

Wollongong Local Planning Panel Assessment Report | 20 November 2019

WLPP No.	Item No. 1
DA No.	DA-2019/919
Proposal	Construction of awnings over existing amenities block, seating and installation of water tanks
Property	Lot 106 DP 1156609 & Lot 1 DP 940210 - Thomas Gibson Park, Station Street and Brickworks Avenue, Thirroul NSW 2515
Applicant	Thirroul Junior Football Club
Responsible Team	Development Assessment and Certification – City Wide Team (AK)

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel

The proposal has been referred to the Wollongong Local Planning Panel **for determination** pursuant to Section 1(a) of Schedule 2 of the Local Planning Panels Direction of 1 March 2018, as the proposed development is located on land owned by Council.

Proposal

The proposal is for the construction of awnings over existing amenities block, seating and installation of water tanks.

Permissibility

The site is zoned RE1 Public Recreation pursuant to Wollongong Local Environment Plan 2009. The proposed additions to the existing amenities building are considered ancillary to an existing **recreation area** and **recreation facility** for the purpose of the Wollongong Local Environmental Plan 2009. Consequently, the proposal is considered permissible in the zone.

Consultation

The proposal was notified in accordance with Council's Notification Policy and received one (1) submission which is discussed at section 2.8 of the assessment report.

Referrals

Council's Development, Traffic, Building, Environment, Property, Recreation, Heritage, Community Services and Contributions officers have reviewed the application and provided satisfactory referral advice and/or comments.

Main Issues

- Developer Contributions exemption request

This issue is considered to have been satisfactorily addressed as discussed at Section 2.3.2 of the report below.

Conclusion

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section 4.15(1)(B) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

It is considered that the proposed application has been designed appropriately given the nature and

characteristics of the site and is unlikely to result in significant adverse impacts on the character or amenity of the surrounding area.

RECOMMENDATION

It is recommended that DA-2019/919 be approved subject to the conditions provided at Attachment 2.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- SEPP No. 55 – Remediation of Land

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2018

The proposal is satisfactory with regard to the applicable planning controls as discussed in the body of this report.

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal is for the following:

- Construction of two awnings attached to the existing amenities building.
- Stepped concrete slab to create seating areas.
- Installation of tiered seating to the upper and lower areas.
- 2 x 13,500L water tanks

1.1 BACKGROUND

A review of Council records indicates that there is no development application history which relates directly to the proposed additions to the existing amenities building.

No pre-lodgement meeting was held for the proposal.

Customer service actions

There are no outstanding customer service requests of relevance to the development.

1.2 SITE DESCRIPTION

The site is located at Lot 106 DP 1156609 and Lot 1 DP 940210 Thomas Gibson Park Thirroul NSW 2515. Thomas Gibson Park has an overall area of approximately 14.5 acres and is of an irregular shape. The property is owned by Wollongong City Council and services the local community of Thirroul by way of football and rugby league fields, tennis courts and cricket facilities.

Thomas Gibson Park is located close to the centre of Thirroul village and has a variety of land uses located in the surrounding area. Directly adjacent to the western boundary is the south coast railway line with predominately low density residential development beyond. To the north is located low density residential housing consisting of villa developments and conventional dwellings. Directly adjacent to the eastern boundary is Thirroul Bowling Club, a residential complex containing three villas and a single storey dwelling. To the south is located the Sandon Point residential subdivision.

The property is owned by Council and is Community land categorised as Public Recreation - sportsground lands. A generic plan of management applies to the site and the proposed development will not conflict with the provisions of this plan.

Property constraints

Council records identify the land as being impacted by the following constraints:

- Foreshore Building Line
- Acid Sulfate Soils – Class 5
- Flood Risk Precinct – under review

There are no restrictions on the title that preclude assessment of the application.



Figure 1: Aerial photograph



Figure 2: WLEP 2009 zoning map

1.3 SUBMISSIONS

The application was notified in accordance with WDCP 2009 Appendix 1: Public Notification and Advertising. One (1) submission was received and the issues identified are discussed below.

Table 1: Submissions

Concern	Comment
1. Awnings will be misused for seating or play areas. Including by youth at night.	The proposed development will be conditioned to comply with the National Construction Code (BCA) which requires compliant balustrades and fall protection to be in place. It is also noted that the roof area of the existing amenities block is already fully accessible and has been utilised for an extended period of time. It is considered the installation of the awnings will also not impede sightlines for the lower and upper areas of the amenities block.
2. A risk assessment of the awnings should be carried out prior to approval.	Council's Property and Recreation sections have reviewed the proposed development and outlined that a licence agreement is to be entered into with relevant users of the facility. Matters in relation to risk minimisation and ongoing maintenance will be determined at this stage of the project, prior to the issue of a Construction Certificate.

1.4 CONSULTATION

1.4.1 INTERNAL CONSULTATION

Council's Development, Traffic, Building, Environment, Property, Recreation, Heritage, Community Services and Contributions officers have reviewed the application and provided satisfactory referral advice and/or comments.

1.4.2 EXTERNAL CONSULTATION

None required.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION

2.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

7 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider

a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) *The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*

(4) *The land concerned is:*

(a) *land that is within an investigation area,*

(b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*

(c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*

(i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*

(ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

Council records do not indicate any historic use that would contribute to the contamination of the site and the land is not identified as being contaminated on Council mapping. No substantial earthworks are proposed and the proposal does not comprise a change of use. Council's Environment Officer has reviewed the proposed development and has raised no objection. Consequently, no concerns are raised in regard to contamination as relates to the intended use of the land and the requirements of clause 7.

2.1.2 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

recreation area *means a place used for outdoor recreation that is normally open to the public, and includes:*

(a) *a children's playground, or*

(b) *an area used for community sporting activities, or*

(c) *a public park, reserve or garden or the like, and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).*

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned RE1 Public Recreation.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

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

- *To cater for the development of a wide range of uses and facilities within open spaces for the benefit of the community.*

The proposed development is considered to be consistent with the zone objectives.

The land use table permits the following uses in the zone.

*Aquaculture; Boat sheds; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Helipads; Information and education facilities; Kiosks; Markets; **Recreation areas**; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water recreation structures.*

The proposal is categorised as being ancillary to a recreation area as defined above and is permissible in the zone with development consent.

Part 4 Principal development standards

Clause 4.3 Height of buildings

The proposed building height of 6.7m does not exceed the maximum of 9m permitted for the site.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage conservation

The subject site adjoins the Thirroul Railway Station which is listed in Schedule 5 of WLEP 2009 as an item of State heritage significance. As such, a referral has been sent to Council's Heritage Officer who has reviewed the application submission and is satisfied subject to a condition relating to colour selection.

Part 7 Local provisions – general

Clause 7.3 Flood planning area

The subject site is identified as being located within flood prone lands. Council's Stormwater Engineer has reviewed the application submission and is satisfied subject to conditions.

Clause 7.5 Acid Sulfate Soils

It is noted that the subject site is identified as being potentially impacted by acid sulfate soils – class 5. However, due to the minor nature of the proposed development and limited excavation required it is unlikely that acid sulfate soils will be located. A condition of consent relating to the management of any acid sulfate soils encountered is recommended in Attachment 2.

Clause 7.7 Foreshore building line

A portion of the subject site is identified as being located within the foreshore building line. However, the proposed additions to the amenities building are located outside of this area. Nonetheless, a review of the proposal against the relevant controls of Clause 7.7 has been undertaken.

The proposed development is considered satisfactory as the proposal will not adversely impact natural process or amenity of the area, is considered an appropriate extension of an existing building, is consistent with the objectives of the clause, is compatible with the surrounding area and will not adversely impact the use of the open space, access or significance of surrounding areas.

2.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

None applicable.

2.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP.

The proposal is considered to be consistent with the principles of Ecologically Sustainable Development.

CHAPTER D1 – CHARACTER STATEMENTS

The proposed development has been reviewed against the existing and desired character of Thirroul outlined in Chapter D1. As the proposal is of a minor nature it is considered that it will not prejudice the character of the area.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

Appropriate conditions with regards to the DDA are recommended in Attachment 2.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposed development has been assessed against the provisions of Chapter E2. The proposed development is considered a minor addition to the amenities building when considered in the wider context of other sporting infrastructure onsite. In light of the minor works proposed, the additions have been reviewed against the relevant controls listed in Chapter E2.

<i>Control/objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3.1 Lighting</u>	The amenities building is not currently utilised at night for any formal purpose and the proposed additions will not change the current operational usage of the building. The proposed additions will also not increase the usage of pedestrian pathways in the vicinity of the building beyond what is currently occurring.	Yes
<u>3.2 Natural surveillance and sightlines</u>	There are no changes proposed to the existing physical form of the subject building in terms of additional opening or areas of entrapment. Surveillance and sightlines will be maintained throughout the area as the addition of the awnings and seating are design in an open style whilst providing weather protection. No additional pathways or barriers are proposed as part of this development which would impede these sightlines.	Yes
<u>3.3 Signage</u>	The proposed building is not located on a thoroughfare servicing other areas of the recreation area. As such, signage is not considered applicable in this instance.	Yes

<u>3.4 Building design</u>	There is no proposed change to the internal layout or exterior walls of the amenities building. The proposed addition of the two awnings and tiered seating is considered appropriate in this instance and will not adversely impact the safe operation of the building.	Yes
<u>3.5 Landscaping</u>	No landscaping is existing or proposed as part of the application.	Yes
<u>3.6 Public open space and parks.</u>	The existing amenities building is considered a minor structure within the wider sporting complex which has limited entries and exits. The proposed development will not adversely impact the safe operation of this building.	Yes
<u>3.7 Community facilities and public amenities</u>	The subject amenities building is located within close proximity to similar sporting infrastructure at Thomas Gibson park. The proposed additions will increase the functionality of this building consistent with other uses in the area.	Yes
<u>3.8 Bus stops and taxi ranks</u>	It is noted that the proposed development is in close proximity to Thirroul train station which is serviced by bus stops and taxi ranks. However, due to the distance location of the amenities building onsite no additional requirements are relevant in this instance.	Yes

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

Due to the close proximity of the proposed works to the pedestrian footpaths and carpark area a referral to Council's Traffic Engineer has been carried out and a satisfactory referral response has been provided. No specific conditions of consent have been recommended.

CHAPTER E7: WASTE MANAGEMENT

Appropriate conditions with regards to onsite waste management have been recommended at Attachment 2.

CHAPTER E11 HERITAGE CONSERVATION

The subject site adjoins the Thirroul Railway Station which is listed in Schedule 5 of WLEP 2009 as an item of State heritage significance. As such, a referral has been sent to Council's Heritage Officer who has reviewed the application submission and is satisfied subject to a condition relating to material colour.

CHAPTER E13 FLOODPLAIN MANAGEMENT

Council's Stormwater Engineer has reviewed the application submission with regards to flooding and is satisfied subject to conditions.

CHAPTER E14 STORMWATER MANAGEMENT

Council's Stormwater Engineer has reviewed the application submission with regards to stormwater management and is satisfied subject to conditions.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

See Section 2.1.1 above for details.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

Council's Environment Officer has reviewed the proposed development and has raised no objection. Appropriate conditions with regards to demolition and hazardous waste have been recommended at Attachment 2.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions of consent are recommended in regard to appropriate sediment and erosion control measures to be in place during works.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2018

The proposed cost of works for the development is \$152,000.00 however as this application has been lodged on behalf of Council an exemption request from contributions has been submitted in accordance with Section 15(i) on the contributions plan which reads as follows:

(i) An application on behalf of Council for community infrastructure, such as but not limited to libraries, community facilities, child care facilities, recreational areas or facilities and car parks.

This exemption request has been referred to Council's Contributions Officer for assessment who has advised that the proposed development meets the requirements of Section 15(i) and is therefore exempt from paying contributions in this instance.

2.4 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development.

2.5 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

92 What additional matters must a consent authority take into consideration in determining a development application?

The site is not located within the coastal zone and no demolition is proposed.

93 Fire safety and other considerations

Council's Building Surveyor has reviewed the application with regards to building upgrade requirements and recommended appropriate conditions as outlined in Attachment 2.

94 Consent authority may require buildings to be upgraded

Council's Building Surveyor has reviewed the application with regards to building upgrade requirements and recommended appropriate conditions as outlined in Attachment 2.

2.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

Context and Setting:

The proposal is not expected to result in unreasonable impacts on the context and setting of the surrounding area and is considered to be an appropriate development for the site. The proposal is considered to be consistent with the existing and desired future character of the Thirroul area in particular a sports reserve with similar infrastructure.

Access, Transport and Traffic:

The proposal is not envisaged to contribute to unreasonable traffic flows from the site or create negative impacts on the local road network or pedestrian facilities in the locality.

Access, traffic and transport matters have been reviewed by Council's Development Engineer who is satisfied.

Public Domain:

The proposal is not expected to result in adverse impacts on the public domain. It is considered it will enhance the usage of existing amenities within the public recreation area consistent with the objectives of the prevailing zoning.

Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply. Existing utilities are adequate to service the proposal.

Heritage:

Due to the spatial disposition of the proposed development from the heritage listed Thirroul Station it is considered that no adverse impacts will occur. Council's Heritage Officer has also reviewed the application submission and is satisfied subject to a condition relating to appropriate colours being utilised.

Other land resources:

The proposal is considered to contribute to the orderly development of the site and is not envisaged to impact upon any valuable land resources.

Water:

The site is presently serviced by Sydney Water, which can be readily extended to meet the requirements of the proposed development.

The proposal is not envisaged to have unreasonable water consumption.

Soils:

It is noted that the subject site is potentially impacted by acid sulfate soils – class 5. However, due to the minor nature of the proposed development and limited excavation required it is unlikely that acid sulfate soils will be located. The proposal is not expected to have adverse impact on the soils of the subject site or surrounding area.

Air and Microclimate:

The proposal is not expected to have negative impacts on air or microclimate.

Flora and Fauna:

No adverse impacts on flora and fauna are expected from the proposal.

Waste:

A condition will be attached to any consent granted that an appropriate receptacle be in place for any waste generated during the construction.

<p><u>Energy:</u></p> <p>The proposal is not envisaged to have unreasonable energy consumption.</p>
<p><u>Noise and vibration:</u></p> <p>No adverse noise or vibration impacts are expected as a result of the proposed development.</p>
<p><u>Natural hazards:</u></p> <p>Council records list the site as being located within a flood risk precinct which is currently under review. Council's Development Engineer has reviewed the application submission and is satisfied subject to conditions. As such, no natural hazards are expected to adversely impact the proposed development.</p>
<p><u>Technological hazards:</u></p> <p>There are no technological hazards that will impact the proposed development or surrounding lands.</p>
<p><u>Safety, Security and Crime Prevention:</u></p> <p>The existing amenities block has been located onsite for an extended period of time and includes temporary seating on the roof which has also always been fully accessible and utilised for spectator viewing. It is considered that the inclusion of these awnings will still maintain the open nature of these areas and will not result in the likelihood of greater opportunities for criminal or antisocial behaviour or safety and security issues.</p>
<p><u>Social Impact:</u></p> <p>The proposal is not expected to create negative social impacts.</p>
<p><u>Economic Impact:</u></p> <p>The proposal is not expected to create negative economic impacts.</p>
<p><u>Site Design and Internal Design:</u></p> <p>The application does not result in departures from development standards or variations to Councils development control plans.</p>
<p><u>Construction:</u></p> <p>Conditions of consent are recommended in relation to construction impacts such as hours of work, erosion and sedimentation controls, works in the road reserve, excavation, demolition and use of any crane, hoist, plant or scaffolding.</p> <p>A condition will be attached to any consent granted that all works are to be in compliance with the Building Code of Australia.</p>
<p><u>Cumulative Impacts:</u></p> <p>The proposal is not expected to have negative cumulative impacts.</p>

2.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

2.8 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

See Section 1.3 above.

2.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The application is not expected to have unreasonable impacts on the environment or the amenity of the locality. The property is owned by Council and is Community land categorised as Public Recreation - sportsground lands. A generic plan of management applies to the site and the proposed development will not conflict with the provisions of this plan.

Overall, the proposed development is considered appropriate with consideration to the zoning and the character of the area and is therefore considered to be in the public interest.

3 CONCLUSION

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

It is considered that the proposed application has been designed appropriately given the nature and characteristics of the site and is unlikely to result in significant adverse impacts on the character or amenity of the surrounding area.

4 RECOMMENDATION

It is recommended that approval be granted to DA-2019/919 subject to the conditions contained within Attachment 2.

5 ATTACHMENTS

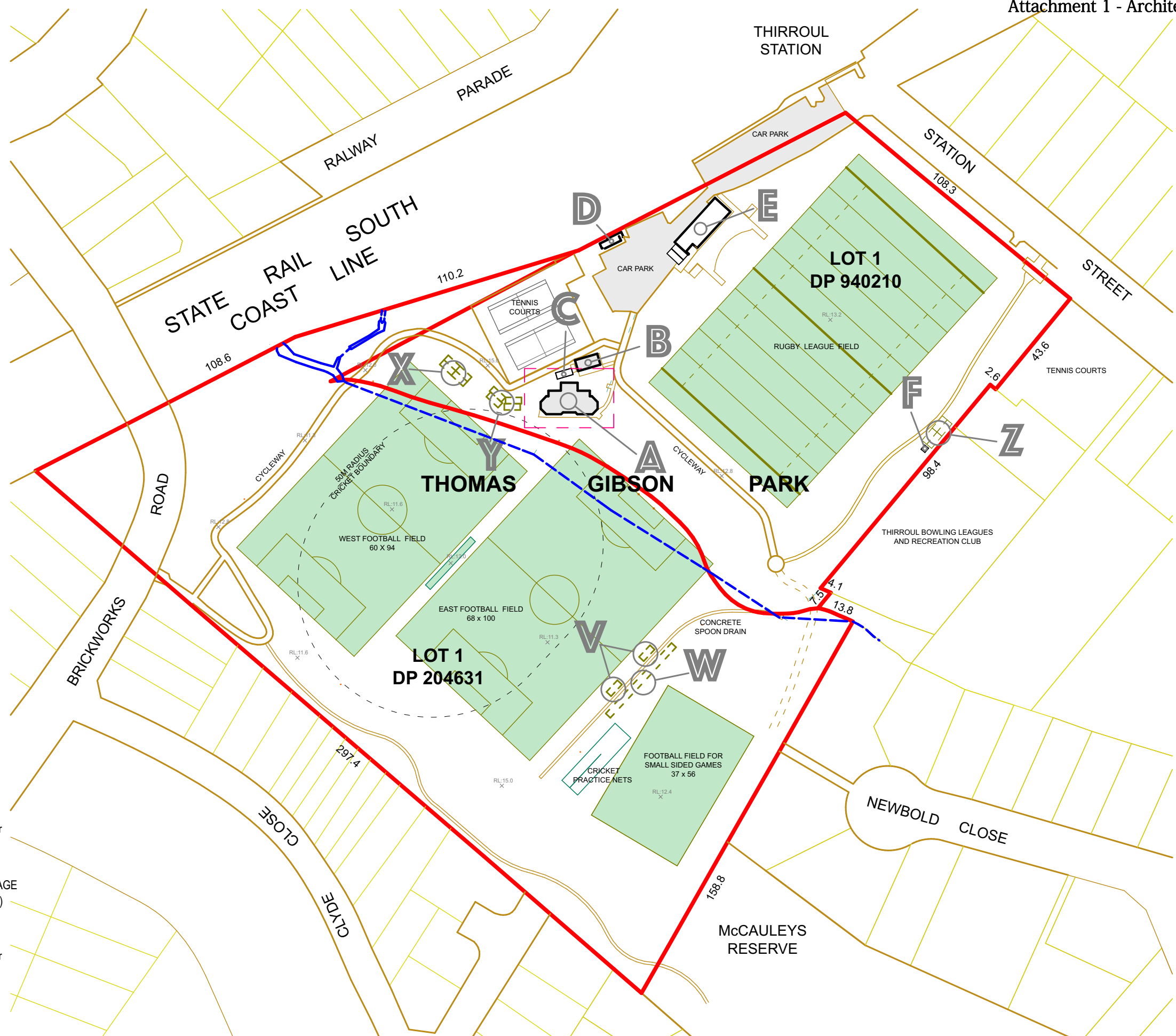
1. Architectural Plans
2. Conditions

EXISTING FACILITIES

- A** EXISTING AMENITIES BLOCK
(Canteen, Public Toilets, Change Rooms)
Subject of this DA
- B** EXISTING CLUB HOUSE
(Storage/Referees' Room)
- C** SHIPPING CONTAINER
(Storage)
- D** EXISTING PUBLIC TOILETS
(Have to be accessed through busy Car Park during Rugby League games)
- E** EXISTING GRAND STAND
(Change Rooms, Canteen under)
- F** EXISTING PUBLIC TOILET
(Two separate cubicles only)

POSSIBLE FUTURE FACILITIES

- V** Possible Future Covered SUBSTITUTIONS BENCHES
- W** Possible Future COVERED SPECTATOR SEATING
- X** Possible Future CHANGE ROOMS and PUBLIC TOILETS
(to allow the the creation of Public Toilets and Storage under Existing Grand Stand ㉔)
- Y** Possible Future CANTEEN, PUBLIC TOILETS, STORAGE
(to replace existing Canteen and Shipping Container ㉔)
- Z** Possible Future CHANGE ROOMS and PUBLIC TOILETS
(to allow the the creation of Public Toilets and Storage under Existing Grand Stand ㉔)



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NOTES

- All Boundary Dimensions are in metres.
- Boundary Dimensions are approximate only.
- All RLs are in metres and to AHD.

LEGEND

- PROPERTY BOUNDARY
- EXISTING OPEN WATER COURSE
- EXISTING UNDERGROUND PIPED WATER COURSE

- LOCATION OF SUBJECT OF THIS DA
- PLAYING FIELDS
- POSSIBLE FUTURE FACILITIES

DRAWING TITLE

Site Plan

Development Application

Proposed Shade Shelter
Thomas Gibson Park,
Station Street, Thirroul, 2515
for Thirroul Junior Football Club Inc.

D.10.1

Issue 01
Scale @ A3 1:1500
July 2019

EXISTING FACILITIES

- A** EXISTING AMENITIES BLOCK
(Canteen, Public Toilets, Change Rooms)
Subject of this DA
- B** EXISTING CLUB HOUSE
(Storage/Referees' Room)
- C** SHIPPING CONTAINER
(Storage)
- D** EXISTING PUBLIC TOILETS
(Have to be accessed through busy Car Park during Rugby League games)
- E** EXISTING GRAND STAND
(Change Rooms, Canteen under)
- F** EXISTING PUBLIC TOILET
(Two separate cubicles only)

SITE USE

Thomas Gibson Park is the "Village Green" of Thirroul. Passive recreation takes place in the form of people walking, running, walking dogs and children playing.

***1** SPORTS FIELDS

Organised sport is in the form of Cricket, Rugby League and Football. The local schools also use the ground for regular weekly sport as well as annual athletics carnivals and cross-country events. Two Tennis Courts exist within the park and there are a further three Tennis Courts adjacent in the forecourt of Thirroul Bowling, Leagues and Recreation Club.

***2** LINK ENTRY

Gibson Park also provides Walking/Cycling Pathways that link Thirroul Railway Station, McCauleys Beach and the residential area to the west of Lawrence Hargrave Drive. A new Pedestrian/Cycleway has recently been constructed to offer access between the new McCauley Beach Estate to the south of Gibson Park and Thirroul Railway Station.

EXISTING WEATHER PROTECTION

Currently there is no protection from adverse weather conditions at Thomas Gibson Park.

***3** The nearest protection from rainstorms is at the nearby Thirroul Railway Station.

***4** Some protection from the Summer sun is available through shading from trees situated at various locations within Thomas Gibson Park. However, not one of these locations is near the main viewing area for soccer, which is around the Existing Amenities Block.

HEWITTS CREEK FLOODPLAIN

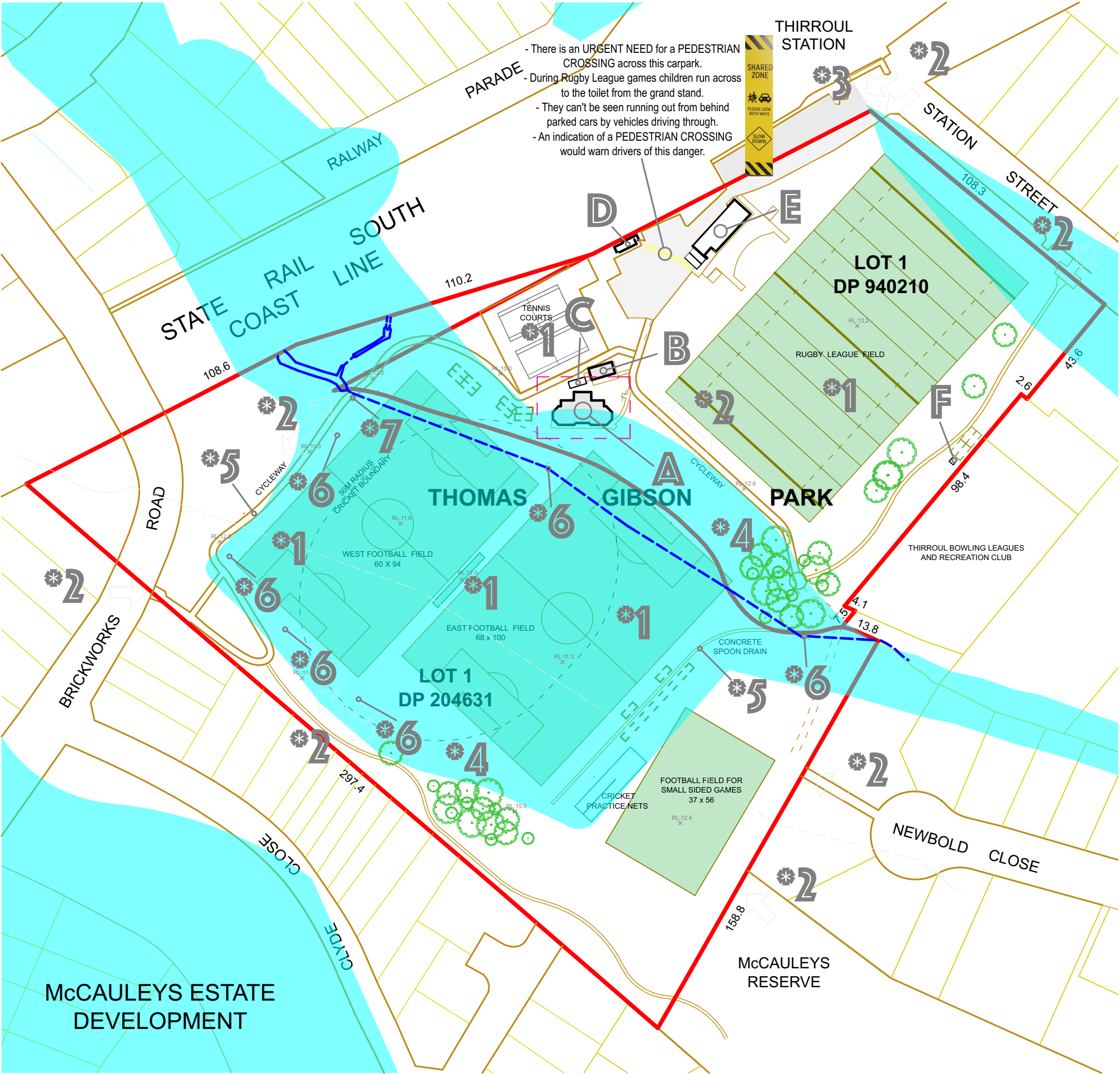
Since the DCP of 2009 there have been obvious changes to the Hewitts Creek Flood Plain. This is primarily evidenced by the approval of the McCauleys Estate Development, located within the adjacent branch of the Hewitts Creek Flood Plain to the south of Thomas Gibson Park.

Within Thomas Gibson Park the following significant changes have occurred that will result in the reduction of the Hewitts Creek Floodplain footprint:

***5** - The contours of Thomas Gibson Park have changed considerably since 2009 with the construction of the Cycleway on the west and the Concrete Spoon Drain on the eastern side of the main soccer fields.

***6** - A drainage system has been installed over the two main soccer fields. This includes five new drainage points that connect directly to the underground piped connection of Hewitts Creek. This is in addition to the two existing open drains

***7** - There is one new above ground direct connection for overflow into the open section of Hewitts Creek on the west and another through the new concrete spoon drain that flows to the piped section on the east.



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NOTES

- All Boundary Dimensions are in metres.
- Boundary Dimensions are approximate only.
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LEGEND

- HEWITTS CREEK FLOODPLAIN as shown in WOLLONGONG DCP 2009
- EXISTING OPEN WATER COURSE
- EXISTING UNDERGROUND PIPED WATER COURSE
- LOCATION OF SUBJECT OF THIS DA
- PLAYING FIELDS
- CYCLEWAY

DRAWING TITLE

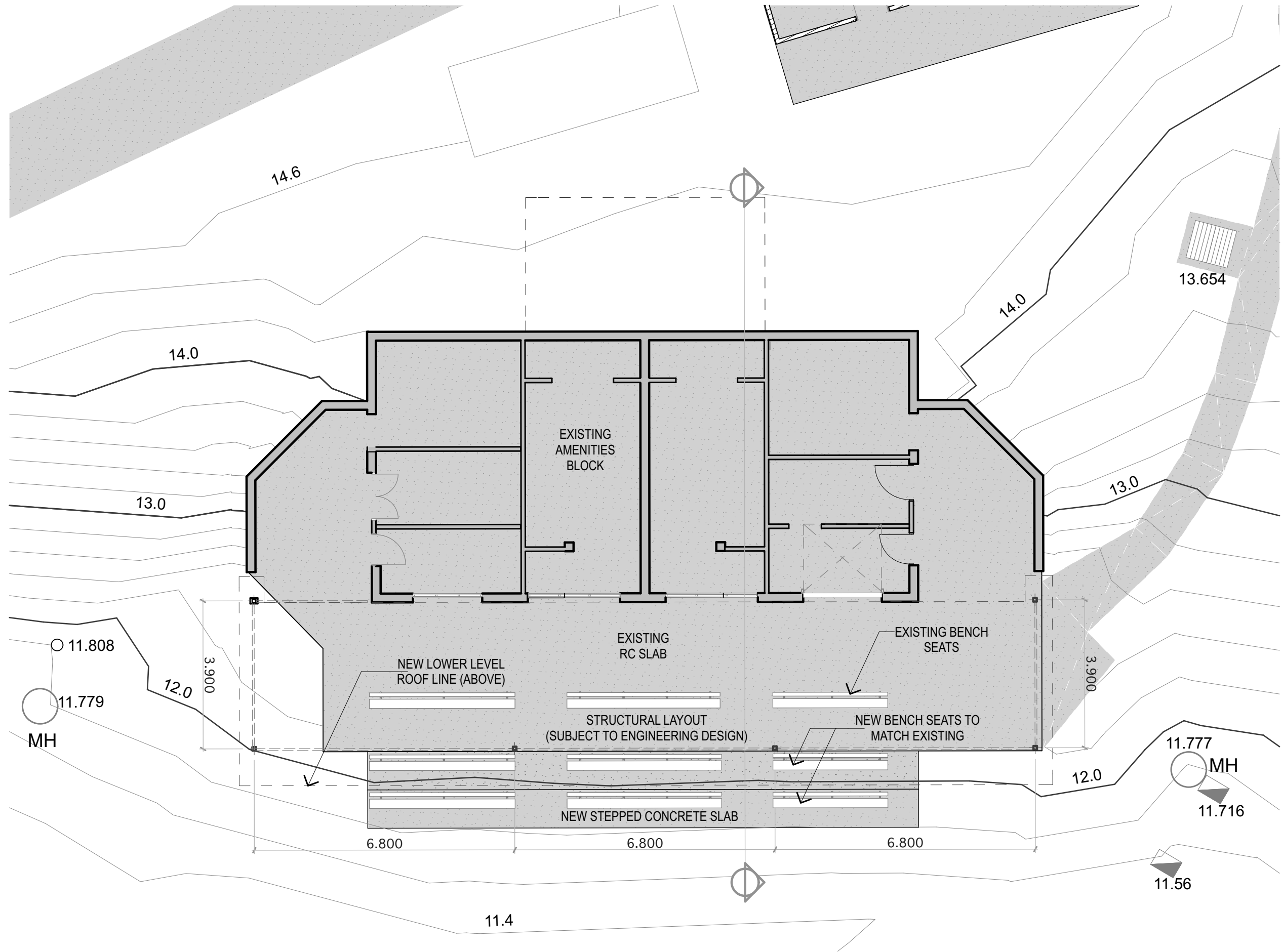
Site Analysis

Development Application

Proposed Shade Shelter
Thomas Gibson Park,
Station Street, Thirroul, 2515
for Thirroul Junior Football Club Inc.

D.10.2

Issue 01
Scale @ A3 1:1500
July 2019



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NOTES

- All Dimensions are in metres.
- All RLs are in metres and to AHD.
- All work subject to Engineering Design and Detail.
- All work shall comply with the BCA and all relevant SAA Codes.

DRAWING TITLE

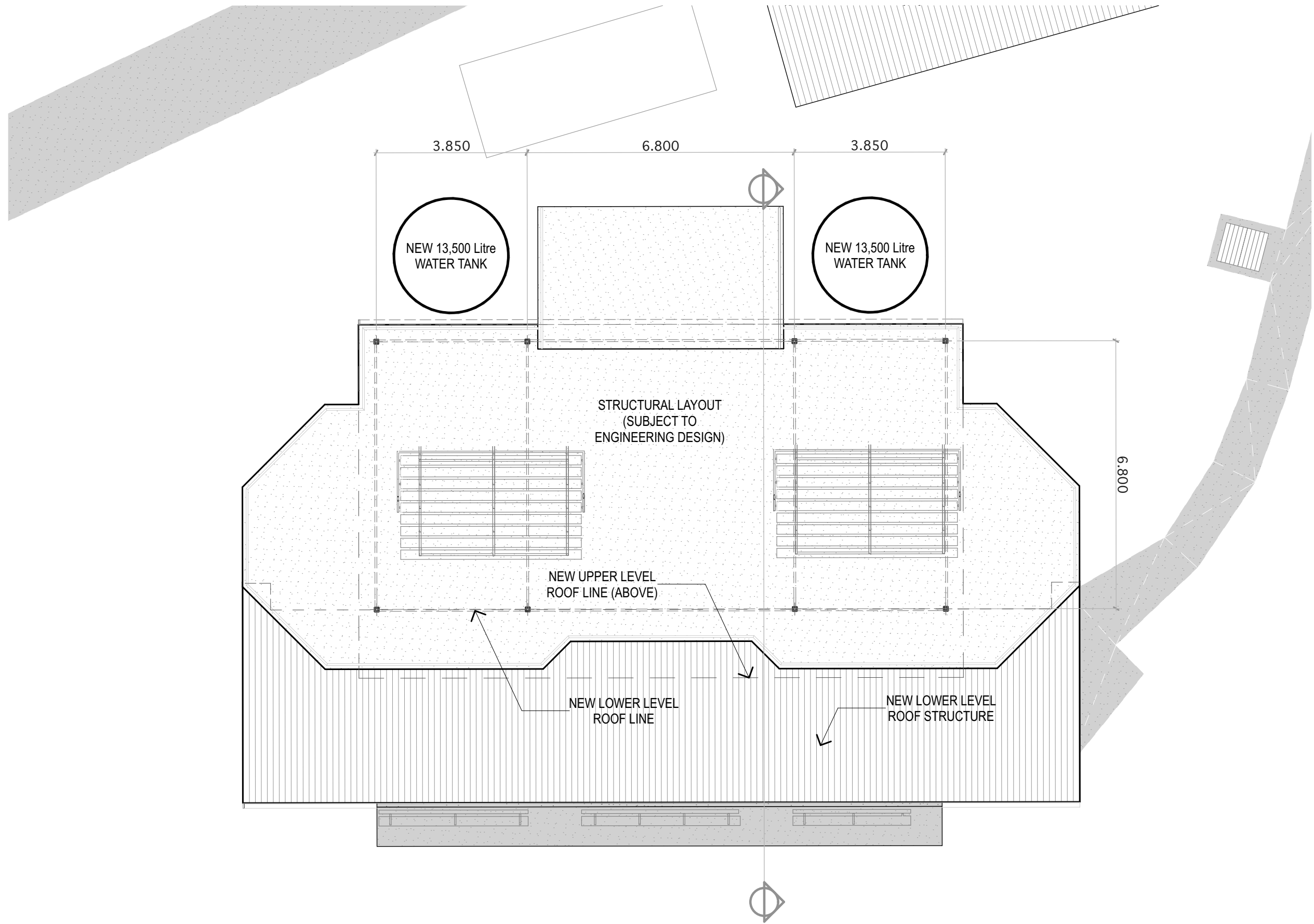
Lower Level Plan

Development Application

Proposed Shade Shelter
Thomas Gibson Park,
Station Street, Thirroul, 2515
for Thirroul Junior Football Club Inc.

D.11.1

Issue 01
Scale @ A3 1:100
July 2019



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NOTES

- All Dimensions are in metres.
- All RLs are in metres and to AHD.
- All work subject to Engineering Design and Detail.
- All work shall comply with the BCA and all relevant SAA Codes.

DRAWING TITLE

Upper Level Plan

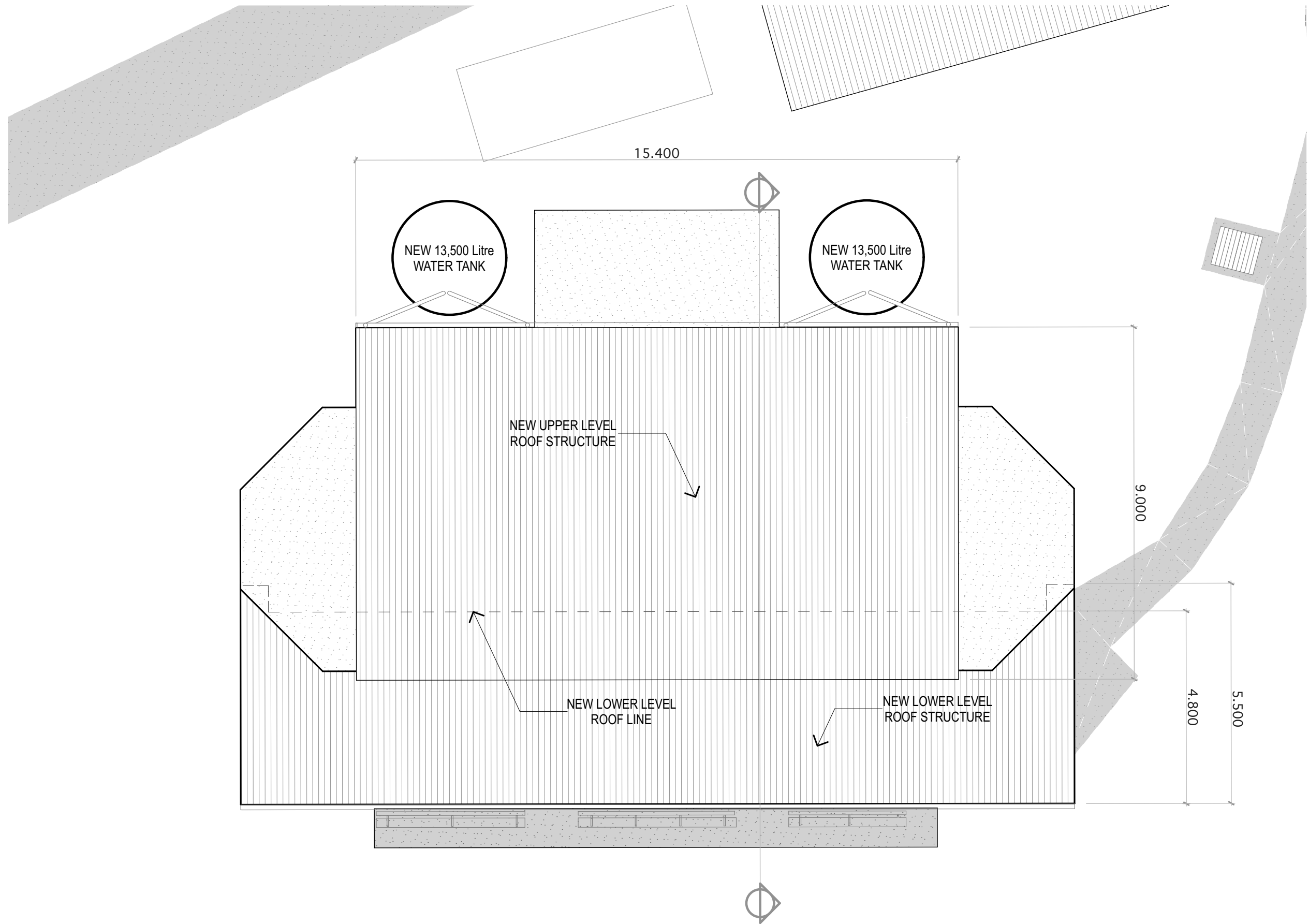
Development Application

Proposed Shade Shelter
Thomas Gibson Park,
Station Street, Thirroul, 2515
for Thirroul Junior Football Club Inc.

D.11.2

Issue 01
Scale @ A3 1:100
July 2019

PLOT DATE: 30/7/19



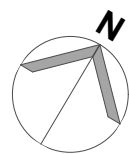
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DRAWING TITLE



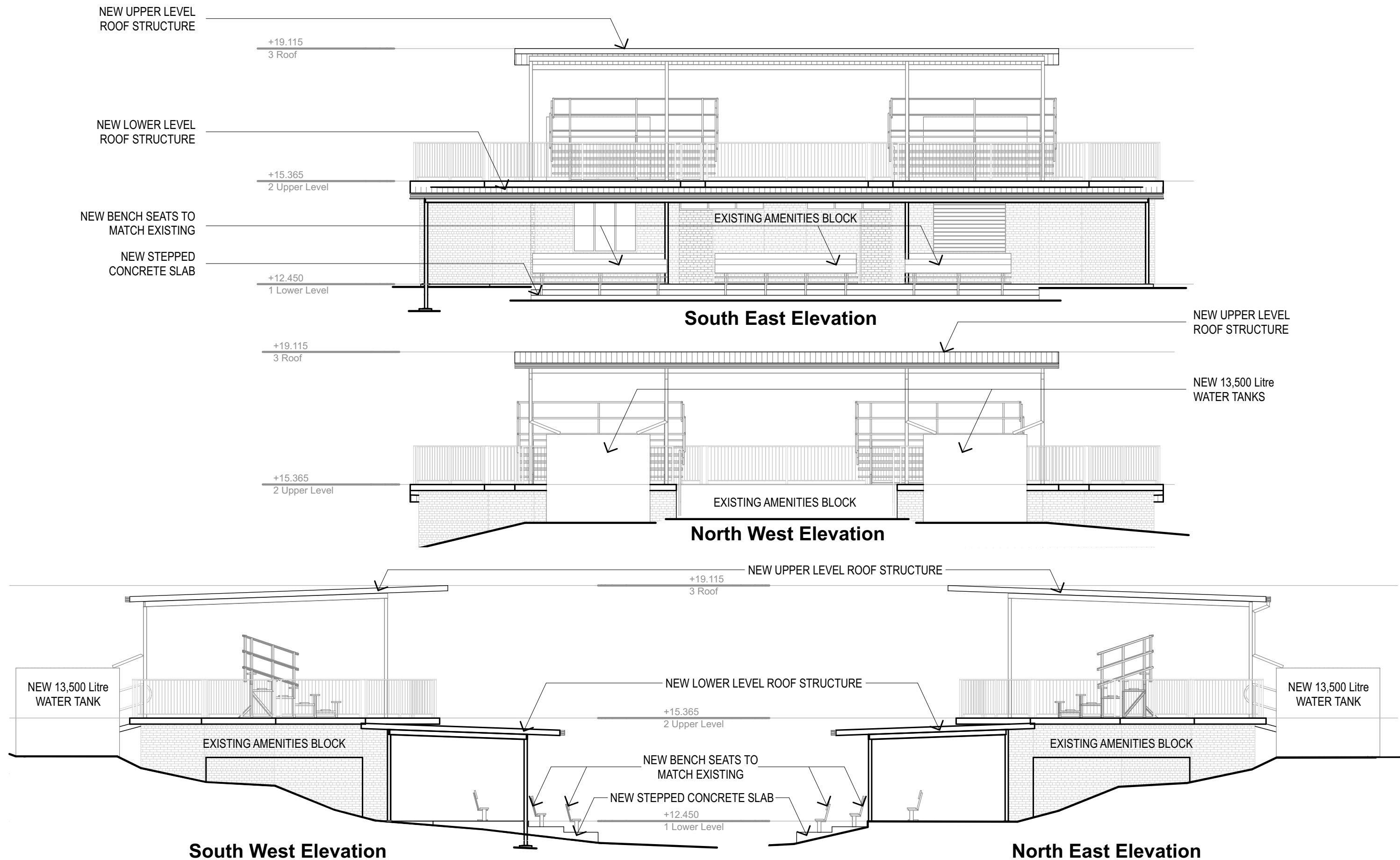
Roof Plan

Development Application

Proposed Shade Shelter
Thomas Gibson Park,
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D.11.3

Issue 01
Scale @ A3 1:100
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DRAWING TITLE

Elevations

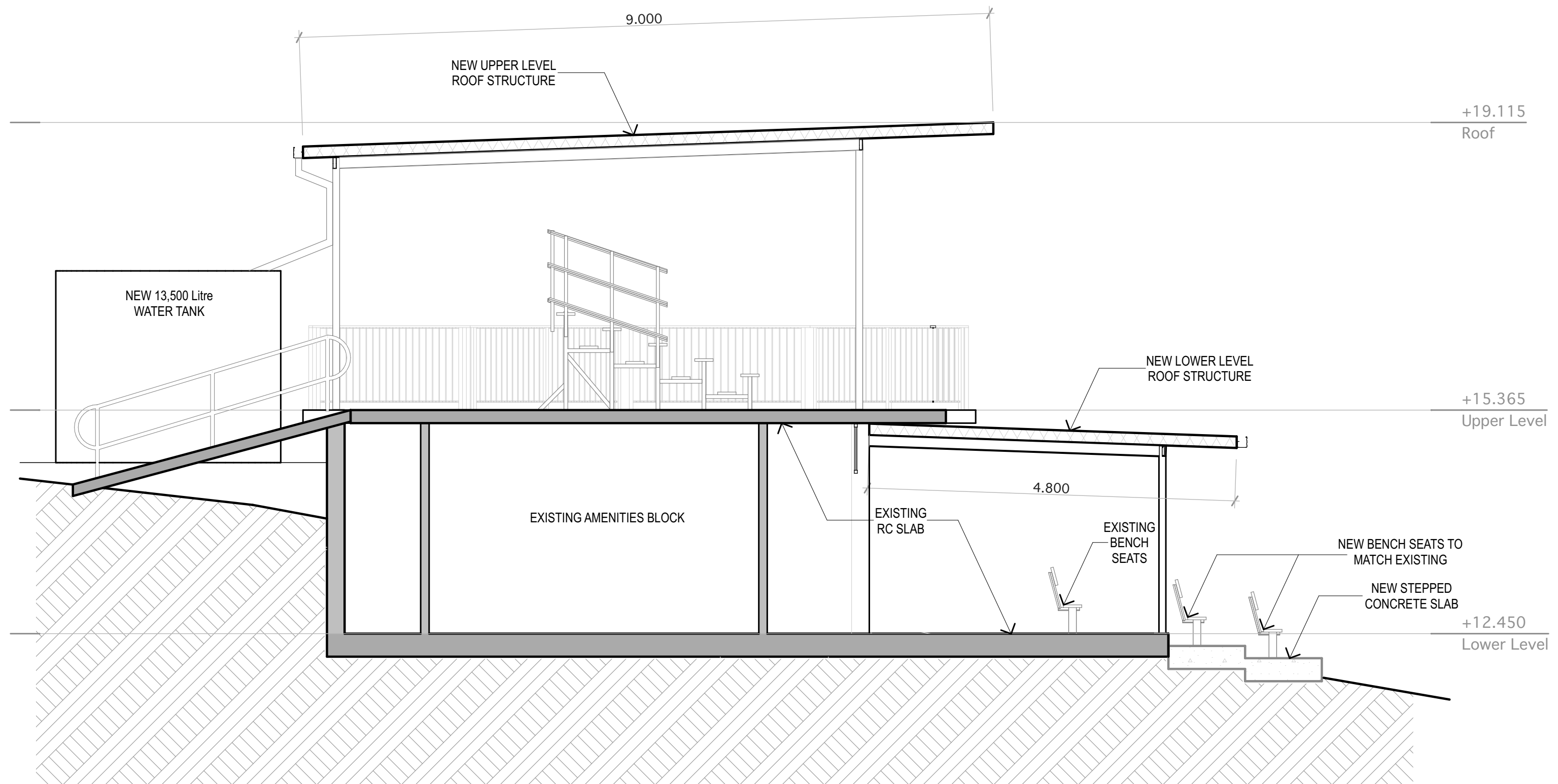
Development Application

Proposed Shade Shelter
Thomas Gibson Park,
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for Thirroul Junior Football Club Inc.

D.12.1

Issue 01
Scale @ A3 1:100
July 2019

PLOT DATE: 30/7/19



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DRAWING TITLE

Section

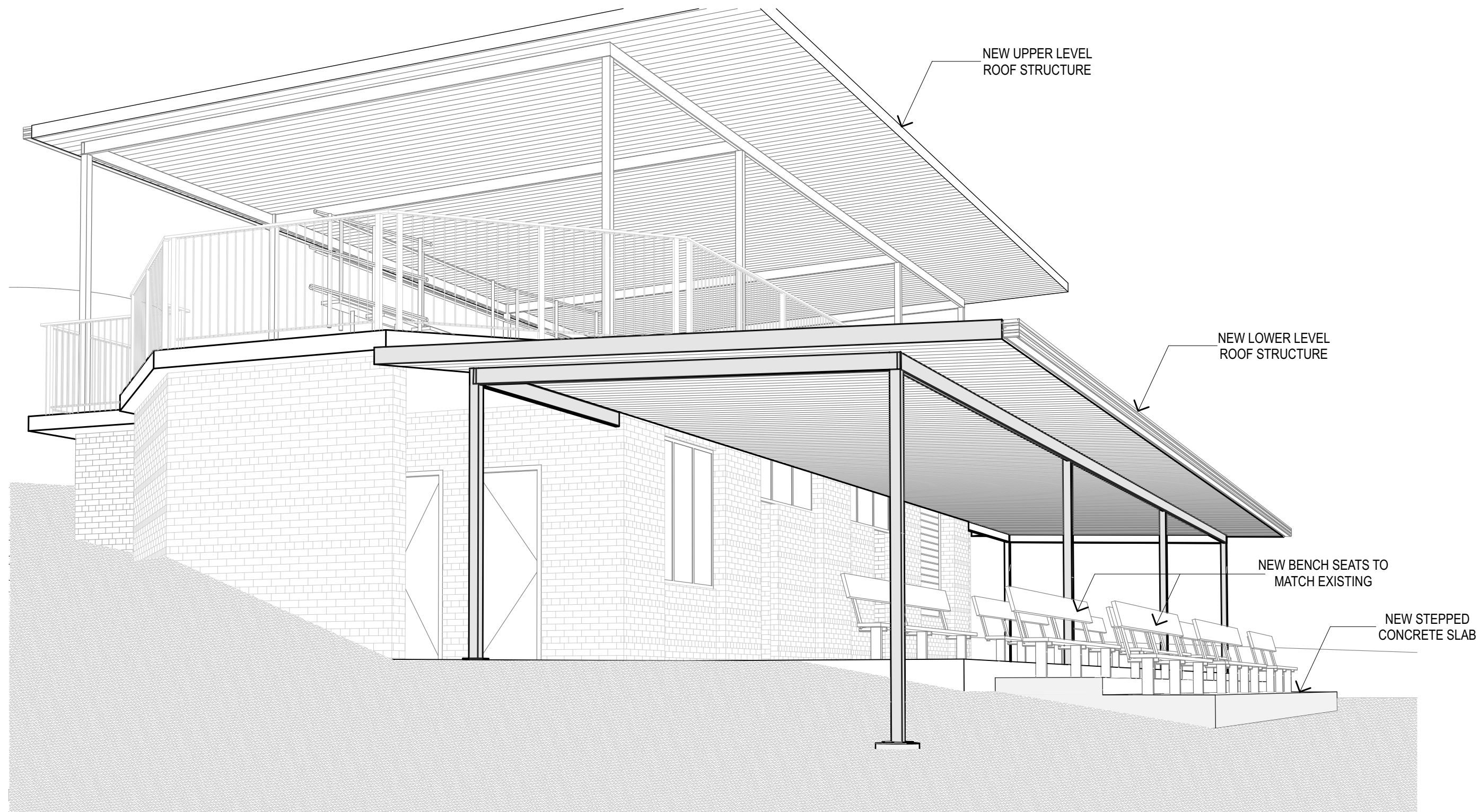
Development Application

Proposed Shade Shelter
Thomas Gibson Park,
Station Street, Thirroul, 2515
for Thirroul Junior Football Club Inc.

D.13.1

Issue 01
Scale @ A3 1:50
July 2019

PLOT DATE: 30/7/19



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DRAWING TITLE

View from South

Development Application

Proposed Shade Shelter
Thomas Gibson Park,
Station Street, Thirroul, 2515
for Thirroul Junior Football Club Inc.

D.14.1

Issue 01
No Scale
July 2019

PLOT DATE: 30/7/19

ATTACHMENT 2 – Draft Conditions

Conditions

- 1) The development shall be implemented substantially in accordance with the details and specifications set out as follows:
 - Drawing No. D.10.1 Issue 1 dated 30 July 2019 prepared by Lindsay Hodda
 - Drawing No. D.11.1 Issue 1 dated 30 July 2019 prepared by Lindsay Hodda
 - Drawing No. D.11.2 Issue 1 dated 30 July 2019 prepared by Lindsay Hodda
 - Drawing No. D.12.1 Issue 1 dated 30 July 2019 prepared by Lindsay Hodda
 - Drawing No. D.13.1 Issue 1 dated 30 July 2019 prepared by Lindsay Hoddaand any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

- 2) **Building Work - Compliance with the Building Code of Australia**

All building work must be carried out in compliance with the provisions of the Building Code of Australia.
- 3) **Construction Certificate**

A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The certifying authority must cause notice of its determination to be given to the consent authority, and to the council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in clause 142 (2) of the Environmental Planning and Assessment Regulation 2000.
- 4) **Disability Discrimination Act 1992**

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS1428.1 (2009) – Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.
- 5) **Occupation Certificate**

An Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

Prior to the Issue of the Construction Certificate

- 6) **Structural Certificate - Live and Dead Loads**

The submission of a Certificate from a suitably qualified and experienced structural engineer confirming that the existing structure will adequately support all additional live and dead loads imposed by the proposed development, is required prior to the release of the Construction Certificate.

- 7) **Present Plans to Sydney Water**
Approved plans must be submitted online using Sydney Water Tap, available through www.sydneywater.com.au to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

The Certifying Authority must ensure that Sydney Water has issued an approval receipt prior to the issue of a Construction Certificate.

Visit www.sydneywater.com.au or telephone 13 20 92 for further information.
- 8) **Muted Bushland Tones – External Finishes**
To ensure the development is compatible with the surrounding environment, colours and finishes are to be muted bushland tones. In this regard white, light or bright colours are not permissible.
- 9) **Property/Licence Agreements**
Prior to the issue of the Construction Certificate, the applicant must enter into an appropriate licence arrangement with Council. An application for a licence must be made to Council's Property Division for determination at least 50 days prior to the proposed commencement date of the use so that it may be advertised and assessed in accordance with the Local Government Act 1993/Crown Lands Act.
- 10) **Compliant Safety Management Plan – Community Land**
The submission of a Compliant Safety Management Plan in accordance with the requirements of the Occupational Health and Safety Act to Council for its separate endorsement is required prior to the release of the Construction Certificate for any component of the development upon Community Land.
- 11) **Flood Level Requirements**
The following requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate:
- a Any portion of the building or structure below RL 12.42 metres AHD should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP2009, relevant documentation from the manufacturer shall be provided demonstrating that the materials satisfy the definition of 'flood compatible materials' as stated in Chapter E13 of the Wollongong DCP2009.

Prior to the Commencement of Works

- 12) **Contact Council Sportsfield Coordinator**
Contact shall be made with Council's Sportsfield Coordinator prior to commencement of works onsite to ensure no conflicts occur with the operation of the amenities building or use of sporting fields during the construction process.
- 13) **Appointment of Principal Certifying Authority**
Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:
- a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed; and
 - b) notify Council in writing of their intention to commence work (at least two days notice is required).
- The Principal Certifying Authority must determine when inspections and compliance certificates are required.
- 14) **Sign – Supervisor Contact Details**
Before commencement of any work, a sign must be erected in a prominent, visible position:
- a) stating that unauthorised entry to the work site is not permitted;

- b) showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- c) showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

15) **Structural Engineer's Details**

Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal Certifying Authority, prior to the commencement of any works on the site.

16) **Enclosure of the Site**

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

17) **Demolition Works**

Any required demolition works shall be carried out in accordance with Australian Standard AS2601 (2001): The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of the SafeWork NSW.

No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifying Authority. In the event that the demolition works may involve the obstruction of any road reserve/footpath or other Council owned land, a separate application shall be made to Council to enclose the public place with a hoarding or fence over the footpath or other Council owned land.

18) **Waste Management**

The developer must provide an adequate receptacle to store all waste generated by the development pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and reusable materials.

19) **Temporary Sediment Fences**

Temporary sediment fences (eg haybales or geotextile fabric) must be installed on the site, prior to the commencement of any excavation, demolition or construction works in accordance with Council's guidelines. Upon completion of the development, sediment fencing is to remain until the site is grassed or alternatively, a two (2) metre strip of turf is provided along the perimeter of the site, particularly lower boundary areas.

20) **The depth and location of all services (ie stormwater, gas, water, sewer, electricity, telephone, etc) must be ascertained and reflected on the plans and supporting documentation issued for construction.**

21) **Notification to Council of any Damage to Council's Infrastructure**

Council must be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection must be provided to Council infrastructure prior to work commencing and during the construction period. Any damage to Council's assets shall be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

During Demolition, Excavation or Construction

22) **Piping of Stormwater to Existing Stormwater Drainage System**

Stormwater for the land must be piped to the existing stormwater disposal system on-site.

- 23) **Protection of Public Places**
If the work involved in the erection or demolition of a building involves the enclosure of a public place or is likely to cause pedestrian/vehicular traffic in a public place to be obstructed or rendered inconvenient, or have the potential for conflict between pedestrians and vehicles:
- a) A hoarding or fence must be erected between the work site and the public place;
 - b) an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place;
 - c) the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in a public place;
 - d) safe pedestrian access must be maintained at all times;
 - e) any such hoarding, fence or awning is to be removed when the work has been completed.
- 24) **Restricted Hours of Construction Work**
The developer must not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifying Authority and Council. No work is permitted on public holidays or Sundays.
- Any request to vary these hours shall be submitted to the **Council** in writing detailing:
- a the variation in hours required (length of duration);
 - b the reason for that variation (scope of works);
 - c the type of work and machinery to be used;
 - d method of neighbour notification;
 - e supervisor contact number;
 - f any proposed measures required to mitigate the impacts of the works.
- Note: The developer is advised that other legislation may control the activities for which Council has granted consent, including but not limited to, the Protection of the Environment Operations Act 1997.
- 25) **Site Management**
Stockpiles of sand, gravel, soil and the like must be located to ensure that the material:
- a) Does not spill onto the road pavement and
 - b) is not placed in drainage lines or watercourses and cannot be washed into these areas.
- 26) Should during construction any waste material or construction material be accidentally or otherwise spilled, tracked or placed on the road or footpath area without the prior approval of Council's Works Division this shall be removed immediately. Evidence that any approval to place material on the road or road reserve shall be available for inspection by Council officers on site at any time.
- 27) **Provision of Waste Receptacle**
The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.
- 28) The building site must be kept free of rubbish at all times. All refuse capable of being windblown must be kept in a suitable waste container.
- 29) **Flood Compatible Materials – Electrical**
All power service (metering) equipment, power outlets, switches etc. shall be located above RL 12.42 metres AHD. All electrical wiring installed below this level should be suitable for continuous underwater immersion and should contain no fibrous components. Earth leakage circuit breakers shall also be installed. Any equipment installed below or partially below RL 12.42 metres AHD should be capable of disconnection by a single plug and socket assembly.

30) **Acid Sulfate Soils**

The Wollongong Local Environmental Plan 2009 Acid Sulfate Soils Map has identified that this property may be affected by class 5 Acid Sulfate Soils. Acid Sulfate Soils contain iron sulfides which, when exposed to air due to drainage or disturbance, may produce sulfuric acid and release toxic quantities of iron, aluminium and heavy metals. The Acid Sulfate Soils Map is an indication only and you are advised that you may encounter acid sulfate soils during the excavation for the proposed development.

Any spoil material extracted or excavated from the foundations must be neutralised with commercial lime (calcium bicarbonate) by the addition of 10 kilograms of lime per 1 cubic metre of spoil material before it is disposed of or re-used on-site. Lime is to be added by evenly distributing over all exposed surface areas, drilled piers and footing trenches on the site, prior to pouring concrete.

Council suggests the applicant refer to the Acid Sulfate Soils Assessment Guidelines contained in the Acid Sulfate Soils Manual, prepared by NSW Acid Sulfate Management Advisory Committee, August 1998 for further information.

Operational Phases of the Development/Use of the Site

31) **Loading/Unloading Operations/Activities**

All loading/unloading operations are to take place at all times wholly within the confines of the site or within the road reserve under an approved traffic control plan.