Tallowwood located on the site's eastern boundary. The tree is a well structured semi mature example of the species. Moderate Value. Retain.

2.2.10 Tree 17 is a semi mature *Corymbia maculate*, or Spotted gum located within an island planter in the carpark. This has affected access to soil moisture and nutrients, reducing vigour. Low Value. Remove.

2.2.11 Trees 18 and 19 are both *Eucalyptus microcorys* (Tallowwood) trees located on the southern side of the external power station. Both have grown to height of approximately 14m and remain in both good health and condition. Moderate Value. Required for removal to allow the proposed.

2.2.12 Trees 20, 21, 22 and 23 are all semi mature *Corymbia maculate*, or Spotted Gum trees located on the embankment adjacent to the site's Pennant Hills Road boundary. These have all been identified as being of Moderate Value located within the proposed construction footprint on required for removal.

2.2.13 Trees 24, 25 and 26 are all *Eucalyptus microcopies*, or Tallowwood's located on the site's eastern boundary. Tree 24 has grown to a height of over 16m and is supported on a trunk of over 60cm in diameter. Moderate Value. Required for removal.

2.2.14 Trees 27, 28 and 29 are all semi mature *Corymbia maculate*, or Spotted Gums located on the site's northern boundary. Tree 28 is the largest of these having grown to over 18m in height and supported on a trunk of over 70cm in diameter. All have been affected by the construction of the boundary wall and will not be directly affected by the works. Moderate Value. Retain.



3.0 ARBORICULTURAL IMPACT ASSESSMENT

3.1 As noted, this is a large scale commercial Lot that currently provides hotel accommodation and car parking facilities. This no longer represents the commercial interest of the owners. The proposed development will better utilise the space and provide multiple employment opportunities within the community.

3.2 The construction footprint extends to the site's eastern boundary and will require the removal of Trees 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26. These are all well suited locally native, semi mature examples of their species that have been considered as being of Moderate Value.

3.3 The remainder of the trees on site are all located outside the construction impact zone and have been documented for retention.

4.0 DISCUSSION

4.1 The curb and guttering as well as boundary and retaining walls will have affected the abiotic development of neighbouring tree roots. This will limit their spread and development affecting, to varying degrees access to soil moisture and nutrients, vigour and health.

4.2 All plantings are located adjacent to the site's boundaries. This and the previously noted abiotic limitations to the tree's development of roots will limit the direct impacts that the proposed works will have on neighbouring trees.

4.3 As noted the proposed works will require the removal of Trees 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26. These comprise a range of moderately valuable native tree located on the embankment between the existing eastern boundary wall and Pennant Hills Road.

5.0 CONCLUSIONS

5.1 The proposed works will significantly improve both the functionality and commercial viability of the site. The works will however require the removal of Trees 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26. These are all of Moderate Value and have not been considered as a material constraint to the proposed.

6.0 RECOMMENDATIONS

6.1 It will be recommended that Trees 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 be removed for the reasons outlined.



6.2 The remainder of the trees documented have been recommended for preservation throughout the construction process to maintain their horticultural and arboricultural amenity contribution. These include Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

6.3 All construction should be done from within the existing or proposed construction footprints and limited to that detailed here.

6.4 The remainder of the indirect construction impacts should be mitigated with the implementation of the following:

6.5 Appointment of Site Arborist

A site arborist shall be appointed prior to the commencement of work on site. The Site Arborist shall clearly mark out all trees to be removed and ensure that all trees documented for retention are preserved with the implementation of the following tree protection measures. The Site Arborist shall have a minimum qualification equivalent to a NSW TAFE Certificate Level 5 or above in Arboriculture.

6.6 Inspection Points

Give 5 working days notice to allow inspections to be undertaken at the following stages;

Inspection Point	Inspection Personnel
Installation of Tree Protection Zones including Tree Protection Fencing, Silt Fencing and Signage	Site Arborist
Modification of the Tree Protection Zone	Site Arborist
Works within the Tree Protection Zone	Site Arborist
Completion of Construction Works	Site Arborist Site Supervisor.

6.7 Education

Contractors and site workers shall receive a copy of these specifications prior to the commencement of work. Contractors and site workers undertaking any works within a TPZ shall sign the site log to confirm that they have read and understand these specifications prior to their undertaking.

6.8 Tree Protection Zones

Where applicable, all trees to be retained through the construction process shall be protected from mechanical damage and the indirect impacts of the construction process with the installation of Tree Protection Zones.

Unless otherwise stated, the following activities must not be carried out within a TPZ;

- modification of existing soil levels
- excavation or trenching



- cultivation of soil
- mechanical removal of vegetation
- movement of natural rock
- storage of materials, plant or equipment
- erection of site sheds
- affixing signage or hoarding to trees
- disposal of chemical waste or construction material
- any activity that may directly or indirectly affect the health of these or surrounding trees.

Note: If access to a TPZ is required as part of the approved development, prior authorisation is required by the Site Arborist.

6.9 Tree Protection Fencing

Tree Protection Fencing shall be installed at the perimeter of the TPZ. As a minimum the Tree Protection Fencing shall be 1.8 meters high temporary chain supported by steel stakes. This shall be fastened and supported to prevent sideways movement. The tree's woody roots shall not be damaged during the installation of this Tree Protection Fencing. This Tree Protection Fencing shall be erected prior to the commencement of works on site and shall be maintained for the duration of the construction process.

6.10 Signage

Tree Protection Signage shall be attached the TPZ and displayed in a prominent location. These signs shall be repeated in 10m intervals or closer where the fence changes direction. These shall be a minimum of a 72 font size and each sign at-least 600 x 500mm.

6.11 Mulching

The area within the TPZ shall be mulched and maintained with 80mm of leaf litter mulch for the duration of the construction process. This mulch shall be spread by hand to limit the impact on underlying roots and shall be installed prior to the commencement of works on site.

6.12 Site Arborist

The Site Arborist shall inspect and approve the TPZ including mulching, signage, Tree Protection Fencing, Silt fencing and Signage prior to the commencement of works on site.

6.13 Site Management

Materials and waste storage, site sheds and temporary services shall not be located within the TPZ unless specified. Storage points shall be covered when not in use and be no greater than 2m in height.



6.14 Works Within the TPZ

The TPZ may need to be modified during the works to allow access between the protected tree and the proposed construction. The TPZ shall remain as specified and only those works detailed in the proposed construction undertaken.

6.15 Completion of Works Within Specified TPZ

Upon the completion of works within a TPZ the protective fencing shall be reinstated as specified. Where the construction of new structures does not allow for the reinstallation of fencing the TPZ shall be modified by the Site Arborist.

George Palmer
Diploma Horticulture- Arboriculture (Level 5)
Associate Diploma Horticulture- Landscape.

Disclaimer

All care has been taken to assess potential hazards, but trees are inherently dangerous. This assessment was carried out from the ground, and covers what was reasonable to be assessed at the time of inspection. No aerial or underground inspections were carried out. Liability is accepted for damage or injury caused by trees and no responsibility is accepted if the recommendations in this report are not adhered to. Limitations on the use of this report: This report is to be utilised in its entirety only. Any written or verbal submission that includes statements taken from this report may only be used where the whole report is referenced. Assumptions: Care has been taken to obtain accurate information from reliable sources. Botanics can neither guarantee nor be responsible for the accuracy of information provided by others.

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Arboricultural Impact Assessment and Management Plan for 206-212 Pennant Hills Road, Thornleigh.



Figure 1 Shows the site's eastern boundary and Trees 1 - 4.



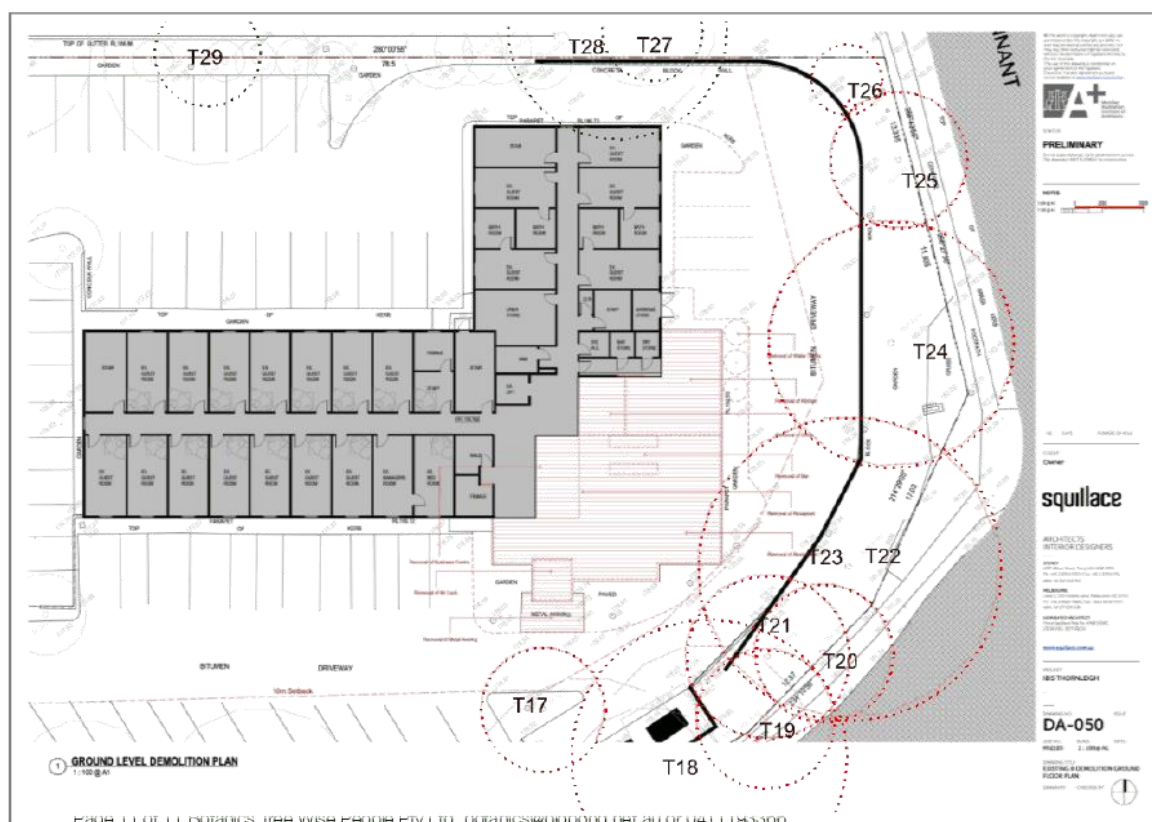
Figure 2 Shows the carpark adjacent to the site's southern boundary.

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Arboricultural Impact Assessment and Management Plan for 206-212 Pennant Hills Road, Thornleigh.



Figure 3 Shows the eastern boundary and Trees 22- 26 required for removal.

Figure 4 Shows the locations of the documented trees in relation to the existing and proposed development.



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**SOCIAL IMPACT ASSESSMENT OF THE PROPOSED ALTERATIONS AND
ADDITIONS INCLUDING NEW LICENSED AREA, WITH GAMING AT IBIS
THORNLEIGH,
200-212 PENNANT HILLS ROAD, THORNLEIGH**

September 2021

Prepared for:
Iris Capital

Prepared by
Sarah George Consulting
Social Planning Consultants

Address: PO Box 319, Marrickville, NSW 1475 – Mob: 0418 439 813
ABN 69 034 057 001
sgeorgeconsulting@gmail.com

ATTACHMENT 9 - ITEM 4

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APPENDIX C – QUALIFICATIONS & EXPERIENCE OF AUTHOR

ATTACHMENT 9 - ITEM 4

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1.0 INTRODUCTION

This Social Impact Assessment has been prepared by Sarah George Consulting (SGC) on behalf of Iris Capital to accompany a Development Application for a proposed alterations and additions to the existing Ibis Hotel, Thornleigh at 200-212 Pennant Hills Road, Thornleigh.

The proposed development seeks approval from Council for the demolition a single story element of the existing hotel and the construction of a new, two storey, extension with a hotel lobby and back of house area on the ground floor, and a sports bar, bistro, gaming room and outdoor TAB on the first floor.

The subject site is located within the Hornsby Local Government Area. Hornsby Shire Council has no *Policies* or *Guidelines* relating to Social Impacts or Social Impact Assessments, as such, the proposed development is considered against the following criteria:

- Population change
- Housing
- Access and Mobility
- The health and safety of the community
- Social Cohesion
- Community structure, character, values & beliefs
- A sense of place and community
- Community facilities and links
- Interaction between the development and the community
- Social equity, socio-economic groups & the disadvantaged
- Social displacement
- Social change management
- Amenity

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- Public interest

This SIA describes the nature of the proposed alterations and additions on the site and includes descriptions of the existing demographic and social character of the suburb of Thornleigh and Hornsby LGA compared to Greater Sydney and NSW.

A site inspection was carried out as part of the preparation of this report.

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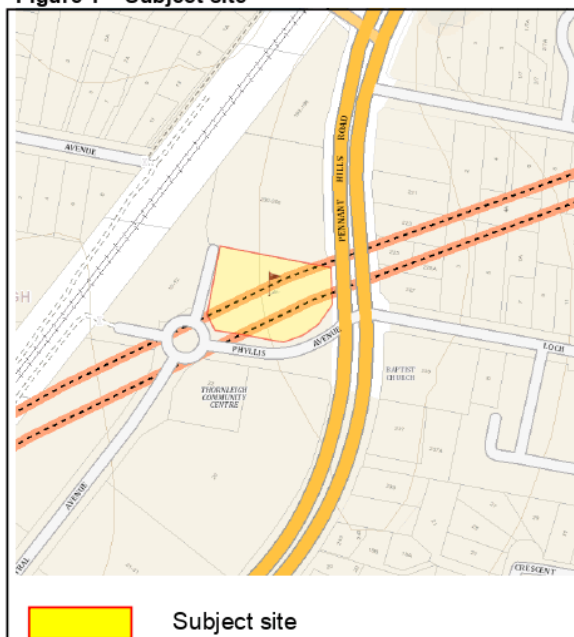
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2.0 SUBJECT SITE AND PROPOSED DEVELOPMENT

The subject site has the street address of 200-212 Pennant Hills Road, Thornleigh and known as Lot 3, DP1205943. The subject site is zoned *B6 – Enterprise Corridor* under the *Hornsby Local Environmental Plan 2013* and hotel or motel accommodation and food and drink premises are permissible, with consent, under that zoning. The site located on the eastern side of Pennant Hills Road.

Figure 1 – Subject site



The subject site is currently occupied by a 4 storey *Ibis Hotel* comprising 105 rooms and at-grade parking for 91 vehicles.

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Development surrounding the subject site comprises a Kennards self-storage warehouse to the immediate north, the Thornleigh Community Centre to the south of the site, and an overflow car park for a McDonalds fast food outlet to the west.

The proposed development seeks approval for the following:

- demolition of the existing single storey element;
- construction of a two storey extension of a larger size with a new hotel lobby and back of house area on the ground floor and a new licensed area on the first floor for a sports bar, bistro, gaming room and outdoor TAB;

The proposed licensed premises proposes the following hours of operation:

- 8.00am - 12am Monday to Saturday; and
- 8.00am - 10pm Sunday

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3.0 DEMOGRAPHIC PROFILE & CHARACTERISTICS

3.1 Existing demographic characteristics

A Demographic Profile Table including Census data from the 2016 Census for the suburb of Thornleigh and the Hornsby Local Government Area compared to Greater Sydney and NSW is included at Appendix A. Data for the Statistical Area Level 1 – 1140632 in which the subject site is located, was not available due to the low resident population of this area.

The demographic and socio-economic characteristics of the locality reveal:

- an underrepresentation of Aboriginal and Torres Strait Islander peoples in the suburb of Thornleigh (0.5%) and the Hornsby Shire LGA (0.5%), compared to Greater Sydney (1.4%) and NSW (2.8%);
- an under representation of people born overseas in a non-English speaking country in the suburb of Thornleigh (26.3%) and in the Hornsby LGA (29.7%) compared to Greater Sydney (30.5%) but greater compared to NSW (22.0%).
- an under representation of people who speak a in the Hornsby Shire LGA (31.1%) compared to Greater Sydney (35.8%) but greater than in NSW (25.1%);
- a smaller proportion of residents who require assistance to carry out everyday tasks in the suburb of Thornleigh (3.7%) and in the Hornsby Shire LGA (4.3%) compared to Greater Sydney (4.9%) and NSW (5.3%);
- a slightly older population in the suburb of Thornleigh (39) and in the Hornsby Shire LGA (40) compared to Greater Sydney (36) and NSW (38);
- lower unemployment rates in the suburb of Thornleigh (4.0) and in the Hornsby Shire LGA (4.8), compared to Greater Sydney (6.0) and NSW (6.3);
- a greater median weekly household income in the suburb of Thornleigh (\$2262), and in the Hornsby Shire LGA (\$2121), compared to Greater Sydney (\$1750) compared to NSW (\$1486);

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- a slightly larger average household size in the suburb of Thornleigh (3.0), and in the Hornsby Shire LGA (2.9), compared to Greater Sydney (2.8) and NSW (2.6);
- a greater proportion of the population who are married in the suburb of Thornleigh (58.7%) and in the Hornsby Shire (58.8%) compared to the Greater Sydney (49.3%) and NSW (48.6%);
- fewer residents who have never married in the suburb of Thornleigh (28.5%) and in the Hornsby Shire LGA (27.9%) compared to Greater Sydney (35.5%) and NSW (34.3%);
- a greater proportion of couple families with children in the suburb of Thornleigh (57.5%) and in the Hornsby Shire LGA (56.5%) compared to (Greater Sydney (40.1%) and NSW (37.0%))
- a greater proportion of one parent families with dependent children in the suburb of Thornleigh (12.8%) and in the Hornsby Shire LGA (11.4%) compared to Greater Sydney (9.1%) and NSW (9.9%);
- the majority of households report having two cars in the suburb of Thornleigh (40.9%) and in the Hornsby Shire LGA (38.1%) compared to Greater Sydney (32.8%) and NSW (34.0%);
- a greater proportion of people who reside in separate houses in in the suburb of Thornleigh (81.1%), which is greater than that in the Hornsby Shire LGA (73.4%), Greater Sydney (52.5%), and NSW (59.8%);
- a greater proportion of dwellings being fully owned in the suburb of Thornleigh (33.9%), and the Hornsby Shire LGA (35.5%), compared to Greater Sydney (29.1%) and NSW (32.2%);
- public housing comprises 3.0% of housing in the suburb of Thornleigh, greater than that in the Hornsby Shire LGA (1.3%) but smaller than that in Greater Sydney (4.1%) and NSW (4.0%);
- the majority of dwellings are three bedroom in the suburb of Thornleigh (44.5%), compared to the Hornsby Shire LGA (30.5%), Greater Sydney (33.8%) and NSW (37.2%);

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- a greater proportion of residents working in professional occupations in the suburb of Thornleigh (36.5%) and in the Hornsby Shire LGA (33.7%), compared to Greater Sydney (26.3%) and NSW (23.6%);
- the majority of residents drove to work in the suburb of Thornleigh (48.0%), the Hornsby Shire LGA (49.6%), Greater Sydney (52.6%) and NSW (57.7%)

As is evident from the demographic profile, the socio-economic and demographic characteristics of residents of the suburb of Thornleigh are very robust and residents are generally working in high paid positions, residing in larger dwellings, and do not generally display characteristics that might suggest that they're more at-risk of social harm.

The only groups that may potentially be at a heightened risk of social harm as a result of the proposed development are one parent families.

SEIFA Index:

The SEIFA indexes comprise 4 indexes measuring disadvantage, advantaged/disadvantage, economic resources and education and opportunity. Areas are allocated a score and then ranked according to the deciles across the country (with "1" being the most disadvantaged and "10" being the most advantaged).

The relevant deciles for the suburb of Thornleigh and the Hornsby LGA are as follows:

SEIFA INDEX	THORNLEIGH SUBURB	HORNSBY LGA
IRSED	10	10
IRSAD	10	10
IER	9	10
IEO	10	10

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The potential impacts of the proposed development on these potentially at-risk groups is discussed in Chapter 6.11.

There is nothing about the socio-economic and demographic characteristics of residents of the SA1 that indicates that they would be at heightened risk of social harm as a result of the proposed development.

3.2 Crime data

The NSW Bureau of Crime Statistics and Research prepares *crime rate maps* and *hotspot maps* which identify densities of crimes in an area. The crime maps for the suburb of Thornleigh indicate that the suburb generally has low densities and low rates of assault, domestic assault and non-domestic assault, assault Police, robbery compared to the Hornsby Shire LGA and NSW. In terms of hotspots, the subject site is not in any areas identified as hotspots for any crimes.

Crime rate table:

Crime	Thornleigh (per 100,000 population)	Hornsby LGA (per 100,000 population)	NSW (per 100,000 population)
Assault	375.4 (lowest density)		786.5
Domestic Assault	79.6 (lowest density)	83.5 (lowest density)	163.1
Non-domestic assault	170.6 (lowest density)	157.8 (lowest density)	361.0
Assault Police	0.0 (lowest density)	10.5 (lowest density)	30.6
Alcohol related assault	125.1 (lowest density)	82.9 (lowest density)	215.9
Alcohol-related domestic assault	79.6 (lowest density)	44.1 (lowest density)	112.9
Alcohol related non-domestic assault	45.5 (lowest density)	33.5 (lowest density)	89.9

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Alcohol related assault police	0.0 (lowest density)	5.3 (lowest density)	13.1
Weekend alcohol related assault	91.0 (lowest density)	48.7 (lowest density)	121.9
Weekend alcohol related domestic assault	45.5 (lowest density)	24.3 (lowest density)	59.7
Weekend alcohol-related non-domestic assault	45.5 (lowest density)	21.7 (lowest density)	54.8
Weekend alcohol-related assault Police	0.0 (lowest density)	2.6 (lowest density)	7.3
Robbery	0.0 (lowest density)	7.2 (lowest density)	24.3
Theft	2116.0 (lowest density)	1194.3 (second lowest density)	2092.9
Malicious damage to property	455.1 (lowest density)	338.0 (lowest density)	650.1
Weekend malicious damage to property	170.6 (lowest density)	134.8 (lowest density)	259.5
Sexual offences	136.5 (lowest density)	92.1 (lowest density)	192.2

April 2020 – March 2021 – <http://crimetool.bocsar.nsw.gov.au/bocsar/>

As can be observed, the suburb of Thornleigh generally displays low densities of all listed crimes, including alcohol related crimes.

3.3 Outlet density

Outlet density data derived from the NSW Department of Liquor and Gaming's *LiveData* tool identified no hotel licences within the suburb of Thornleigh.

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Research¹ has indicated that the higher the density of hotel licences within an LGA, was a strong predictor of both domestic violence and non-domestic violence related assault rates. The research indicated that of particular concern is when the density of hotels was above 2 hotels per 1000 residents. As there are currently no existing hotel licenses within the suburb of Thornleigh, the hotel density is not within the harmful threshold.

	Thornleigh (rate per 100,000 population)	Hornsby LGA (rate per 100,000 population)	NSW (rate per 100,000 population)
Number of Hotels	0	14	2022
Outlet saturation	0	5.6	28.4
Outlet clustering	0	0.6	15.4

<https://livedata.liquorandgaming.nsw.gov.au/Suburb/4148-Thornleigh?r=Hotel>

The proposed licensed premises addresses this undersupply of hotels in the area and will serve the needs of the resident population, as well as provide a licensed premise for the use of the working population in the area.

3.4 Gaming

The proposed hotel development plans to apply for a new liquor and gaming license. The gaming licence will seek consent to have 30 machines.

There are currently no venues that provides gaming in the suburb of Thornleigh.

The proposed gaming area will be ancillary to the restaurant/bar area and will conform to the requirements of a gaming room in an hotel, as detailed by the Office of Liquor Gaming and Racing, including:

¹ The effect of Liquor licence concentrations in local areas on rates of assault in NSW. Donnelly, N Menendez, P & Mahoney, N. 2014 – Crime and Justice Bulletin Number 181 – NSW Bureau of Crime Statistics & Research

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1. *the gaming room must be located in a restricted area of the hotel, and it must not be in a part of the hotel in respect of which a minors function authority under section 111A of the Liquor Act 1982, or an authorisation under section 112 of that Act, is in force,*
2. *the gaming room must be physically separated from the general bar area by a permanent floor to ceiling wall with at least the bottom half of such wall being constructed of opaque material, and any building approval for any work that is required to be done must be obtained before the approved gaming machines may be kept in the hotel,*
3. *patrons must not be compelled to pass through the gaming room in order to enter or leave the hotel or in order to gain access to another part of the hotel,*
4. *entry to the gaming room must be provided free of charge,*
5. *any approved gaming machine in the gaming room must be situated so that it cannot be seen from any place outside the hotel that is used by the public or to which the public has access,*
6. *all approved gaming machines in the gaming room must be suitably spaced in order to facilitate access to the gaming machines,*
7. *the gaming room must at all times be supervised by the hotelier or an employee of the hotelier by way of electronic means or physical presence, or both,*
8. *the gaming room must have a doorway or space that provides reasonable access to and from the gaming room to at least one operating bar, and at least one toilet for each gender, elsewhere in the hotel without the need for a patron to go on to a public street, or to any other area not forming part of the hotel, when moving from the gaming room to that bar or toilet or from that bar or toilet to the gaming room,*
9. *if the gaming room can be accessed directly from a public street, each doorway or space in the gaming room that provides access to and from the rest of the hotel must be clearly marked as providing such access and be evident to patrons in the gaming room.*

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The requirement for a gaming room to be physically separated from the general bar area of a hotel does not:

- *prevent the provision of a doorway or equivalent space to facilitate access by patrons to and from the gaming room, and*
- *operate so as to require the permanent wall to extend beyond any counter that is designed to serve patrons in both the gaming room and the general bar area.*

More than one gaming room may be provided by a hotelier in the hotel.

Gaming is a social and recreational activity that is legal and gives people enjoyment. As gambling is already freely available in the Hornsby LGA, there is nothing about the introduction of a new venue that includes gaming that is likely to result in a significant increase in gambling. The increasing in gaming machines in the suburb of Thornleigh is unlikely to generate any unreasonable social impacts.

In any event, the *Legislation* –through Section 209 (3) of the *Gaming Machines Act* – prevents councils from taking the presence, or potential presence, of gaming machines on licensed premises into account in determining development applications. It reads:

209 Relationship with Environmental Planning and Assessment Act 1979

- (1) An environmental planning instrument (whether made before or after the commencement of this section) under the Environmental Planning and Assessment Act 1979 cannot prohibit or require development consent for, or otherwise regulate or restrict, the installation, keeping or operation of approved gaming machines in hotels or on the premises of clubs or any other premises.*
- (2) If an environmental planning instrument contains any provision in contravention of subsection (1), the provision is taken to have no effect.*

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- (3) A consent authority (within the meaning of the *Environmental Planning and Assessment Act 1979*) cannot:
- a. as a condition of any development consent under that Act, prohibit or otherwise regulate or restrict the installation, keeping or operation of approved gaming machines in a hotel or on the premises of a club or any other premises, or
 - b. refuse to grant any such development consent to a hotel or club for any reason that relates to the installation, keeping or operation of approved gaming machines in a hotel or on the premises of a club.
- (4) The installation, keeping or operation of an approved gaming machine in a hotel or on the premises of a club is not an activity for the purposes of Part 5 of the *Environmental Planning and Assessment Act 1979*.
- (5) Any approval or authorisation under this Act to keep an approved gaming machine in a hotel or on the premises of a club is not an approval for the purposes of Part 5 of the *Environmental Planning and Assessment Act 1979*.

The licensee will be required to submit a *Community Impact Statement* to the Department of Gaming and Racing when an application is made to for a licence at the proposed premises, which will assess in detail the potential impact of the introduction of another venue for gaming in the area.

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4.0 STAKEHOLDERS & COMMUNITY CONSULTATION

As community and stakeholder consultation is not a requirement of Hornsby Shire Council, and as key stakeholders and the community will have the opportunity to comment on the subject application when it the Development Application is advertised by Council. Additional consultation will be undertaken as part of the *Community Impact Statement* process when the liquor and gaming licensed are applied for, no community consultation has been undertaken as part of the preparation of this SIA.

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5.0 KEY CHANGES

The key changes that will arise if consent is granted for the proposed development include:

Change of use:

The proposed development results in a change of use of part of the site, with the established, predominant use of the site as an hotel retained, with an extension to accommodate the new lobby and back of house area and with the addition of a licensed area.

The proposed alterations and additions represent a minor change in use on the site. There is nothing about this change that is unusual or unexpected given the long association with hotels including a licensed premise.

Intensification of use of the site:

The proposed alterations and additions represent an intensification of use on the site, including potentially increased patronage with patrons visiting the licensed premises.

The intensification of the hotel uses on the site is not unexpected or unusual due to the retention of the existing hotel accommodation as the primary use on the site, and the traditional association of hotel accommodation and licensed premises.

Given the sites location on Pennant Hills Road, and the traffic it carries in line with its arterial road uses, and the adjacent fast food outlets and storage, the intensification of use on the site is unlikely to generate any discernible impacts.

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Change of Visual Presentation of the site:

The proposed alterations and additions change the visual presentation of the site to Pennant Hills Road. The proposed changes are considered to be an improvement of the visual presentation of the site with more active uses along the street frontage, and a more modern façade.

Introduction of a licensed premises:

The inclusion of a licensed premises within an hotel providing accommodation is not unusual or unexpected, and traditionally all hotel premises included accommodation in addition to licensed areas.

While there is the potential for social harms to be generated through the irresponsible consumption of alcohol, and problematic gaming, in the specific context of the subject site, these risks will be minimised through the separation of the venue from other licensed premises; the licensed premises being a secondary use to the primary accommodation use; security features proposed; proximity to public transport; and a comprehensive *Plan of Management* proposed.

6.0 SOCIAL IMPACT ASSESSMENT

The social impact potential of the proposed development is assessed against the following criteria:

- Population change
- Housing
- Access and Mobility
- The health and safety of the community
- Social Cohesion
- Community structure, character, values & beliefs
- A sense of place and community
- Community facilities and links
- Interaction between the development and the community
- Social equity, socio-economic groups & the disadvantaged
- Social displacement
- Social change management
- Public interest

To the extent that amenity issues such as noise and traffic and parking can be addressed in social impact terms, they are also considered.

6.1 Population Change

The proposed development does not result in any changes to the existing or future resident population as it relates to alterations and additions to the ground floor of an existing hotel premises, and no increase or reduction in the population will result.

6.2 Housing

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The subject application will have no impacts in terms of housing in the area. There will be no increase or reduction in housing as a result of the proposed alterations and additions.

6.3 Access and Mobility

The proposed alterations and additions will not impede access or mobility through the site. There is potential for increased accessibility with all ground floor spaces being linked.

The proposed bistro, sports bar, gaming room and amenities have been designed to facilitate access through the spaces. An accessible bathroom is provided on the first floor, and lift access provided to this floor.

6.4 Health and safety of the community

The proposed alterations and additions are unlikely to result in any significant impacts in terms of safety of the community.

As noted in Chapter 3.2, the suburb of Thornleigh current enjoys low rates and densities of most crimes, with the exception of theft which has a higher rate, but ranked in the lowest density for this crime.

The proposed new hotel premises has been designed of Crime Prevention Through Environmental Design (CPTED) Principles to ensure that there are reduced opportunities for crime on the site and the surrounding area. In addition to the increased surveillance on the surrounding streets, and electronic surveillance throughout the foyer and licensed areas, entrances and exits, and the basement car parking area in the form of CCTV monitoring and a back to base alarm system, will improve safety around the site.

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The following recommendations are proposed to ensure CPTED principles are applied:

Surveillance recommendations:

- Lighting: ensure all communal areas, including entrances, car parks and landscaped areas, are well lit;
- CCTV: install CCTV at the entrance of car parks (if not already in place), at the bar/bistro and gaming room entrances and where required in the licensed premises; and
- Security: The premises should engage a security contractor to undertake regular inspections of the surrounding area at night, and when events are held at the nearby stadiums when patron numbers are likely to be bigger.

Access control recommendations

- The licensed premises should utilise good quality locking doors, while rear doors should be locked at all times. All glass walls and doors should be reinforced. While a monitored security alarm system should be installed;
- Accommodation: Access to all communal entrances should be restricted via an electronic swipe card; and
- Security: ensure that the new spaces (lobby, bar, bistro and gaming area) are protected by an electronic security system.

Territorial Reinforcement recommendations

- Signage: Provide signage identifying restricted areas to communal open space areas, hotel lobby/ies and car parks and the restricted areas of the premises;
- Way finding: Provide signage to direct both hotel guests and licensed premises guests; and
- Perimeter: Perimeters should be clearly defined through design and a change in materials to guide behaviour and indicate restricted access.

Space Management

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- Maintenance: Implement an on-going maintenance plan.

The proposed development is unlikely to generate any negative social impacts in terms of safety.

The *Live Data* report for the Hornsby LGA, compiled by the Office of Liquor and Gaming notes that the alcohol attributable death rate is lower than the average across NSW, but the alcohol-attributable hospitalisations rate is higher:

	Hornsby LGA	NSW
Alcohol-attributable death rate (per 100,000 population)	12.8	20
Alcohol-attributable hospitalisations (per 100,000 population)	599.3	542.1

<https://livedata.liquorandgaming.nsw.gov.au/Suburb/4148-Thornleigh>

The data also indicates alcohol-attributable deaths in the Hornsby LGA decreased by 9.9% between 2015/2016 and 2017/2018 and alcohol-related hospitalisations increased by 28.8% between 2015-2017 and 2017-2019. Data for the suburb of Thornleigh is not available.

Alcohol-related health risks and consequences tend to be different for people in different age groups. In general, the main alcohol-related problems for young people are associated with high-risk consumption or binge drinking which can result in road accident trauma as well as acute health harm such as alcohol poisoning. Alcohol-related health problems for adults tend to involve chronic effects as a result of longer-term drinking such as cirrhosis of the liver, cancer and brain damage. However, there are also identified health benefits in the adult population attributed to low to moderate alcohol consumption.

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There is little a specific licensed premise can do to control the drinking of someone for whom their alcohol consumption has become problematic as it is an individual choice to drink, or to stop drinking. While harm minimisation strategies such as responsible service of alcohol practices can reduce the potential for alcohol-related problems to some degree, the extent to which community-wide alcohol-related health problems can be redressed by individual hotels and their management practices is limited. Research has shown that community based harm minimisation and risk avoidance strategies such as peer education programs, school based drug education and health promotion programs are most successful in reducing alcohol-related health problems for both young people and adults (NDRC Report, 2004). The most effective ways to minimise alcohol-related problems is, therefore, a combination of community-based harm minimisation strategies and responsible service of alcohol practices employed by hotels, such as those which will be practiced by the proposed hotel (see Chapter 6.0). By rigorous application of its responsible service of alcohol practices, the proposed hotel will play its part in minimising the incidence for alcohol-related problems in the community.

While there is little a licensed premise can do to control an individual's levels of alcohol consumption, the proposed premises will participate in an individual's exclusion plans when requested.

The proposed premises will have a zero tolerance approach to the consumption of other substances on the premises and patrons will only be able to consume alcohol purchased at the bar areas.

There is nothing about the proposed development that is likely to result in any changes to the crime or health rates in the suburb of Thornleigh.

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6.5 Social Cohesion

There is nothing about the addition of a licensed premises associated with the existing Ibis Hotel that is likely to generate any negative impacts in terms of social cohesion.

Providing a bistro and bar at the hotel will provide opportunities for those staying at the hotel to socialise with each other.

The proposed bistro and bar may provide an opportunity for residents and workers in the area to meet and socialise.

6.7 Community structure, character, values & beliefs

There is nothing about the proposed development that is likely to result in any discernible impacts on community structure, character, values or beliefs.

Licensed premises within hotels are an accepted feature associated with accommodation.

The proposed development does not remove, or add any accommodation in the area, and therefore will not result in any changes to the existing community structure.

The proposed development replaces an existing hotel with a new hotel premises, including accommodation, but with the addition of a licensed hotel premise and as such, does not result in material changes to the site or the local area.

6.8 A sense of place and community

To the extent that local bars and bistros provide meeting places for the local community, the proposed alterations and additions can be seen to provide a

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positive impact in terms of contributing to a sense of place and community. This is particularly so in the suburb of Thornleigh where there are currently no other hotel premises.

The proposed development represents an addition to the existing hotel providing a licensed hotel premises on a site located on an arterial road, and in an area characterised by commercial uses and as such, no negative impacts on a sense of place or community are generated.

6.9 Community facilities and links

As the proposed development relates to a site associated with hotel accommodation no community facilities or links are removed from the area.

A list of nearby services and facilities is included at Appendix B. As can be observed, there are no potentially sensitive uses anywhere in the surrounding area, with the exception of the Chinese Australian Baptist Church, Thornleigh at 235 Pennant Hills Road.

The proposed licensed premises is unlikely to result in any impeded access to the Church, or result in any negative impacts in terms of the operation of the church. The proposed licensed area, while oriented towards the Pennant Hills Road frontage, will be screened from the Church by the existing, established trees along the subject site frontage. While the site is visible from the Church site, in particular the first floor of the Church, the Church is unlikely to experience any noise or other impacts in the context of Pennant Hills Road and the traffic it carries in line with its arterial road functions.

The site is located close to the Thornleigh Community Centre. This centre is a community hall able to be hired for functions and no services are run from the centre.

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6.10 Interaction between the development and the community

The proposed development will result in a more active use of the street frontage to Pennant Hills Road compared to the current situation, and as such, there may be additional interaction between the uses on the site and the community. There is nothing about any potential increases in interaction that is likely to generate any negative impacts.

As noted in the foregoing, the application of CPTED principles in the design and layout of the proposed development and CCTV monitoring of the site, will deter any potentially negative interactions.

6.11 Social equity, socio-economic groups and the disadvantaged

As noted in Chapter 3.0, residents of the suburb of Thornleigh generally display robust socio-economic and demographic characteristics. The only groups that may be at-risk of social harm as a result of the proposed development are one parent families

There is nothing about the proposed development that is likely to generate any negative impacts on one parent families in the area.

6.12 Social displacement

The proposed development does not result in any changes in terms of population. The proposed alterations and additions relate to changes to the ground floor of an existing hotel accommodation site and therefore, no social displacement will occur as a result.

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6.13 Social change management

As the subject application relates to a hotel premises, and no additional, permeant resident population will be generated as a result, no social change requiring management is required.

6.14 Amenity

To the extent that amenity issues can be addressed in social impact terms, the following comments are made:

Noise:

An *Acoustic Assessment* prepared by Pulse White Noise Acoustics accompanies the DA. That Assessment concludes:

Pulse White Noise Acoustics (PWNA) have been engaged to undertake an acoustic assessment of the proposed licensed venue extension for the Ibis Hotel Thornleigh situated at 200 Pennant Hills Road, Thornleigh.

- *Minimum acoustic performances and associated indicative constructions for the building envelope have been provided in section 6.1 of this report. The recommended treatments have been provided to ensure compliance with the objectives presented in section 5.*
- *To control noise impacts at external receivers, recommended indicative treatments for major engineering services have been provided in section 0.*
From our review we have formulated the following opinion:
 - *At this stage of the project the exact selections/locations of plant items are not known. A preliminary assessment, however, has been carried out using our experience with similar types of developments and the typical plant items installed in each type of plant room.*

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- *From this review we recommend the selection of high-performance acoustic treatment to ensure that the operation of the plat items comply with the project criteria. Therefore, it is recommended that prior to the issue of a Construction Certificate (CC) a detailed acoustic assessment is undertaken to ensure all cumulative noise from engineering services (including the roof plant room) comply with the requirements as listed in section 5.2.*
- *Detailed acoustic modelling has indicated that noise from the operation of the licensed venue elements of the development are likely to result in compliance with the typically imposed NSW Liquor and Gaming acoustic requirements. To ensure compliance, recommended building and management controls are recommended in this report.*
- *An assessment of the impacts associated with number of vehicles on surrounding public roads around the site and the impact is less than 2dBA and therefore is compliant with the NSW EPA RNP.*

Traffic & Parking:

A *Traffic and Parking Impact Assessment* prepared by The Transport Planning Partnership (TTPP) accompanies the DA. That report assesses both the potential traffic generation potential of the proposed development, as well as the potential parking and loading implications of the proposed development.

This traffic and parking assessment relates to the proposed modifications to the existing Ibis Hotel located at 200-212 Pennant Hills Road, Thornleigh, also known as Ibis Sydney Thornleigh.

The proposed development involves converting a portion of the existing ground floor to construct a new 2-storey extension to accommodate a new lobby, sports bar, bistro, VIP lounge, smoking bar and back of house.

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It is expected that visitors of the proposed bar, bistro and VIP lounge areas would comprise primarily of hotel patrons or local clientele, particularly the residents as well as employees in the vicinity of the site who will be able to walk to the hotel at lunch time or after work. Hence, the proposed development is not expected to generate significant external trips or additional parking demand to the site.

The site also has good accessibility to public transport with bus stops located immediately in front of the site and is within walking distance to Thornleigh Station.

Also given the size of the proposed bar, bistro and VIP lounge areas, any additional traffic or parking demand from other visitors (i.e. not hotel patrons) is expected to be minimal. As such, any net difference in traffic generation and parking demand of the proposed development would not have any noticeable impact on the surrounding road network.

Littering/Vandalism/Anti-Social Behaviour:

Garbage and waste collection strategies will be put in place, to manage waste from the bar, bistro and accommodation as detailed in the *Waste Management Plan* prepared by MRA Consulting Group accompanying the DA and details the proposed management of waste on the site.

With the implementation of CPTED principles in the design of the proposed development, including casual surveillance and CCTV monitoring, the potential for vandalism and anti-social behaviour is reduced. There is nothing about the proposed development that is likely to generate any increase in vandalism, anti-social behaviour or littering in the local area.

Privacy and overlooking

As the subject site is not located adjacent to any residential or sensitive uses, no issues pertaining to privacy and overlooking are generated.

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6.15 Public Interest Benefits

Responsible consumption of alcohol is a lawful, socially acceptable, recreational activity which provides considerable social benefit to large numbers of people in the community. Similarly, gambling is also a social recreational activity that is legal and gives people enjoyment. Outlets for the sale of alcohol and provision of gaming therefore, have the potential for significant positive social impact in the way they serve this legitimate community demand. This positive social impact is best expressed as a public interest benefit for the local community of the proposed hotel. It is appropriate that this positive social impact potential of the proposed hotel be included in the social impact assessment process in the interest of providing a balanced overview of all of the potential implications of the application.

The application for the alterations and additions to the existing hotel has the potential to generate the following public interest benefits:

- The proposed new hotel will provide hotel guests, residents, workers and visitors to the area with a modern recreation and entertainment venue.
- Improved presentation of the site to the street.
- Shareholders and the workforce of companies involved in the operation of the proposed hotel should also derive some socio-economic benefit if the application is granted. In this respect, the proposal will contribute to the overall social and economic health of the wider community.
- Employment opportunities will be created in both the building and operation of the proposed hotel.
- Local community organisations and charities will benefit as they typically receive donations and support from hotels.

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7.0 IDENTIFIED SOCIAL IMPACTS AND PROPOSED ENHANCEMENT AND MITIGATION MEASURES

While it is acknowledged that the proposed development represents an intensification of use of the site, that intensification of use is not out of character within business zones. Any impacts generated by the intensification of use of the site are likely to be associated with noise and traffic, which have been separately addressed in reports accompanying the DA.

Negative short-term impacts that may be generated are amenity related impacts associated with demolition and construction. Any potentially negative impacts associated with construction can be mitigated through conditions of development consent.

The proposed licensed hotel incorporates a number of mitigation measures, including:

- Through staff training and hotel operation, the proposed hotel will operate in accordance with the *Harm Minimisation and Responsible Service of Alcohol Policy* accompanying the application. This policy aims to eliminate harm associated with the consumption of alcohol.
- The proposed hotel will adopt the *House Policy*, a copy of which accompanies the application. The *House Policy* is directed towards ensuring that:
 - persons under 18 years of age do not purchase liquor or have liquor purchased on behalf of them
 - liquor is not sold to intoxicated persons
- The proposed hotel will provide continuing staff education on the potential dangers of excessive alcohol consumption and responsible service of alcohol practices.
- The proposed hotel will participate in the Hornsby Liquor Accord and adopted the Responsible Service of Alcohol policy supported by that Accord.

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- The proposed hotel will operate in accordance with the *Plan of Management* that accompanies the application.
- Management and staff will ensure that the hotel and its immediate environs are well maintained and clean and devoid of litter.
- Hotel staff will support an individual's self-exclusion plan on request.
- An incident register will be kept on the premises and will be provided to Police at request.
- CCTV will monitor the internal and external areas of the hotel.

As noted in Chapter 6.15, the proposed development generates a number of public interest and other social benefit. These positive social impacts will only be realised if the subject application is approved.

8.0 SUMMARY & CONCLUSION

The social impact potential of the subject application for the proposed alterations and additions to the existing Ibis Hotel at 200-212 Pennant Hills Road, Thornleigh is assessed in this report by reference to:

- the type of licensed premises that is proposed, and outlet density;
- the potential of the proposed hotel to involve an unreasonable risk of social detriment to elements of the community who are at-risk of social harm;
- the potential effect of the proposed hotel on properties in close proximity to the proposed hotel, and the occupiers of those properties;
- the impact potential of the proposed hotel on the amenity and character of the local community; and
- public interest benefits.

The assessment set out in this report examines a variety of characteristics of the proposed hotel, the suburb of Thornleigh and the Hornsby Shire Local Government Area, and on that basis identifies a range of potential positive and negative impacts. The proposed hotel is unlikely to generate any unreasonable social impacts given the location of the subject site on a main road and separated from any sensitive facilities. Any potentially negative impacts generated by the operation of the proposed hotel are able to be mitigated through operational characteristics and in consultation with the applicant.

The proposed development is likely to generate a number of positive social impacts, as follows:

- The proposed hotel will provide hotel guests, residents, visitors and workers in the area with a modern recreation and entertainment venue.
- Shareholders and the workforce of companies involved in the operation of the proposed hotel should also derive some socio-economic benefit if the application is granted. In this respect, the proposal will contribute to the overall social and economic health of the wider community.

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- Employment opportunities will be created in both the building and operation of the proposed hotel for local residents.
- Local community organisations and charities will benefit as they typically receive donations and support from hotels.

The proposed development will have no material impact on the current socio-economic and demographic characteristics of the area.

The design and layout of the proposed hotel, as well as its operational characteristics and the experience of the applicant in operating hotels will all contribute to the introduction of a premises with a robust *Plan of Management* that contributes to the dining and entertainment needs of the local community.

APPENDIX A

DEMOGRAPHIC PROFILE

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Demographic Profile Table

Demographic Characteristic	Thornleigh suburb	Hornsby Shire Council	Greater Sydney	NSW
Total Persons	8,464	142,667	4 823 991	7 480 228
Aboriginal and/or Torres Strait Islander peoples	42 (0.5%)	664 (0.5%)	70 135 (1.4%)	216 176 (2.8%)
NESB Persons				
(i) No. born overseas in non-English speaking country.	2,230 (26.3%)	42,495 (29.7%)	1 474 715 (30.5%)	1 646 057 (22.0%)
(ii) No. speaking lang. other than English at home	2,383 (28.1%)	44,377 (31.1%)	1 727 574 (35.8%)	1 882 015 (25.1%)
In need of assistance	317 (3.7%)	6,204 (4.3%)	236 139 (4.9%)	402 048 (5.3%)
Age range:				
0-4 years	580 (6.9%)	8,284 (5.8%)	310,173 (6.4%)	465,135 (6.2%)
5-14 years	1,219 (14.4%)	19,590 (13.7%)	590,126 (12.2%)	921,195 (12.3%)
15-19 years	610 (7.2%)	9,677 (6.8%)	288,362 (5.9%)	448,425 (5.9%)
20-24 years	474 (5.6%)	8,372 (5.9%)	340,737 (7.0%)	489,673 (6.5%)
25-34 years	811 (9.6%)	14,697 (10.3%)	774,405 (16.0%)	1,067,524 (14.2%)
35-44 years	1,339 (15.9%)	20,695 (14.5%)	696,037 (14.4%)	1,002,886 (13.4%)
45-54 years	1,277 (15.0%)	21,080 (14.8%)	627,580 (13.0%)	977,984 (13.0%)
55-64 years	973 (11.5%)	17,202 (12.1%)	524,011 (10.8%)	889,763 (11.9%)
65-74 years	661 (7.8%)	12,158 (8.5%)	372,488 (7.7%)	677,020 (9.0%)
75-84 years	387 (4.5%)	7,073 (5.0%)	204,051 (4.2%)	373,115 (4.9%)
85 years and over	138 (1.6%)	3,841 (2.7%)	96,022 (1.9%)	167,506 (2.2%)
Unemployment rate	4.0	4.8	6.0	6.3
Median weekly household income	\$2,262	\$2121	\$1750	\$1486
Med Age	39	40	36	38
Ave household size	3	2.9	2.8	2.6
Marital status (15yrs+)				
Married	3,905 (58.7%)	67,498 (58.8%)	1 934 134 (49.3%)	2 965 285 (48.6%)
Separated	136 (2.0%)	2,265 (2.0%)	111 495 (2.8%)	190 199 (3.1%)

ATTACHMENT 9 - ITEM 4

SARAH GEORGE CONSULTING

Demographic Characteristic	Thornleigh suburb	Hornsby Shire Council	Greater Sydney	NSW
Divorced	455 (6.8%)	7,199 (6.3%)	298 433 (7.6%)	512 297 (8.4%)
Widowed	266 (4.0%)	5,785 (5.0%)	185 646 (4.7%)	331 655 (5.4%)
Never married	1,896 (28.5%)	32,046 (27.9%)	1 393 988 (35.5%)	2 094 457 (34.3%)
Family composition				
Couple families with dependent children under 15 years and other dependent children	1,331 (57.5%)	22,244 (56.5%)	501 238 (40.1%)	718 364 (37.0%)
Couple families with no children	651 (28.1%)	12,146 (30.9%)	416 588 (33.4%)	709 524 (36.5%)
One parent families with dependent children	297 (12.8%)	4,486 (11.4%)	113 772 (9.1%)	192 626 (9.9%)
Other families	34 (1.5%)	462 (1.2%)	22 992 (1.8%)	32 483 (1.6%)
Car ownership (dwellings)				
None	113 (4.2%)	2,958 (6.3%)	179 500 (11.0%)	239 625 (9.2%)
One	984 (36.4%)	16,536 (35.2%)	603 062 (37.1%)	946 159 (36.3%)
Two	1,106 (40.9%)	17,916 (38.1%)	532 633 (32.8%)	887 849 (34.0%)
Three	288 (10.7%)	5,543 (11.8%)	164 918 (10.1%)	283 044 (10.8%)
4 or more	153 (5.7%)	3,050 (6.5%)	89 744 (5.5%)	152 500 (5.8%)
Housing				
Sep house	2,183 (81.1%)	34,488 (73.4%)	924 225 (52.5%)	1 729 820 (59.8%)
Semi-detached	456 (16.9%)	4,099 (8.7%)	227 238 (49.8%)	317 447 (35.7%)
Unit	42 (1.6%)	8,135 (17.3%)	456 233 (25.9%)	519 380 (17.9%)
Other dwelling	3 (0.1%)	128 (0.3%)	9 129 (0.5%)	23 583 (0.8%)
Unoccupied dwellings	154 (5.4%)	2,973 (5.9%)	136 055 (7.7%)	284 741 (9.8%)
Home fully owned	913 (33.9%)	16,671 (35.5%)	472 635 (29.1%)	839 665 (32.2%)
Being purchased	1,186 (44.0%)	18,600 (39.6%)	539 917 (33.2%)	840 665 (32.2%)
Private rental	454 (16.8%)	9,360 (19.9%)	485 404 (29.9%)	722 020 (27.7%)
Public housing	82 (3.0%)	618 (1.3%)	67 845 (4.1%)	104 902 (4.0%)
Number of bedrooms				
0	3 (0.1%)	212 (0.5%)	12 812 (0.7%)	17 157 (0.6%)

ATTACHMENT 9 - ITEM 4

SARAH GEORGE CONSULTING

Demographic Characteristic	Thornleigh suburb	Hornsby Shire Council	Greater Sydney	NSW
1	86 (3.2%)	2,140 (4.6%)	118 881 (7.3%)	157 194 (6.0%)
2	212 (7.9%)	7,906 (16.8%)	402 675 (24.8%)	577 675 (22.1%)
3	1,199 (44.5%)	14,315 (30.5%)	548 987 (33.8%)	970 001 (37.2%)
4	901 (33.4)	16,103 (34.1%)	376 427 (23.1%)	633 184 (24.3%)
5	210 (7.8%)	4,573 (9.7%)	101 053 (6.2%)	148 851 (5.7%)
6+	46 (1.7%)	996 (2.1%)	23 774 (1.4%)	34 370 (1.3%)
Migration				
Same add 1yr ago	7,042 (84.2%)	117,022 (82.8%)	3 695 742 (77.5%)	5 718 965 (77.3%)
Same add 5 yr ago	5,018 (63.6%)	81,858 (60.9%)	2 402 160 (53.2%)	3 775 527 (53.8%)
Occupation				
Manager	643 (15.3%)	11,022 (15.6%)	311 762 (13.7%)	456 084 (13.5%)
Professional	1,531 (36.5%)	23,871 (33.7%)	597 798 (26.3%)	798 126 (23.6%)
Technical & Trade	403 (9.6%)	6,925 (9.8%)	265 056 (11.6%)	429 239 (12.7%)
Community	344 (8.2%)	6,254 (8.8%)	218 206 (9.6%)	350 261 (10.3%)
Clerical	598 (14.2%)	10,364 (14.6%)	331 135 (14.5%)	467 977 (13.8%)
Sales	330 (7.9%)	5,835 (8.2%)	205 051 (9.0%)	311 414 (9.2%)
Machinery op	91 (2.2%)	1,751 (2.5%)	128 020 (5.6%)	206 839 (6.1%)
Labourer	201 (4.8%)	3,751 (5.3%)	171 450 (7.5%)	297 887 (8.1%)
Travel to work				
Car driver	2,017 (48.0%)	35,112 (49.6%)	1 197 269 (52.6%)	1 953 399 (57.7%)
Train	880 (20.9%)	11,689 (16.5%)	247 051 (10.8%)	252 786 (7.4%)
Bus	24 (0.5%)	2,456 (3.5%)	125 503 (5.5%)	133 903 (3.9%)

Source: 2016 Census data (www.abs.gov.au) – General Community Profile – as at April 2021

ATTACHMENT 9 - ITEM 4

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APPENDIX B

SERVICES IN THE LOCAL AREA

ATTACHMENT 9 - ITEM 4

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Service/Facility	Distance to subject site (straight line measure)
Homeless services	
Northern Sydney Homelessness Early Intervention and Prevention, Level 1 1 Coronation Street Hornsby	4km
The Dish, Fusion Cottage, 5 Jersey Street, Hornsby	4km
ClothesLine Inc, 111A Cecil Ave, Castle Hill	7km
New Horizons 15 Twin Road, North Ryde	8km
Alcohol and other drug & Gambling services	
Hornsby Drug, Alcohol and Gambling Service, Hornsby Hospital	4km
Ryde Drug and Alcohol Service, Ryde Community Mental Health Centre, 39-41 Fourth Ave, Eastwood	6km
Medical Centres	
Rooftop Medical Practice, 2-12 The Comenarra Parkway, Thornleigh	550m
The Esplanade Medical Practice, 22 The Esplanade Thornleigh	600m
Hope Medical Centre, 8B Station Street	700m
Education Establishments	
Thornleigh West Public School, Giblett Ave	1.6km
Other	
Thornleigh Community Centre, Lot 200 Phyllis Avenue, Thornleigh	130m
Chinese Australian Baptist Church, 235 Pennant Hills Road	98m

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APPENDIX C

EXPERIENCE AND QUALIFICATIONS OF THE AUTHOR

SARAH GEORGE CONSULTING

Sarah George – BA (Sociology/Psychology), Cert IV Youth Work; Cert IV Training and Assessment**QUALIFICATIONS:**

Bachelor of Arts majoring in Psychology & Sociology (Macquarie University);
Certificate IV – Workplace Training & Assessment, Youth Work Certificate IV (TAFE NSW), Teaching by Distance (TAFE NSW)

EXPERIENCE:

In practicing as a consultant since 2006, I have completed assignments for of clients in the private, public and government sectors, including:

- preparation of Statements of Evidence and representation as an Expert Witness in the Land and Environment Court of NSW;
- preparation of the City of Sydney Council's Alcohol-Free Zone Policy Review & Guide;
- preparation of a draft Local Approvals Policy for the City of Sydney ("Sex on Premises Venues");
- preparation of Social Impact Assessments for Development Applications, including State Significant Developments, mixed use developments, residential flat buildings, Master Plan developments, licensed premises, child care centres, boarding houses, sex services premises and schools; and
- preparation of Community Impact Statements for packaged liquor outlets, on-premises licences for submission to the Office of Liquor, Gaming and Racing.

Prior to commencing as a consultant, I worked in community organisations and in the non-Government and private sectors in numerous roles including:

- Teacher, TAFE Digital – Mental Health, Alcohol and Other Drugs, Youth Work and Community Services
- Project Officer – Education & Development & Chronic Disease Self-Management with Hepatitis NSW
- Case Manager Big Brother Big Sister Mentoring Program with the YWCA NSW
- Drug and Alcohol educator and counsellor

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- Youth Worker

I also worked for several years in a Town Planning Consultancy.

Other:

Volunteer Ethics Teacher – Primary Ethics

Justice of the Peace

5 ELECTRONIC - REPORTING DEVELOPMENT APPLICATIONS FOR DETERMINATION BY THE HORNSBY LOCAL PLANNING PANEL OVER 180 DAYS

EXECUTIVE SUMMARY

- In accordance with the Local Planning Panels Directions - Operational Procedures, Council is required to monitor development applications to be determined by the Panel that may be experiencing unreasonable delays of over 180 days from lodgement.
- A list of out outstanding development applications in excess of 180 calendar days from lodgement is attached for the Hornsby Local Planning Panel's advice.

RECOMMENDATION

THAT the contents of LPP Report No. LPP39/22 be received and noted.

PURPOSE

The purpose of this report is to advise the Hornsby Local Planning Panel of development applications required to be determined by the Panel that are over 180 calendar days from lodgement.

DISCUSSION

In 2019 the NSW Productivity Commission conducted a review of the Independent Planning Commission (IPC). The review recommended several actions to streamline processes to optimise efficiency, output and performance.

The planning panel changes were implemented on 1 August 2020 to incorporate a number of the NSW Productivity Commission 's recommendations to the way Local Planning Panels work to make them more efficient and to improve the assessment and determination times of development applications and maintain panel oversight of sensitive and contentious applications.

These changes were made as part of the Planning Acceleration Program to support the State's immediate and long-term economic recovery from the COVID-19 crisis.

The changes will speed up panel determinations by:

1. Reducing the need to conduct public panel meetings for non-contentious matters by applying a '10-or-more' objection trigger for public meetings.
2. Reducing the amount of modifications going to panels.
3. Obliging panel chairs to more actively manage development applications (DAs) coming to the panels to reduce panel deferrals and assessment timeframes.
4. Allowing chairs to bring forward determination on DAs that are experiencing unreasonable delays of over 180 days from lodgement.
5. Introducing panel performance measures.

The Local Planning Panels Directions - Operational Procedures has been amended to:

- Require panels to make determinations within two weeks of being provided an assessment report.
- Require panels to hold a public meeting only where the Development Application has attracted 10 or more unique submissions by way of objection.
- Allow, at the Chair's discretion, applicants to attend a briefing, along with council staff, to explain complex matters or present confidential or commercially sensitive material.
- Oblige panel chairs to work with council to ensure key issues are addressed during assessment in order to minimise deferrals by the panels at determination stage.
- Require the panels to provide reasons for deferring a decision and set timeframes in which any additional information must be provided in order to finalise the determination.
- Give panel chairs the ability to require council to report a DA to the panel within four weeks for determination if the application has experienced unreasonable delays in excess of 180 calendar days from lodgement.

In accordance with Point 6 of the Local Planning Panels Directions - Operational Procedures, attached is a list of development applications required to be determined by the Panel that are over 180 calendar days from lodgement.

CONCLUSION

Council is required to monitor development applications to be determined by the Panel that are over 180 calendar days from lodgement. This report provides advice to the Local Planning Panel on DAs that are experiencing unreasonable delays of over 180 days from lodgement.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is the Major Development Manager, Cassandra Williams.

JAMES FARRINGTON

Director - Planning and Compliance

Planning and Compliance Division

Attachments:

1.  DAs Over 180



days

File Reference: F2013/00295-003

Document Number: D08426233

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

DA No.	Proposal	Address	Ward	Reason	Est. Date to LPP	Advice to Chair	No. Days at 29/6
DA/416/2020	10-12 storey mixed use building accommodating retail tenancies at the ground floor, commercial tenancies at first floor, a RACF on Levels 3-11, residential apartment on Level 12 and strata subdivision	228-234 Pacific Highway Hornsby	B	>10% contravention of height & FSR development standard	July	PDU have been assisting Council in expediting Sydney Trains concurrence to enable reporting to LPP, however a formal response from Sydney Trains has not been received.	758
DA/1146/2020	Torrens title subdivision of 1 into 10	90-92 Franklin Road Cherrybrook	C	VPA	Dec	Report to be prepared for revised VPA to be referred to Council. Council staff are meeting with the applicant within the next two weeks to discuss amendments to the proposed subdivision to reduce impacts on EEC vegetation on site.	555
DA/1022/2021	Torrens title subdivision of 1 lot into 64	36-56 David Road Castle Hill	C	VPA	Dec	Amended subdivision layout and supporting documentation currently being prepared following the meeting with Council staff. The applicant is also preparing VPA for review.	272
DA/1244/2021	Demolition of existing structures and construction of seniors living development comprising 33 self-contained dwellings	15B-21 Penrhyn Ave, Beecroft and 579 Pennant Hills Road, West Pennant Hills	C	>10 submissions	Sept	Additional information requested as per second DEP meeting advice and branch requests, 10/06/22 – advised plans due	224

ATTACHMENT 1 - ITEM 5

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

DA No.	Proposal	Address	Ward	Reason	Est. Date to LPP	Advice to Chair	No. Days at 29/6
						11/07/22 - requires re-notification prior to determination	
DA/1308/2021	Alterations and additions to existing industrial building	29 Leighton Place Hornsby	B	>10% contravention of height development standard	Aug	Council's additional information request from 14 March remains outstanding. Further information request has been sent to applicant for action. The developer is currently constructing the adjoining 51 unit industrial building which may be contributing to the delay. The additional information is due to Council by 19 July 2022. Additional information focuses on structural adequacy, further stormwater detail and greater detail surrounding the extent of the variation from the Height of Buildings development standard.	202

ATTACHMENT 1 - ITEM 5