

# Central Coast

## Local Planning Panel

Central Coast  
Local Planning Panel Meeting  
Business Paper  
**16 May 2024**





# Meeting Notice

**The Local Planning Panel Meeting  
of Central Coast  
will be held remotely - online,  
Thursday 16 May 2024 at 2.00 pm,  
for the transaction of the business listed below:**

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Kara Krason  
**Chairperson**

**Item No:** 1.1  
**Title:** Disclosures of Interest  
**Department:** Governance

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**Central Coast**  
Local Planning Panel

16 May 2024 Local Planning Panel Meeting

Reference: F2020/02502 - D14205789

The NSW Local Planning Panel Code of Conduct states that all panel members must sign a declaration of interest in relation to each matter on the agenda before or at the beginning of each meeting.

### **Recommendation**

***That Panel Members now confirm that they have signed a declaration of interest in relation to each matter on the agenda for this meeting and will take any management measures identified.***

**Item No:** 2.1  
**Title:** Confirmation of Minutes of Previous Meeting  
**Department:** Corporate Services

**Central Coast**  
Local Planning Panel

16 May 2024 Local Planning Panel Meeting

Reference: F2020/02502 - D16169878

Author: Lisa Martin, Civic Support Officer Civic Support

### Summary

*The Minutes of the following Meeting of the Local Planning Panel, which have been endorsed by the Chair of that meeting, are submitted for noting:*

- ***Local Planning Panel Meeting held on 11 April 2024***

### Recommendation

***That the minutes of the previous Local Planning Panel Meeting held on 11 April 2024, which was endorsed by the Chair of that meeting, are submitted for noting.***

### Attachments

1   MINUTES - Local Planning Panel - 11 April 2024 D16148093



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**Local Planning Panel**  
**Minutes of the**  
**Local Planning Panel Meeting**  
**Held Remotely - Online**  
**on 11 April 2024**

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**Panel Members**

Chairperson	Donna Rygate
Panel Experts	Greg Flynn Lindsey Dey
Community Representative/s	Lyn Hunt

**Central Coast Council Staff Attendance**

Emily Goodworth	Section Manager, Employment and Urban Release
Wayne Herd	Section Manager, Building Assessment and Certification
Ryan White	Development Planner Consultant, Employment and Urban Release
Gary Evans	Principal Building Surveyor, Building Assessment and Certification
Lisa Martin	Civic Support Officer
Briony Stiles	Team Leader, Civic Support Officer

The Chairperson, Donna Rygate declared the meeting open at 2:04pm and advised in accordance with the Code of Meeting Practice that the meeting was being recorded.

The Chair read an acknowledgement of country statement.

**Apologies**

***The Panel noted that no apologies had been received.***

Minutes of the Local Planning Panel Meeting 11 April 2024 contd

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**PROCEDURAL ITEMS**

**1.1 Disclosures of Interest**

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*The Panel Members confirmed that they had each signed a declaration of interest form in relation to each matter on the agenda. No conflicts of interest were identified.*

**CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**2.1 Confirmation of Minutes of Previous Meeting**

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*The Panel noted the minutes of the previous Local Planning Panel Meeting held on 14 March 2024 were endorsed by the Chair of that meeting.*

**Minutes of the Local Planning Panel Meeting 11 April 2024 contd**

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**Public Forum**

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The following people addressed the Panel:

**Item 3.1 – DA/1974/2023 – 1 Yumbool Close, Forresters Beach**

1. Marguerite Grey – AGAINST
2. Christopher Hajje and John B Hajje – FOR (applicant's rep)

**Item 3.2 – DA/1060/2023 – 315 Greta Road, Kulnura**

1. Ian Sinclair – FOR

**Item 3.3 – DA/1964/2023 – 46 Noamunga Crescent, Gwandalan**

1. Bethany Fisher – AGAINST
2. Ted Roleski – FOR (applicant)

The Local Planning Panel public meeting closed at 2:56pm.

The Panel moved into deliberation from 3:05pm.

Minutes of the Local Planning Panel Meeting 11 April 2024 contd

PLANNING REPORTS

3.1 DA/1974/2023 – 1 Yumbool Close Forresters Beach

Site Orientation Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report and supplementary memo
- Submissions

Council Recommendation Approval

Panel Decision

**1. The Panel is satisfied that the applicant's clause 4.6 written request adequately demonstrates that compliance with the Height of Buildings development standard is unnecessary in the circumstances of the case because of the minimal environmental impact that would result from the noncompliance with the Height of Buildings standard.**

**Compliance with the Height of Buildings development standard would be unreasonable in the circumstances of this application because of the sloping nature of the block, and there are sufficient environmental planning grounds to justify contravening the development standard.**

**Further, the Panel considers the proposed development will be in the public interest because it is consistent with the objectives of the development standard and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out.**

**2. That the Panel assume the concurrence of the Secretary of the Department of Planning to permit the non-compliance with the development standard under clause 4.6 of the Central Coast Local Environmental Plan 2022 in accordance with the provisions of clause 55 of the Environmental Planning and Assessment Regulation 2001.**

Minutes of the Local Planning Panel Meeting 11 April 2024 contd

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3. ***That the Panel grant development consent to DA/1974/2023 – 1 Yumbool Close Forresters Beach to construct the proposed dwelling and inground swimming pool inclusive of the demolition of existing dwelling and swimming pool retaining the existing northern retaining wall and terrace, subject to conditions as detailed in the schedule attached to the report and below, and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act and other relevant issues.***

- a) That the roof terrace and access staircase to same be deleted.***

4. ***That Council advise those who made written submissions of the Panel's decision.***

**Reasons**

The development application has been assessed having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies.

1. The roof terrace and access staircase should be deleted on the grounds of better meeting the objectives of the R2 low density residential zone in the *Central Coast Local Environmental Plan 2022*, maintaining the desired future character of the locality, minimising the negative impact on the public domain, mitigating privacy and visual impacts, and retaining the appearance of two storeys from street level consistent with the *Central Coast Development Control Plan 2022*.
2. The Panel is satisfied the application has been assessed against the requirements of Section 4.14 of the *Environmental Planning and Assessment Act 1979* in relation to bushfire prone land.
3. The Panel is satisfied that the proposed development is considered satisfactory having regard to the matters for consideration provided in Section 4.15 of the *Environmental Planning and Assessment Act 1979*.
4. The application has been assessed against the requirements of clause 61 of the *Environmental Planning and Assessment*



Minutes of the Local Planning Panel Meeting 11 April 2024 contd

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*Regulation 2021* in respect of demolition.

5. The Panel is satisfied that the provisions of *State Environmental Planning Policy (Resilience and Hazards) 2021*, Chapter 2 Coastal Management, sections 2.10, 2.11 and 2.15 have been considered and satisfied.
6. The Panel is satisfied that the proposed development as amended, is consistent with the zone objectives as set out in the *Central Coast Local Environmental Plan 2022*.
7. The Panel is satisfied the proposed development meets the objectives related to the building height development standard contained in *Central Coast Local Environmental Plan 2022*.
8. The Panel is satisfied the requirements of clause 4.6 (3) of *Central Coast Local Environmental Plan 2022* have been satisfied and that variation to the maximum building height provisions of the *Central Coast Local Environmental Plan 2022* is warranted.
9. The Panel is satisfied the applicant has demonstrated that,
  - *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
  - *there are sufficient environmental planning grounds to justify the contravention of the development standard.*
10. The Panel is satisfied that the provisions of clause 7.6 Essential Services of *Central Coast Local Environmental Plan 2022* have been considered and satisfied.
11. The Panel is satisfied that the relevant provisions of the environmental planning instruments, plans and policies that apply to the development have been considered in the assessment of the application.
12. Subject to the imposition of appropriate conditions, the proposed development as amended is not expected to have any adverse environmental, social or economic impact.

As such, the application is recommended for approval in accordance with Section 4.16 of the *Environmental Planning*

Minutes of the Local Planning Panel Meeting 11 April 2024 contd

and Assessment Act, 1979, subject to recommended conditions detailed in the Attachment 1.

**Votes** The decision was unanimous

3.2 315 Greta Road KULNURA 2250 - Construction of a Machinery Shed & Ancillary Rural Supplies (Concrete Pipes & Structures) Operation

**Site Orientation** Yes

**Relevant Considerations** As per Council assessment report

**Material Considered**

- Documentation with application
- Council assessment report
- Submissions

**Council Recommendation** Refusal

**Panel Decision**

1. ***That the Local Planning Panel refuse the application DA/1060/2023 – 315 Greta Road, Kulnura (Lot 631 DP 599979) Rural Supplies and Machinery Shed subject to the reasons for refusal detailed in Council's Assessment report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***
2. ***That Council's Environmental Compliance Services Unit be notified of the outcome of the application determination and determine whether to pursue enforcement action to seek compliance with the order issued to the landowners on 14 March 2023 (Notice/34/2023).***
3. ***That Council advise those who made written submissions of the Panel's decision.***

**Reasons** The proposal has been assessed having regard to the heads of consideration in Section 4.15 of the *Environmental Planning and Assessment Act 1979*. The proposed development cannot be characterised as 'rural supplies' as defined under *Central Coast Local Environment Plan 2022* and as such is prohibited in the RU1 Primary Production zone. Furthermore, the proposed development does not satisfactorily meet other relevant requirements of *Central Coast Local Environment Plan 2022* and *Central Coast Development Control Plan 2022*, has unsatisfactory and unreasonable adverse impacts, and is deemed unsuitable for the site and not in the public interest.

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1. The proposed development is best characterised as a *warehouse or distribution centre* and a *specialised retail premises* which are prohibited uses the RU1 Primary Production zone under *Central Coast Local Environmental Plan 2022*.
2. The proposal does not protect water catchment areas or areas comprising high ecological value and will result in land use conflicts and therefore fails to satisfy the objectives of the RU1 Primary Production Zone as set out in *Central Coast Local Environmental Plan 2022*.
3. The proposal has not demonstrated that it meets the requirements of clause 7.2 of *Central Coast Local Environmental Plan 2022* with respect to impacts on the drinking water catchment.
4. The proposal does not comply with the maximum height requirement for outbuildings in the RU1 zone in accordance with Chapter 2.1, Clause 2.1.2 Building Scale.
5. The proposal fails to provide the necessary information required under s.4.14 of the *Environmental Planning and Assessment Act 1979* to satisfy the consent authority the proposed development conforms to the specifications and requirements of Planning for Bushfire Protection.
6. The proposal fails to provide for the safe and efficient operation of delivery/service vehicles within the site as required under Chapter 2.13, Clauses 2.13.3.5 and 2.13.4.5.
7. The proposal fails to provide a Resource and Waste Management Plan in accordance with Chapter 2.14, Clause 2.14.2.1.
8. The proposal fails to consider the visual impact on the scenic quality of the local rural environment in accordance with Chapter 2.17, Clause 2.17.1b
9. The proposal does not provide a Water Quality Management Plan in accordance with Chapter 3.4, Clause

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3.4.2.1.

10. The proposed development has not considered whether the land is contaminated and the Panel is not satisfied that the provisions of *State Environmental Planning Policy (Resilience and Hazards) 2021* have been met.
11. Pursuant to Section 4.15(b) of the *Environmental Planning and Assessment Act 1979*, the proposed development is considered unsatisfactory with regard to:
  - Amenity impacts, including noise and air pollution
  - Impacts on ecology, including threatened species
  - Traffic impacts
  - Bushfire access
  - Heritage
  - Impacts on water quality
  - Cumulative impacts having regard to the existing poultry production operation and its approved expansion.
12. The adverse impacts of the proposal mean that the site is not considered to be suitable for the development as proposed, pursuant to Section 4.15 (1)(c) of the *Environmental Planning and Assessment Act 1979*.
13. Having regard to submissions received, the non-compliances with the planning controls and amenity impacts, the proposal is not in the public interest, pursuant to Section 4.15 (1)(e) of the *Environmental Planning and Assessment Act 1979*.

**Votes** The decision was unanimous

**3.3 DA/1964/2023 - 46 Noamunga Crescent Gwandalan - Dwelling and Inground Swimming Pool Inclusive of Demolition of Site Structures**

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**Site Orientation** Yes

**Relevant Considerations** As per Council assessment report

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<b>Material Considered</b>	<ul style="list-style-type: none"><li>• Documentation with application</li><li>• Council assessment report and supplementary memo</li><li>• Submissions</li></ul>
<b>Council Recommendation</b>	Approval
<b>Panel Decision</b>	<p><b>1    <i>That the Panel grant consent to DA/1964/2023 – 46 Noamunga Crescent, Gwandalan – new dwelling and inground swimming pool inclusive of existing site structures, subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.</i></b></p> <p><b>2    <i>That Council advise those who made written submissions of the Panel's decision.</i></b></p>
<b>Reasons</b>	<p>The Panel notes from the Council Assessment report the disconnect between new planning controls, including site coverage and setbacks, and the existing built environment. It requests Council to consider this issue in its next strategic review of planning controls for the Gwandalan area.</p> <p>The development application has been assessed having regard for the matters for consideration under Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i> and all relevant instruments, plans and policies.</p> <ol style="list-style-type: none"><li>1. The Panel is satisfied that the proposed development is considered satisfactory having regard to the matters for consideration provided in Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>.</li><li>2. The application has been assessed against the requirements of clause 61 of the <i>Environmental Planning and Assessment Regulation 2021</i> in respect of demolition.</li><li>3. The Panel is satisfied that the provisions of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>, Chapter 2 Coastal Management, sections 2.10, 2.11 and 2.15 have been considered and satisfied.</li><li>4. The Panel is satisfied that the proposed development is consistent with the zone objectives as set out in the <i>Central Coast Local Environmental Plan 2022</i>.</li></ol>

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5. The Panel is satisfied that the provisions of clause 5.21 of the *Central Coast Local Environmental Plan 2022* flood planning have been considered and met.
6. The Panel is satisfied that the provisions of clause 7.1 Acid Sulfate Soils and 7.6 Essential Services of *Central Coast Local Environmental Plan 2022* have been considered and satisfied.
7. The Panel is satisfied that the relevant provisions of the environmental planning instruments, plans and policies that apply to the development have been considered in the assessment of the application.
8. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse environmental, social, or economic impact.

**Votes**

The decision was unanimous

**Item No:** 3.1  
**Title:** DA/42661/2012/E - 69 Avoca Drive, Avoca Beach - Alterations & Additions to existing Theatre  
**Department:** Environment and Planning

**Central Coast**  
 Local Planning Panel

#### 16 May 2024 Local Planning Panel Meeting

Reference: DA/42661/2012/D - D15558924  
 Author: Robert Eyre, Principal Development Planner. Residential Assessments  
 Manager: Ailsa Prendergast, Unit Manager. Residential Assessments (Acting)  
 Executive: Luke Sulkowski, Director Environment and Planning (Acting)

### Summary

An application has been received for modifications to an approved mixed-use development at No.'s 69 – 71 Avoca Drive, Avoca Beach.

The application has been examined having regard to the matters for consideration detailed in s.4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

The modification application is required to be reported to Council in accordance with Council's adopted *Policy for Determining Development Applications Subject to Significant Public Objections* as a total of 332 submissions were received at Council associated with the proposal.

<b>Applicant</b>	Johnson & Johnson Real Estate Pty Ltd
<b>Owner</b>	Norbet Enterprises Pty Ltd
<b>Application No</b>	DA 42661/2012 Part 3
<b>Description of Land</b>	LOT: 140 DP: 9359, LOT: 651 DP: 16791, 71 Avoca Drive AVOCA BEACH, 69 Avoca Drive AVOCA BEACH
<b>Proposed Development</b>	s. 4.56 – Modifications to approved mixed use development.
<b>Site Area</b>	1,802.10m <sup>2</sup>
<b>Zoning</b>	R2 LOW DENSITY RESIDENTIAL
<b>Existing Use</b>	Avoca Theatre; Dwelling House
<b>Employment Generation</b>	Yes
<b>Submissions</b>	59 Against and 273 submissions were in support.
<b>Estimated Value</b>	\$8,281,607

**Recommendation**

- 1** *That the Local Planning Panel grant consent to [DA/42661/2012/E – 69 Avoca Drive, Avoca Beach – Proposed Alterations and Additions to existing Theatre, subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.*
- 2** *The consent be modified by:*
  - a.** *The amendment of conditions 1.1A, 1.1, 2.2, 2.7, 2.13.*
  - b.** *The addition of conditions 1.5, 2.22, 2.9, 5.23, 5.24.*
- 3** *That Council advise those who made written submissions of the Panel's decision.*
- 4** *That Council advise relevant external authorities of the Panel's decision.*

**Precis:**

<b>Proposed Development</b>	The applicant is seeking to modify the consent for Development Application No. 42661/2012 under s. 4.56 of the <i>Environment Planning and Assessment Act 1979</i> , comprising both internal and external changes.
<b>Permissibility and Zoning</b>	The subject site is zoned R2 Low Density Residential under the provisions of <i>Central Coast Local Environmental Plan 2022</i> (CCLEP 2022.) Clause 7.18 of CCLEP 2022 identifies additional permitted uses with consent. Additional permitted uses include entertainment facility, residential flat building, restaurant, and café.
<b>Relevant Legislation/ Policies</b>	<p>The following planning policies and control documents are relevant to the development and were considered as part of the assessment:</p> <ul style="list-style-type: none"> <li>• <i>Environmental Planning &amp; Assessment Act 1979 – Sections 4.15 and 4.56</i></li> <li>• <i>Local Government Act 1993 – Section 89</i></li> <li>• <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i></li> <li>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li>• <i>State Environmental Planning Policy (Housing) 2021</i></li> <li>• <i>Central Coast Local Environmental Plan 2022</i></li> <li>• <i>Central Coast Development Control Plan 2022</i></li> <li>• <i>Gosford Local Environmental Plan 2014</i></li> <li>• <i>Gosford Development Control Plan 2013</i></li> <li>• <i>Environmental Planning &amp; Assessment Act 1979 – Section 4.65 and 4.66 (Existing Use)</i></li> </ul>



### 3.1

	<ul style="list-style-type: none"> <li>• <i>Environmental Planning &amp; Assessment Regulation 2021 – Clause 42 (Existing Use)</i></li> <li>• <i>Protection of the Environment Operations Act 1997</i></li> <li>• <i>Roads Act 1997</i></li> <li>• <i>Water Management Act 2000</i></li> <li>• <i>Apartment Design Guide. Tools for improving the design of residential apartment development (ADG)</i></li> <li>• <i>Central Coast Regional Plan 2036 (CCRP 2036)</i></li> <li>• <i>Gosford City Council Climate Change Policy.</i></li> <li>• <i>Central Coast Council's Community Strategic Plan 2018-2028 'One Central Coast'.</i></li> </ul>
<b>Legislative Clauses Requiring Consent Authority Satisfaction</b>	<ul style="list-style-type: none"> <li>• Section 4.15 of <i>Environmental Planning &amp; Assessment Act 1979</i> - Evaluation.</li> <li>• Clause 8A (2)(d) of the <i>Local Government Act 1993</i></li> <li>• Clause 28 (Determination of development applications) of <i>State Environmental Planning Policy (SEPP) No 65 – Design Quality of Residential Apartment Development.</i></li> <li>• Clause 6 (Building to which Policy applies) of <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.</i></li> </ul>
<b>Current Use</b>	Commercial; Dwelling House and Theatre
<b>Integrated Development</b>	No
<b>Submissions</b>	Three hundred and thirty-two (332). (Two hundred and seventy-three (273) in support. Fifty-nine (59) objections)

#### Variations to Policies\*

Policy	Clause / Description	Variation
<b>Central Coast Local Environmental Plan 2022</b>	Clause 4.3(2) (Height of Buildings)	<ul style="list-style-type: none"> <li>• Maximum height of 10m is permitted.</li> <li>• The original approved height was 10.8m (RL 14.2m) which was a variation of 0.8m or 8% with the development standard.</li> <li>• The approved development has a maximum height of 11.5m (an increase of 700mm and a maximum RL 14.9m AHD), resulting in a 1.5m or 15% variation with the development standard.</li> <li>• The proposed modification has a maximum height of 11.745m (an increase of 0.245m to the current approval and 1.745m or 17.45% variation to the development standard.</li> </ul>

### 3.1

	Clause 4.4 (2) Floor Space Ratio (FSR)	<ul style="list-style-type: none"><li>• Maximum 1:1 is permitted.</li><li>• The original approval had a FSR of 1:1.</li><li>• The current approval has a FSR of 0.95:1.</li><li>• The proposed modification has a FSR of 1.04:1 which is a variation to the development standard of 4%.</li></ul>
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\* **Note:** the above is provided as a summary of the changes as Clause 4.6-Variations to a development standard is not applicable to a s4.56 application. Further assessment of the modifications is provided in this report.

In considering the additional height FSR, there is established case law that a variation to development standards is not required for a modification under section 4.55. (NSW Court of Appeal *North Sydney Council v Michael Standley & Associates Pty Ltd* (1998), and the Land & Environment Court *Gann v Sutherland Shire Council* (2008))

However, Council is still required to undertake an assessment of the variation and its impact under s4.15 of the EPA Act, 1979.

### Background

#### Development Application No. 42661/2012 (Part 1)

Consent was granted on 18 April 2017 by the Land and Environment Court (LEC), comprising:

- Demolition of the existing cottage, shed, outbuildings and shade sails on Lot 140 and removal of the disused speaker box and ramp from the rear of the existing theatre on Lot 651, as well as the staircase and ancillary storage rooms on the northern side of the theatre;
- Preparation of the site, including removal of existing trees and the undertaking of earthworks and excavation for the basement; and
- Construction of a part two, part three storey building to the north and east of the existing theatre to provide one mixed use commercial and residential building containing four cinemas and associated foyers and facilities; terrace; cafe/gallery and five apartments.

#### Development Application No. 42661/2012 (Part 2- now part A)

Consent was modified on 24 November 2017, comprising:

- Modification to the waste storage area and changes to the storage room and stair access at the basement floor level.
- Modifications to the 'back of house' areas adjacent to Cinema 3/4, modification to the stair, foyer, kitchen and extension of the roof to the first-floor deck.
- Minor change to Unit No.'s 1 – 3.

The Part 2 consent also included a reduction in the width of the roof void to Cinema 2, being setback from Avoca Drive an additional 2m, noting the maximum height of this roof form remained unchanged at RL 14.2m AHD.

The consent (Part 3-now part B) was modified on 8 April 2019 to 'Modify Bin Store, Basement Car Park Internal Changes to Cinemas & Residential Units, and external modification to Cinema Roof'. This modification is the latest set of approved plans. **(Refer attachment 2)**

An application to modify the consent (Part C) was withdrawn on 26 August 2022.

The consent (Part D) was modified on 12 September 2022 to amend conditions 2.1 and 3.7 to permit demolition prior to the issue of a Construction Certificate.

#### **Physical Commencement**

The consent was granted for 5 years on 18 April 2017. Due to the extension granted to consents under the Co-vid provisions the consent was extended by 2 years to 18 April 2024.

The consent has physically commenced by the demolition of the existing house prior to 18 April 2024 which was permitted under condition 2.1 of the consent. The consent is still current and has not lapsed.



**Figure 1A - Site of demolished house 22/03/2024**

### **Amended Application/Renotification**

The current application (Part E) was lodged on 11 October 2022. The proposed amendments had a further height increase of 0.845m to the current approved plans and a FSR of 1.09:1. Council raised concerns with the additional height and floor space. The applicant subsequently submitted amended plans which reduce the height increase to 0.245m and FSR to 1.04:1.

The following assessment is based on the amended plans dated 14/09/2023. **(Refer attachment 1)**

Chapter 1.2 of CCDCP 2022 sets out in respect of applications to modify a consent that;

*Public notification of applications lodged under s.4.55(2) will generally not be required unless Council or staff with the appropriate delegated authority is of the opinion it may impact on an adjoining property and submissions were received to the original application.*

The amended plans were not required to be re-advertised/notified under the provisions of Chapter 1.2 of CCDCP 2022 as the changes/amendments were reductions/improvements to the application and had no additional impacts on the surrounding properties. The amendments were also in response to a number of issues raised in the public submissions,

particularly the height increase which has been significantly reduced by 600mm to that originally proposed and exhibited.

#### **The Site**

The subject land comprises Lot 140 DP 9359 and Lot 651 DP 16791, No's. 69 and 71 Avoca Drive, Avoca Beach. The site has an area of 1,802.10m<sup>2</sup> and is irregular in shape, with a frontage of 43.94m to Avoca Drive, 40.98m to Burns Street, 40.23m Vine Street/Vale Avenue, and 58.83m to Hunter Park (refer to Figure's 1-4).

The site is flat with a slight falling grade from Avoca Drive (RL 4.95m AHD) towards the rear eastern boundary at Vine Street (RL 2.75m AHD).

No.69 Avoca Drive, Avoca Beach is occupied by a commercial premise known as the Avoca Beach Theatre. A part one and two storey theatre building is located on Lot 651. The building contains the theatre itself, as well as the box office, toilets, projection room, storage rooms and first floor office. An awning extends out over the footpath at the entry to the theatre off Avoca Drive. The area to rear (east) of the theatre across to Vine Street is presently vacant.

No.71 Avoca Drive, Avoca Beach is occupied by three outbuildings (metal, weatherboard and fibro respectively) and a single storey weatherboard garage with a metal roof at the rear of the property towards Vine Street. A lawn area containing two shade sails used for the outdoor viewing of films is located in the north-west corner of this allotment immediately adjacent to Avoca Drive.

The site has road frontages to three sides, with all three street frontages kerb and guttered. In addition, the Vine Street frontage contains 90-degree angle parking up to the boundary of the site.

A paved forecourt is provided within the road reserve in front of the theatre on Avoca Drive, And a footpath is adjacent to the southern side of the building on the northern side of Burns Street (within Lot 650 DP 1120404). Vehicular access to the garage is provided off Vine Street.





***Figure 1 - Aerial photograph of the subject site (edged in black)***



***Figure 2 – Avoca Drive frontage of the site***



***Figure 3 – Avoca Drive and Burns Street frontages of the site***



**Figure 4 – Vine Street frontage of the site**

### **Surrounding Development**

Hunter Park adjoins the northern site boundary. Directly south of the site, on the opposite side of Burns Street is a public reserve, known as South End Park. Adjacent to the eastern site boundary, located at No.'s 1-5 Vine Street, Avoca Beach, is a residential flat building. Properties located to the west of the site, on the opposite side of Avoca Drive, comprise both single storey dwellings and multi – unit residential development.

### **Current Status**

### **The Proposal**

The applicant is seeking to modify the consent for Development Application DA/42661/2012 under section 4.56(1) of the EP&A Act by amendment of approved plans.

The amendments include:

#### Carpark/basement level

- Plant room added.
- Disabled car parking space relocated.
- Car park access amended. Entry ramp is removed due to flood gate for flood mitigation.
- Waste storage area amended to comply with current Council requirements.

#### Ground Floor

- Stair to foyer and cinema entries amended.
- Stepped wall adjacent to the entry replaced with glazed connection between existing theatre and new entry.
- Cinema 3 stage adjusted and seating reduced from 114 seats plus 4 accessible seats to 54 seats plus 4 accessible seats.

### 3.1

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- Relocation of kitchen from first floor to ground floor.
- Cinema 4 seating rotated and seating increased from 28 seats plus 3 accessible seats to 32 seats plus 3 accessible seats.
- Ground floor cinema seating (theatres 3 & 4) reduced from 142 seats plus 7 accessible seats to 86 seats plus 7 accessible seats. No change to cinema 1 seating.
- Ticket and candy bar layout amended.
- Residential entry and vertical circulation amended.
- Units 1 and 2 layout amended, balcony adjusted.
- At grade paved area to front of building.

#### First Floor

- Units 3 and 4 layout amended, balcony adjusted.
- First floor amenities relocated next to residential lift and stair.
- Cinema 2 seating adjusted and reduced from 148 seats plus 4 accessible seats to 54 seats.
- First floor total cinema seating reduced from 148 seats plus 4 accessible seats to 113 seats plus 4 accessible seats.
- Kitchen and bar relocated, terrace screening added for weather protection, residential foyer amended.

#### Second Floor

- Residential foyer added.
- Unit 5 layout amended/balcony adjusted.

#### Roof

- Roof height and shape amended.
- Solar panels added to satisfy BASIX requirements.

#### Seating

- Total seating reduced from 616 seats to 462 seats, a reduction of 154 seats.





**Figure 5 - Proposed Avoca Drive View Perspective**

### **Applicable Planning Controls**

The following planning policies and control documents are relevant to the development and were considered as part of the assessment.

- Environmental Planning & Assessment Act 1979 – Sections 4.15 and 4.56
- Local Government Act 1993 – Section 89
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy No 65 (Design Quality of Residential Flat Buildings)
- State Environmental Planning Policy (Housing) 2021
- Central Coast Local Environmental Plan 2022
- Central Coast Development Control Plan 2022
- Gosford Local Environmental Plan 2014
- Gosford Development Control Plan 2013
- Environmental Planning & Assessment Act 1979 – Section 4.65 and 4.66 (Existing Use)
- Environmental Planning & Assessment Regulation 2021 – Clause 42 (Existing Use)
- Protection of the Environment Operations Act 1997
- Roads Act 1997
- Water Management Act 2000

### **Draft Environmental Planning Instruments**

There are no draft planning instruments which apply to the proposal.

## Permissibility

The subject site is zoned R2 Low Density Residential under *Central Coast Local Environmental Plan 2022*. The proposed development was permissible with consent under the additional land uses permitted under the previous Clause 2.5 of the GLEP 2014.

The proposed development is identified as permissible under the additional land uses permitted under Clause 7.18 of the current CCLEP 2022.

Land to the north, east and south is zoned RE1 Public Recreation. Land to the west, excluding Avoca Drive, is zoned R1 General Residential.



**Figure 6 - Zoning of the site (edged in black) and adjoining properties.**

## State Environmental Planning Policies

### State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The application is supported by an amended BASIX certificate which confirms the proposal will meet the NSW government's requirements for sustainability, if built in accordance with the commitments in the certificate.

The proposal is considered to be consistent with the requirements of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004. The proposed modification does not impact BASIX requirements.

### State Environmental Planning Policy (Resilience and Hazards) 2021

The relevant provisions of the SEPP are addressed as follows:

### Chapter 2 Coastal Management

The aims of Chapter 2 are to be considered when determining an application within the Coastal Management Areas. The Coastal Management Areas are defined on maps issued by the NSW Department of Planning and Environment.

The site is located within the Coastal Environment Area as identified on these maps and subject to the provisions of Section 2.10 of the SEPP.

The development is not likely to have an adverse impact on the matters referred to in clause 2.10. The development is not considered likely to cause increased risk of coastal hazards on the site or other land and the site is not subject to the coastal management program for the purposes of Division.5. A summary of considerations is included below.

#### Section 2.10 - Development on land within the coastal environment area

In accordance with clause 2.10(1) development consent must not be granted unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

<b>Matters for Consideration</b>	<b>Compliance</b>
<i>(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment</i>	The proposal is not likely to cause adverse impacts on the biophysical, hydrological, or ecological environment.
<i>(b) coastal environmental values and natural coastal processes</i>	The proposal will not impact on the geological and geomorphological coastal processes.
<i>(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014, in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1</i>	The proposal will not result in an adverse impact on the water quality of the marine estate and does not drain to a sensitive lake contained in Schedule 1.
<i>(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms</i>	The proposal will not result in an adverse impact on native vegetation or fauna, undeveloped headlands, and rock platforms.
<i>(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	The site does not have frontage to any foreshore, beach, headland or waterways.
<i>(f) Aboriginal cultural heritage, practices and places</i>	There are no identified aboriginal cultural heritage items on the site.
<i>(g) the use of the surf zone.</i>	Not applicable. No frontage to any beach/surf zone.

(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—

(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or

(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

There have been no adverse impacts identified in the consideration of Section 2.10(1) that would engage the further considerations under Section 2.10(2).

#### Section 2.11 - Development on land within the coastal use area

Matters for Consideration	Compliance
(1). Development consent must not be granted to development on land that is within the coastal use area unless the consent authority— (a) has considered whether the proposed development is likely to cause an adverse impact on the following—	
i) existing, safe access to and along the foreshore, beach, headland, or rock platform for members of the public, including persons with a disability,	The proposal is not located on a foreshore, beach, headland, or rock platform and does not restrict access.
(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,	The proposal does not overshadow, or cause wind funnelling or loss of views from public places to any foreshore.
iii) the visual amenity and scenic qualities of the coast, including coastal headlands,	The proposal is well set back from the ocean frontage and has no impact on the visual and scenic quality of the coast or coastal headlands.
iv) Aboriginal cultural heritage, practices and places,	No impact on aboriginal or heritage items.
(v) cultural and built environment heritage, and	The site and adjoining sites do not contain any heritage items. The proposal is consistent with the likely future character and cultural identity of the area.
(b) is satisfied that—	

<p>i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</p> <p>ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</p>	<p>Council is satisfied that the proposal has been designed to avoid any adverse impacts in (a) above.</p>
<p>(c) has considered the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</p>	<p>The proposal has considered the bulk, scale and size of the development on the adjoining and surrounding built environment. The proposal does not impact other land in the coastal use area.</p>

#### Chapter 4 Remediation of Land

Clause 4.6 of Chapter 4 requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. and 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.

The site has previously been used for residential and theatre purposes. There are no known previous uses that would lead to the site being contaminated or unsuitable for the proposed use.

The development and the land are not otherwise mentioned in Section 4.6(4) and accordingly the provisions of Section 4.6(2) are not engaged by the proposal and consent may be granted. The proposal is considered consistent with the provisions of Chapter 4 of the SEPP.

Council can be satisfied that the proposed development complies with the provisions of Chapter 2 Coastal Management and Chapter 4 Remediation of Land of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

The relevant matters have been considered in the assessment of this application. The application is considered consistent with the stated aims and objectives.

#### **State Environmental Planning Policy (Housing) 2021**

State Environmental Planning Policy 65 (Design Quality of Residential Flat Buildings) was repealed by Section 3 of SEPP (Housing) 2021 effective from 14 December 2023. Chapter 4 of SEPP (Housing) applies to development applications made but not determined before 14 December 2023.

The current application was lodged on 11 October 2022 when SEPP 65 and the ADG applied. The internal changes to the units result in a reduction from 5 three-bedroom apartments to 5 two bedroom apartments.

The amended plans have been designed by a registered architect and the application was accompanied by a Design Verification Statement and Architectural Design Statement. **(Refer attachments 1, 5, 6 and 7).**

The Statements identify that 100% of the apartments will have cross ventilation and 2 hours of solar access during the wintertime.

It is considered the proposal meets the design requirements of the SEPP 65/SEPP (Housing)/ADG and is substantially the same development.

#### **Central Coast Local Environmental Plan 2022 (CCLEP 2022)**

The proposal has been assessed in accordance with the relevant development standards of CCLEP 2022. The proposed modification is consistent with the provisions of the CCLEP 2022.

#### Zoning & Permissibility

The subject site is zoned R2 Low Density Residential under *Central Coast Local Environmental Plan 2022*. The proposed development was permissible with consent under the additional land uses permitted under the previous Clause 2.5 of the GLEP 2014.

The proposed development is identified as permissible under the additional land uses permitted under Clause 7.18 of the CCLEP 2022.

The proposed modification to Development Application No. 42661/2012 are consistent with the approved uses and therefore permissible with the consent of Council.

#### Development Standards

An assessment of the proposed development against the relevant planning controls is detailed below.

### 3.1

Development Standard	Required	Approved	Proposed	Compliance with Controls	Variation %	Compliance with Objectives
cl. 4.3 (Height of Buildings)	10m	11.5m	11.745m	No	17.45%	Yes
cl. 4.4 (Floor Space Ratio)	1.:1	0.95:1	1.04:1	No	4%	Yes

**Figure 7 - CCLEP 2022 Development Standards**

#### 4.3 Height of Buildings

Clause 4.3 (2) of CCLEP 2022 provides that development on the subject land shall not exceed a maximum building height of 10m. The approved development on site exceeds the 10m height control, by 1.5m, representing a variation of 15%.

The modification application proposes an increase of the approved development's maximum roof height 245mm (11.745m/RL 15.145m AHD), representing a variation of 17.45% relating mainly to the roof of the cinema and unit 5 component of the development.

A modification application can be approved even though it would contravene a development standard, and no cl.4.6 variation is required. The relevant judgments (originating with *North Sydney Council v Michael Standley & Associates Pty Ltd* [1998] NSWSC 163) identify a modification application may be approved notwithstanding the development would be in breach of an applicable development standard were it the subject of an original development application. Section 4.55 and s.4.56 of the EP & A Act has a broad power to approve, subject to its own stand-alone tests (such as the substantially the same test, and a requirement to consider all relevant s.4.15 matters).

In view of the above, and in order to demonstrate the merit associated with the increase of the approved development's maximum roof height 245mm (11.745m/RL 15.145m AHD), consideration is provided with regard to the objectives of the R2 Low Density Residential zone contained with cl. 2.3(2) of CCLEP 2022, the objectives of the height and FSR development standards contained within cl. 4.3 (1) and 4.4(1) of CCLEP 2022.

Clause 2.3 (2) of CCLEP 2022 provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect to land within the zone. Notwithstanding that this is a modification application (not a new development application), the following assessment demonstrates that the proposed modified development is consistent with the applicable objectives of the R2 Low Density Residential zone applying to the subject land which are:

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

- To encourage best practice in the design of low-density residential development.
- To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.
- To maintain and enhance the residential amenity and character of the surrounding area.

#### Comment

Shadow diagrams for have been submitted which illustrate the overshadowing generated by the amended proposal between 9am and 3pm is minor. **(Refer attachment 10)**. All shadows cast during these periods fall upon adjoining roadways, with a minor encroachment of shadows to the car parking area and vegetation bordering South End Park. It is not considered the usability of South End Park will be unreasonable compromised by this minor overshadowing. In view of the above considerations, no objection has been made with regard to the additional shadows cast by height non- complying elements.

The approved and proposed modified development provides for a medium density residential development, as permitted by Clause 7.18 of CCLEP 2022. In granting Development Application No.42661/2012, the LEC was satisfied that the design of the proposal acceptable urban design and architectural quality. The proposed modifications do not involve any significant change to the approved residential design, and it is considered the increase in minor height of will not detract from providing an appropriate built form and land use intensity.

In granting Development Application No. 42661/2012, the Land and Environment Court determined the design of the proposal provided a high standard of urban design and architectural quality. The proposed modifications do not involve any significant change to the approved residential design.

- *To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford.*
- *To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing.*

To demonstrate if the proposal has merit, consideration of the proposed height non-compliance identified within cl.4.3(2) of CCLEP 2022 has been provided with regard to the objectives of cl. 4.3(1) (height of buildings) of CCLEP 2022:

- (a) to establish a maximum height of buildings to enable appropriate development density,

#### Comment

The maximum height limit for buildings has been identified for this property.

- (b) to ensure that the height of buildings is compatible with the character of the locality.

#### Comment



In this instance, it is considered that the additional building height proposed does not detract from the attainment of providing quality urban form in accordance with the character of the zone. The design incorporates various design elements, which activate the design as viewed from the public domain. The proposed modifications do not substantially change the building and have been upgraded to provide solar panels in accordance with ESD principles.

#### 4.4 Floor Space Ratio

The provisions of cl. 4.4 within CCLEP 2022 establish a maximum floor space ratio (FSR) for buildings. Clause 4.4 (2) of GLEP 2014 provides that development on the subject land shall not exceed a maximum floor space ratio of 1:1. The proposed modified development complies, having a floor space ratio of 0.95:1.

A modification application can be approved even though it would contravene a development standard, and no cl.4.6 variation is required. The relevant judgments (originating with *North Sydney Council v Michael Standley & Associates Pty Ltd* [1998] NSWSC 163) identify a modification application may be approved notwithstanding the development would be in breach of an applicable development standard were it the subject of an original development application. Section 4.55 and s.4.56 of the EP & A Act has a broad power to approve, subject to its own stand-alone tests (such as the substantially the same test, and a requirement to consider all relevant s.4.15 matters).

In view of the above, and in order to demonstrate the merit associated with the increase of the approved development's maximum roof height 245mm (11.745m/RL 15.145m AHD), consideration is provided with regard to the objectives of the R2 Low Density Residential zone contained within cl. 2.3(2) of CCLEP 2022, the objectives of the height and FSR development standards contained within cl. 4.3 (1) and 4.4(1) of CCLEP 2022.

Clause 2.3 (2) of CCLEP 2022 provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect to land within the zone. Notwithstanding that this is a modification application (not a new development application), the following assessment demonstrates that the proposed modified development is consistent with the applicable objectives of the R2 Low Density Residential zone applying to the subject land which are:

- To provide for the housing needs of the community within a low-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage best practice in the design of low-density residential development.
- To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.
- To maintain and enhance the residential amenity and character of the surrounding area.

#### Comment

The approved and proposed modified development provides for a medium density residential development, as permitted by Clause 7.18 of CCLEP 2022. In granting Development Application No.42661/2012, the LEC was satisfied that the design of the proposal acceptable urban design and architectural quality. The proposed modifications do not involve any significant change to the approved residential design and it is considered the increase in minor height of will not detract from providing an appropriate built form and land use intensity.

In granting Development Application No. 42661/2012, the Land and Environment Court determined the design of the proposal provided a high standard of urban design and architectural quality. The proposed modifications do not involve any significant change to the approved residential design.

- *To promote ecologically, socially, and economically sustainable development and the need for, and value of, biodiversity in Gosford.*
- *To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing.*

To demonstrate if the proposal has merit, consideration of the proposed FSR non-compliance identified within cl.4.4(2) of CCLEP 2022 has been provided with regard to the objectives of cl. 4.4(1) (FSR) of CCLEP 2022:

1. The objectives of this clause are as follows—
  - a) to establish standards for the maximum development density and land use intensity,
  - b) to ensure the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located,
  - c) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain,
  - d) to facilitate design excellence by ensuring the extent of floor space in building envelopes leaves generous space for the articulation and modulation of design.

#### Clause 5.21 Flood Planning

The site is identified as flood affected on Council's mapping. (Refer figure 7)

The development remains satisfactory with regard to Clause 5.21 of CCLEP 2022 subject to the continued imposition of flood mitigation conditions as amended by Councils Development Engineer.



**Figure 8 - 1% Flood Extent**

Council's Development Engineer advises:

*A flooding report was completed by Bewsher Consulting in 2016 to address the extent and impact of flooding on the development. The current DA consent is based on this report. The report determined the 1 in 100 year design flood to be 3.58m AHD and PMF design flood to be 3.99m AHD.*

*The residential flood planning level (FPL) is the 100 year ARI flood level plus 0.5m for freeboard for all habitable floor levels, the FPL for the development is 4.1m AHD. All habitable floor levels for the development are above the FPL.*

*The residential flood planning levels for the carparking is the 100 year ARI flood level without freeboard i.e. 3.6m AHD. The proposed basement carpark crest of 3.2m AHD is below the required flood level as is the service area access from, a flood gate is proposed to be installed to seal the basement from ingress of flood waters from the crest level (3.6m AHD) to the FPL (4.1m AHD).*

**(Refer amended conditions 2.2 and 2.9)**

#### Clause 7.1 Acid sulfate soils

This land has been identified as being affected by the Acid Sulfate Soils Map and the matters contained in clause 7.1 of *Central Coast Local Environmental Plan 2022* have been considered. The site contains Class 5 Acid Sulfate Soils. In this instance, the proposal works are not considered to impact on Acid Sulfate Soils.

#### Clause 7.18

The Central Coast Local Environmental Plan 2022 was notified on 24 June 2022 and came into effect 1 August 2022.

The additional land uses identified under Clause 2.5 of GLEP 2014 have been transferred to clause 7.18 of CCLEP 2022.

Clause 7.18 of CCLEP 2022 states:

#### **7.18 Certain development at Avoca Drive, Avoca Beach**

(1) This clause applies to Lot 140, DP 9359 and Lot 651, DP 16791, Avoca Drive, Avoca Beach, identified as "Avoca Beach Theatre" on the [Key Sites Map](#).

(2) Development for the following purposes is permitted with development consent on land to which this clause applies—

- (a) entertainment facilities,
- (b) residential flat buildings,
- (c) restaurants or cafes.

(3) Development consent must not be granted to development referred to in subclause (2) unless the design of the development has been reviewed by a design review panel.

(4) In deciding whether to grant development consent, the consent authority must consider the following—

- (a) whether the development retains the existing theatre building,
- (b) whether the design of the development complements the heritage character of the existing theatre building,
- (c) whether the design of development achieves a high standard of urban design and architectural quality, including in relation to the interface between the development and the adjoining public park,
- (d) whether the design of the development is appropriate for the location of the land on the coast,
- (e) whether adequate car parking is provided,
- (f) whether the development provides measures to conserve water usage and increase water efficiency,
- (g) if applicable, the outcome of the review by the design review panel.

(5) Subclause (3) does not apply to development if the Planning Secretary provides a written statement to the consent authority stating that the Planning Secretary considers the development is of a minor nature.

(6) A building on land to which this clause applies resulting from development for the purposes of entertainment facilities may exceed the maximum height shown on the [Height of Buildings Map](#) if the consent authority is satisfied the part of the building that exceeds the maximum height is an integral part of the design of the building.

(7) In this clause—

**design review panel** means a panel of 2 or more persons established by the consent authority for the purposes of this clause.

Under CCLEP 2022:

**entertainment facility** means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

A Design Review Panel has not been established by Council and the proposed modifications are considered to be substantially the same development approved by the Land and Environment Court.

#### Clause 7.18 (4) - (a) to (f).

Notwithstanding that this is an application under Section 4.56 of the Environmental Planning and Assessment Act 1979 to modify a consent granted by the Land and Environment Court (and not a new development application), the following consideration is given to the proposed modification in respect of the matters listed above in Clause 7.18 (4).

*(a) whether the development retains the existing theatre building.*

#### Comment

The proposed modified development retains the existing theatre.

*(b) whether the design of the development complements the heritage character of the existing theatre building.*

#### Comment

The proposed modified development does not alter the relationship of the approved development to the character of the existing theatre building.

*(c) whether the development provides a high standard of urban design and architectural quality, including the interface between the development and the adjoining public park.*

#### Comment

The proposed modification maintains the high standard of urban design and architectural quality approved by the Court, noting that Council's architect has not raised objections to the proposed modifications.

*(d) whether the design of the development is appropriate for the location of the land on the coast.*

Comment

The proposed modification does not significantly alter the bulk and scale or architectural presentation of the proposed development.

*(e) whether adequate car parking is provided.*

Comment

The proposed modification does not generate demand for additional car parking. The basement car parking is retained. The proposed modification reduces the seating capacity by 154 seats.

*(f) whether the development provides measures to conserve water usage and increase water efficiency.*

Comment.

The proposed measures approved are retained.

#### **Central Coast Development Control Plan 2022**

The original proposal was assessed under the provisions of GDCP 2013. The current proposal is subject to the provisions of CCDCP 2022. The relevant chapters are assessed below.

#### **Chapter 2.14 Site Waste Management**

The approved development by the Land and Environment Court permitted bulk commercial and 240l residential bins to be placed on the kerb in Burns Street for pick up.

This would reduce the footpath width beside the theatre and create a potentially dangerous traffic situation with waste trucks stopping near the Avoca Drive intersection.

To resolve this situation, widening of Burns Street is proposed as a condition of consent to provide a protected waste/parking bay in Burns Street adjacent to the waste storage area within the basement car parking area.

This will require widening of Burns Street. **(Refer figure 9).**

This is supported by Council's waste services and development engineer. **(Refer amended conditions 2.2, 2.9 and 2.13)**





**Figure 9 - Proposed works in Burns Street**

## Chapter 2.17 Character and Scenic Quality

The proposed modifications do not change or further impact the character or scenic quality of the area.

### Consultation

#### Public Exhibition

The application was notified from 21 October 2022 to 11 November 2022 with 332 public submissions received.

Of these 273 submissions were in support of the proposed development and 59 submissions objected to the proposed development.

The following is a summary of the issues.

#### In Support

- **The proposal will provide more entertainment and other services to the Central Coast community and support tourism.**

#### Comment

The proposal will provide additional entertainment and commercial facilities which are permitted under CCLEP 2022.

- **The new building looks wonderful and blends in with social and environmental surroundings.**

#### Comment

The proposed building is unique. The planning controls permit a building of greater height and floor space than generally permitted on R2 zoned land due to the history of the site.

- **The proposal will create a world class entertainment precinct for the Central Coast and local community.**

#### Comment

The proposal provides a unique facility with 4 cinemas which may attract tourists as well as local people.

- **The proposal will enable a wide range of activities.**

#### Comment

The proposal and current approval is for cinemas, café, and units.

#### Reasons for Objection

- **There were problems reading the documents on Council's website and making submissions.**

#### Comment

Any problems with Council's system were rectified early.

- **The proposed modifications are not substantially the same development and should not be approved due to environmental impacts. The proposal increases height, bulk and scale, reduces parking, and is out of character with the area. A new application must be submitted.**

#### Comment

The proposed modification has reduced the height, FSR, bulk and scale to that originally lodged and exhibited.

The proposed modifications are now considered to have minor environmental impact and the proposal is considered to be substantially the same development. While there is a minor increase in height and floor space this is not significant, and the proposal is substantially the same development.

- **The height, FSR, bulk and scale are greater and have additional impact on the adjoining park.**



### 3.1

#### Comment

The increase in height and FSR compared to the original approval is 4%. This is due to changes to the roof shape, installation of services including solar panels on the roof and internal changes to the layout which also results in a reduction in cinema seating. The reduction in cinema seating should result in a decrease demand for parking and impact on the adjoining streets and park.

- **The amendment is a substantial change to what was approved in 2017. There is a significant increase in height and bulk which is out of character for the area. There are no other 3 or more storeys in the area.**

#### Comment

The increase in bulk and FSR compared to the original approval is 4%. This is due to changes to the roof shape, installation of services including solar panels on the roof and internal changes to the layout which also results in a reduction in cinema seating by 191 seats.

- **The placement of services on the high point of the roof adds to the height and view loss generally.**

#### Comment

The screening around the roof top services has been removed/lowered and the proposed height increase is now reduced from 845mm to 0.245m on part of the building.

- **The proposal moves closer to Vine Street and has a vertical wall.**

#### Comment

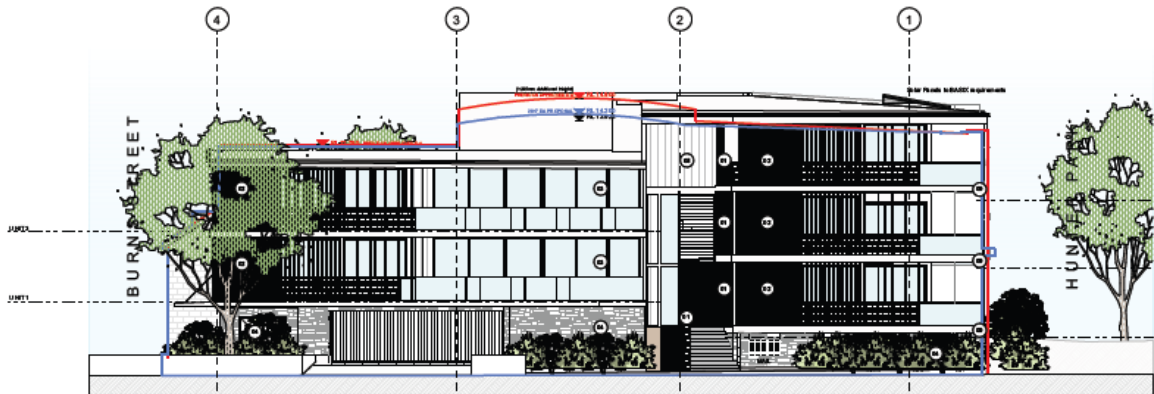
The setback to Vine Street varies due to the location of the basement driveway entry and balconies on the units above which have been amended to address the internal layout. The setback varies and is generally about 2.2m. The eastern elevation to Vine Street is not a vertical wall and is articulated by varying setbacks to walls and edge of balconies.



**Figure 10 - Original East Elevation**



**Figure 11 - Current Approved East Elevation**



**Figure 12 - Proposed East Elevation (Vine Street)**

- **The reduction in car parking spaces and increase in traffic. The proposal results in the loss of 3-4 car spaces.**

#### Comment

The loss of car parking in Vine Street due to external works required under the consent is necessary to provide entry to the basement car parking area. This is not significant. A condition of consent requires the construction of Burns Street which will provide additional parking spaces. **(Refer condition 2.2)**

- **The large number of submissions in support do not refer to the proposed amendments and have been lodged in support of the owners.**

#### Comment

There is a large number of submissions in support for the retention of the theatre. A number submissions (both in support and objection) do not confine their comments to the proposed modification but to the development generally. All submissions are required to be taken into consideration and appropriate weight given to the issues raised.

- **The third change is not substantially the same development. The height and Vine Street frontage should be restricted to the size of the 2018 consent.**

### 3.1

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#### Comment

The change proposed is not significant and has minimal environmental impact. The proposal is substantially the same development.

- **Radically different plans which take away ocean views with increased height.**

#### Comment

The proposed plans are not radically different and there is no significant additional view loss from surrounding properties, particularly now the proposed plans have reduced the height increase from 845mm to 245mm.

- **Increased risk of pedestrian/traffic safety.**

#### Comment

The reduction in seating capacity should not result in an increase in pedestrian/vehicle conflict or increase in safety risks. The new requirement for increased construction in Burns Street will mitigate the safety issues identified in the pickup of waste bins from the kerbside in Burns Street.

- **The site is located within an area subject to drainage and flooding problems.**

#### Comment

This matter was previously dealt with by the Land and Environment Court and previous modifications. Council's engineers support the proposal subject to conditions. The amended plans and engineering conditions have addressed the flooding and drainage issues in the area and the servicing of waste from the site. **(Refer amended conditions 2.2, 2.9 and 2.13)**

- **No plans to increase infrastructure.**

#### Comment

The conditions of consent require substantial works to be carried out around the site. The planning agreement provides for a payment of \$500,000.00 prior to the issue of a Construction Certificate for community works in the locality.

- **Building is too close to Boundary and Avoca Beach. Approved building was aesthetically pleasing. New building is an eyesore and impacts streetscape.**

#### Comment

The proposal does not significantly change boundary setbacks. The elevations are amended to reflect the internal changes and there is a reduction in cinema seating.

- **Proposal will generate noise to surrounding residents.**

#### Comment

This is a submission to the original application. The proposed modification will decrease the seating by 154 seats which will result in a lesser maximum number of patrons which can

attend the site at any one time. This should result in less noise generation and impact to surrounding residences.

- **There is concern with applicant's statement that cinemas will not be purely used as cinemas but transformed into other uses such as function rooms, live venues, music events/stages. The acoustic and traffic assessment did not address these uses. The development is more now a commercial development rather than a cinema.**

#### Comment

The consent granted is for demolition, 4 cinemas, café, 5 residential units and basement car parking. The consent (**condition 1.1A**) does not include function rooms, stages or live music events.

The definition of entertainment facility includes theatre, cinema, music hall, concert hall, dance hall and the like. Any other proposed use other than that as a cinema must be for a permissible use and would require a new development application. Speculation on what the building may be used for is not a valid matter for consideration.

- **The removal or absence of footpath paving in Vine Street.**

#### Comment

The proposed development has a frontage to Vine Street on the eastern side. Vine Street contains the public car parking area servicing Avoca Beach. Access to the basement car parking area is from Vine Street.

**Condition 2.2 e** requires the construction of a 1.5m wide concrete footpath across the full frontage of the site in Vine Street.

- **Overdevelopment. Increase in height and floor space over development standard and previous approvals.**

#### Comment

The proposed modifications are considered to have minor environmental impact and the proposal is considered to be substantially the same development. While there is a minor increase in height and floor space this is not significant, and the proposal is considered to be substantially the same development.

- **The development will destroy the historic appearance. The proposal is bigger than expected and not fitting in with the Avoca Beach character.**

#### Comment

The building is not a heritage item under the CCLEP 2022. The provisions of Clause 7.18 of the CCLEP 2022 permit the proposal with consent.

- **The proposed 4 cinemas, piano bar, café, commercial kitchen and 14 car parking spaces are unacceptable. There are already too many cinemas on the Central**

**Coast. Will the owners of other restaurants/businesses be compensated when people cannot access their premises. Avoca does not need 4 cinemas.**

Comment

The number of cinemas on the Central Coast and the economic viability of the other cinemas is not a matter for consideration in the assessment of a development application.

- **The impact on Hunter Park and community groups who use the park.**

Comment

The proposed modifications have no additional impact on Hunter Park and the groups who use the park. This is essentially an objection to the original application.

It should be noted that the works required in Burns Street will be confined to within the existing road reserve and will not intrude into the park.

- **No construction management plan has been submitted. The impact on the area and surrounding businesses and residents during construction needs to be addressed.**

Comment

A Construction Management Plan (CMP) is required to be prepared under **condition 3.7** of the consent.

**Submissions from Public Authorities**

There were no public authorities required to be consulted in relation to the proposal.

**Internal Consultation**

The application was referred to the following internal officers and the following comments have been provided:

**Architect**

Council's Architect has reviewed the application and advises:

This is a further amendment to an approved application. It proposes the retention of the existing Avoca Beach theatre, demolition of the existing cottage, shed and outbuildings and its incorporation into a new mixed development containing four additional cinemas and associated facilities, café, gallery and a five- unit residential flat development with parking for the residential units.

The application was subject to Clause 49DN of the Gosford Planning Scheme Ordinance and SEPP 65 and the Residential Flat Design Code (RFDC).

#### Assessment

The original application was approved subject to Clause 49 DN of the Gosford Planning Scheme Ordinance.

Clause 49 DN requires the following issues to be considered:

*(4) The maximum height for a building erected on the land to which this clause applies is 10 metres, except as provided by subclause (5).*

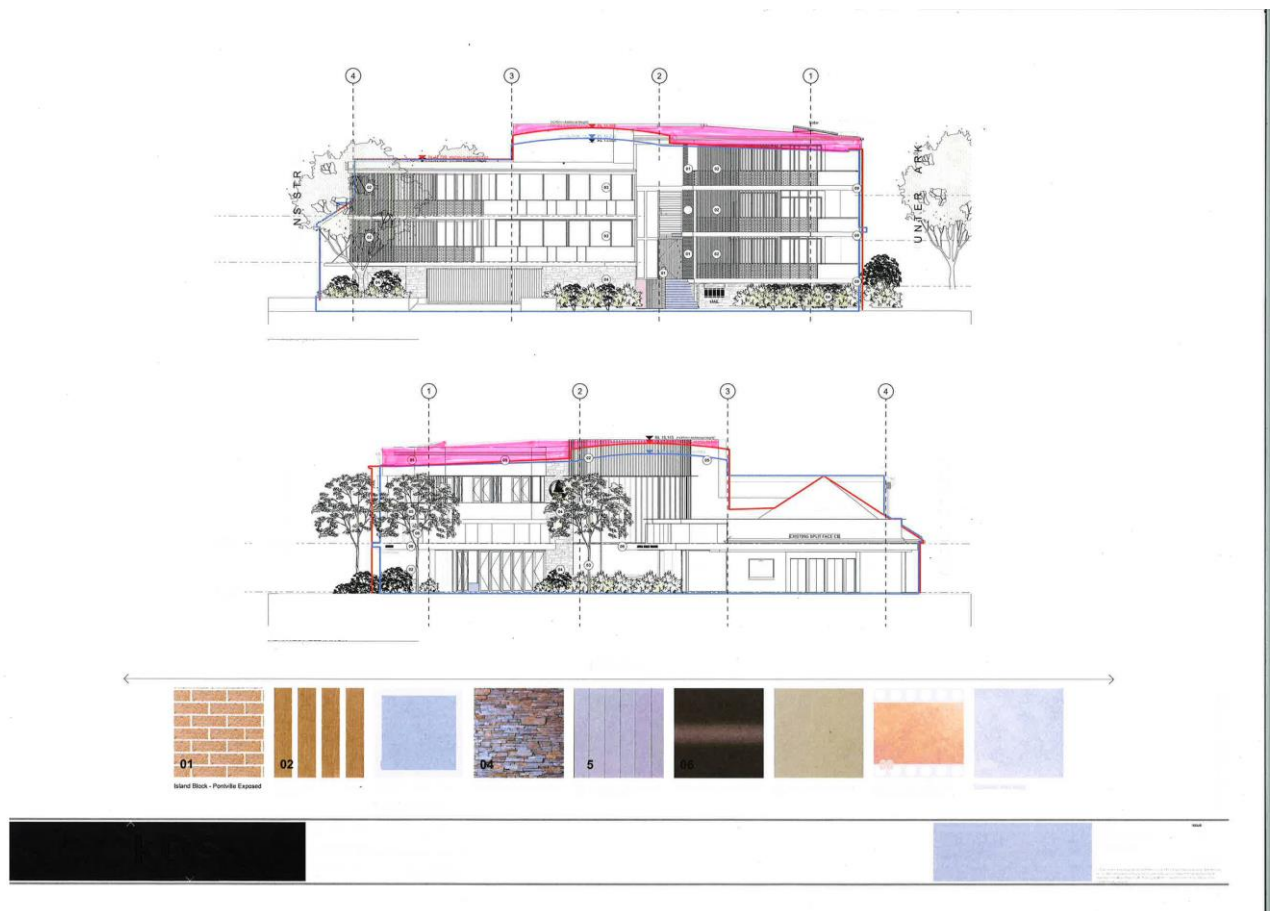
*(5) The consent authority may consent to development that exceeds the maximum height specified in subclause (4) if it is satisfied that any part of a building that is to exceed the maximum height:*

*(a) is to be used for cinema or theatre purposes, and*

*(b) is an integral part of the design of the building.*

The current amended proposal continues to be significantly non-compliant with the controls. As the attached drawing shows, the area shaded in pink shows the roof of the upper level units continues to be between 1m and 1.1m or 10% to 11% above the previously approved level and the 10m height control.

It is acknowledged the applicant has reduced the non-complying height of the plant room and solar panels.



The proposed non-complying area is not for cinema or theatre purposes, is inconsistent with the original approval and detrimental impacts on adjoining sites resulting from non-compliance cannot be supported.

The amended application claims a reduction in FSR of 1.09:1 to 1.04 or 4% non-compliance. When combined with the non-complying height indicates the application is an over development of the site and could only be considered if the application complies fully with the previously approved height.

Non-complying height results in significant detrimental impacts on views from surrounding properties. The proposal must fully comply with the maximum height shown in the approved drawings.

Issues relating to view loss due to non-compliance are specifically mentioned in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140,

*Step Four – “Assessment of the reasonableness of the proposal that is causing the impact. “A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable”.*

#### Conclusion

Despite considering that any view loss resulting from non-compliance is unreasonable, the assessment produced by Dr Pollard **(Refer attachment 5)** does show that the view loss is minor. It is considered that in this instance, refusal of the application would be unlikely to be supported by the Land and Environment Court and therefore the current amended application should be supported by Council.

#### **Engineering**

Council's Development Assessment Engineer has reviewed the application and supports the proposal subject to conditions. The engineering assessment has resolved the flooding and waste servicing issues.

#### **Waste Services**

The approved plans granted by the Land and Environment Court show a waste storage area in the basement level with residential and commercial bulk bins being wheeled from the basement to the kerbside in Burns Street for pick-up. Assessment of the approved plans reveal that this would create a traffic hazard/safety risk by the stopping of waste vehicles and time to service the bulk bins. Due to floor levels grades a waste truck is unable to enter the basement car parking area.

The solution is to require reconstruction/widening of Burns Street to provide a layby for the stopping/loading of waste trucks and parking. By the widening of Burns Street the footpath

width alongside the theatre is maintained and not reduced. **(Refer amended condition 2.2 b).** This solution is supported by Council's Waste Services.

This arrangement requires the signposting of the pick-up area as a loading zone during restricted hours and approval by the Traffic Committee **(Refer condition 2.2 i)**

It is acknowledged that **Conditions 2.13 – 2.15** of Development Application No. 42661/2012 remain in place and must be addressed prior to the issuing of any Construction Certificate.

#### **Ecologically Sustainable Principles**

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles. The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

#### **Climate Change**

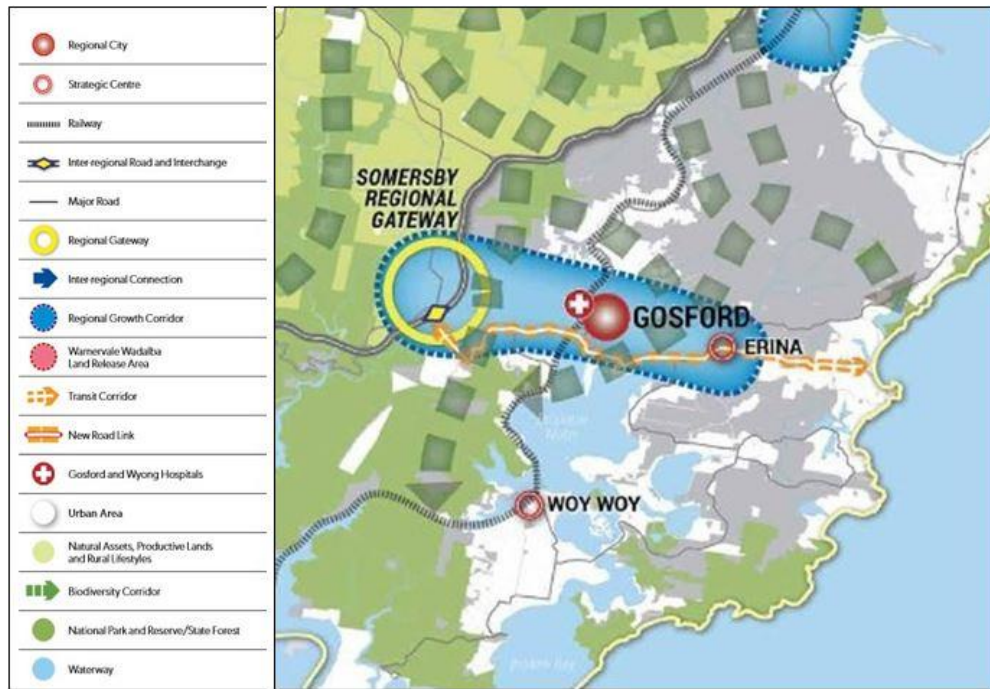
The potential impacts of climate change on the proposed modifications have been considered by Council as part of its assessment of the application. This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope, combat, withstand these potential impacts. The proposed development is considered satisfactory in relation to climate change.

#### **Central Coast Regional Plan 2036**

The subject site is included in the Central Coast Regional Plan 2036 as an 'urban area' and is located in close proximity to the 'strategic centre' of Erina and 'regional city' of Gosford.

An assessment of all relevant provisions of the Central Coast Regional Plan 2036 has been carried out to ensure the consent authorities own assessment of the compatibility of the proposed development with the surrounding environment is complete.





**Figure 13 - Extract Central Coast Regional Plan**

The proposed modifications are consistent with all relevant Directions under the *Central Coast Regional Plan 2036* in that upon completion the housing mix of the locality will be increased. Furthermore, the provides for additional population accommodation within walking distance of the shops, services and public transport, and will not adversely impact residential amenity nor create additional demands upon public infrastructure.

### Other Matters for Consideration

#### 4.56 Modification by consent authorities of consents granted by the [Court](#)

(cf previous s 96AA)

- (1) A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the Court and subject to and in accordance with the regulations, modify the development consent if—
  - (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and
  - (b) it has notified the application in accordance with--
    - (i) the regulations, if the regulations so require, and
    - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
  - (c) it has notified, or made reasonable attempts to notify, each person who made a submission in respect of the relevant development application of the proposed modification

by sending written notice to the last address known to the consent authority of the objector or other person, and

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

(1A) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

(1C) The modification of a development consent in accordance with this section is taken not to be the granting of development consent under this Part, but a reference in this or any other Act to a development consent includes a reference to a development consent as so modified.

(2) After determining an application for modification of a consent under this section, the consent authority must send a notice of its determination to each person who made a submission in respect of the application for modification.

(3) The regulations may make provision for or with respect to the following--

(a) the period after which a consent authority, that has not determined an application under this section, is taken to have determined the application by refusing consent,

(b) the effect of any such deemed determination on the power of a consent authority to determine any such application,

(c) the effect of a subsequent determination on the power of a consent authority on any appeal sought under this Act.

The proposal is required to be assessed having regard to the following matters.

Section 4.56(1) of the EP & A Act enables a consent authority to modify a development consent upon application being sought by the applicant or any person entitled to act on the consent, provided that the consent authority:

*(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).*

#### Comment

A qualitative and quantitative analysis between the development as originally consented to and the proposed modification is required, and the modification must render the altered development "essentially" or "materially" the same.

### 3.1

Figure 11 indicates the following quantitative (key numerical differences), qualitative changes (i.e. non numerical factors including visual impact, traffic impact and changed land uses) and changes to material and essential features of the approved and subsequent modification applications.

It is considered the proposal is substantially the same development for which the consent was originally granted and as modified.

Item	Original DA	Part A	Part B	Part D	Proposed Part E	Difference Original to Part E
GFA	1801.96m <sup>2</sup>	1588.68m <sup>2</sup>	1712.63m <sup>2</sup>	No change	1874.40m <sup>2</sup>	+72.44m <sup>2</sup> or 4%
FSR	1:1	0.88:1	0.95:1	No change	1.04:1	+0.04:1 or 4%
Building Height	RL14.2m	No Change	RL 14.9m	No Change	RL 15.145m	+0.945m
Car Parking Spaces	14	14	14	14	14	Nil
Cinema Seating	4 cinemas-613	4 cinemas-614	4 cinemas-616	No change	4 cinemas-462	-151
Residential Units	5	5	5	No change	5	Nil

**Figure 14 - Comparison Table**

*(b) and (c) it has notified the application in accordance with the relevant DCP and notified or attempted to notify people who previously made submissions.*

#### Comment

The application was notified in accordance with the provisions of CCDCP 2022 and a total of 332 submissions received, including 273 in support of the proposal.

*(d)*

*it has considered any submissions made concerning the proposed modification.*

#### Comment.

The issues raised in the public submissions have been assessed. Refer '**External Consultation**' section in this report.

(1A) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application.

#### Comment

The matters referred to in section 4.15(1) as are of relevance to the development and proposed modification have been taken into consideration as outlined in this report.

#### View Impact

Council has received several submissions to the proposed modifications, particularly as they relate to a loss of views from neighbouring properties associated with the increase in part of the roof height by 845mm. The amended plans have reduced the increase to 245mm, a reduction of 600mm to that in the notified plans. The amended plans are now more consistent with the plans approved under the Part B modification. For this reason the previous view impact assessment under Part B has been utilised and updated in the current assessment. **(Refer also attachment 4- View Impact Analysis)**

The impacts to view corridors are discussed below.

The development site is flanked by residential development to the west and east including dense native evergreen vegetation located in residential gardens to the east and street tree vegetation to the west. Filtered views to areas of open water and landform in the background are available from roadways south and west of the site. The approved development and proposed modifications will provide a contemporary form into the composition of the view from surrounding roadways which is not dissimilar in scale or character of the existing theatre and multi – storey residential development within the immediate context. The view loss associated with the additional roof height is minor from adjoining roadways and will comprise vegetation.

In *Tenacity Consulting P/L v Warringah Council Halics* [2004] NSW LEC140, the Land and Environment Court established a planning principle for assessment of view loss impact on adjoining properties. This planning principle provides:

- 1 Assessment of views to be affected.*
- 2 Consider from what part of the property the views are obtained.*
- 3 Assess the extent of the impact.*
- 4 Assess the reasonableness of the proposal that is causing the impact.*

*In respect of the step (2), an expectation to retain side views and sitting views would be unrealistic.*

*In respect of the step (3), the extent of the impact should be assessed for the whole of the property, not just for the view that is affected. The third step should be qualitatively measured on a scale from negligible to devastating.*

*In respect of the step (4), a development that affects views may be unreasonable if it comes about as a result of non-compliance with planning standards.*

The properties that form part of this view loss assessment are identified in Figure 14.



**Figure 15 - Properties identified in View Loss Analysis (site edged in black)**

In undertaking this view loss analysis, site inspections were carried out, and the expert view loss evidence, provided in the Land and Environment Court of New South Wales court proceedings associated with the original determination, and information submitted with this application, were reviewed. The conclusion of the assessment undertaken pertaining to private domain view loss associated with the proposed modifications is provided below:

- Views from residential units within No. 45 Avoca Drive, Avoca Beach are external views from either the mid – level or upper-level balconies. The dwellings do not have existing direct view access to the development site due to either the orientation of the units to views or because of the intervening-built form and vegetation. **(Refer to Figure's 16-21).** View loss from this property as a result of the proposed modifications is negligible.



*Figure 16 - View corridor from 7/45 Avoca Drive (mid - level balcony)*



*Figure 17 - View corridor from 7/45 Avoca Drive (upper - level balcony)*





***Figure 18 - View corridor from 8/45 Avoca Drive (mid-level balcony)***



***Figure 19 - View corridor from 8/45 Avoca Drive (upper-level balcony)***

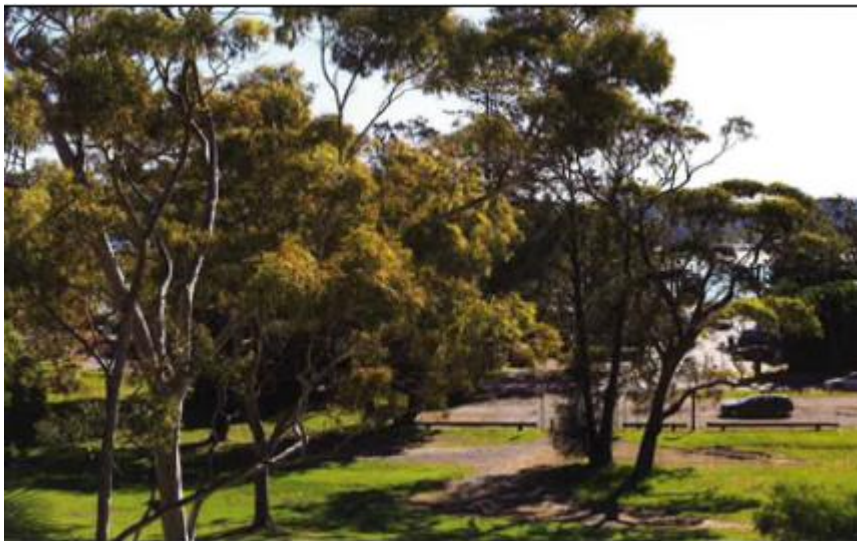


***Figure 20 - View corridor from 9/45 Avoca Drive (upper level balcony)***



*Figure 21 - View corridor from 9/45 Avoca Drive (mid-level balcony)*

- Views from No. 2/47 Avoca Drive, Avoca Beach are from a roof terrace from which a minor portion of the south-eastern corner of the development may be visible (**refer to Figure 22**). This minor potential encroachment in the view loss corridor does not block any views to scenic or highly valued items such as Avoca Beach or water. View loss from this property, and No. 49 Avoca Beach Drive, as a result of the proposed modifications is negligible.



*Figure 22 - View corridor from 2/47 Avoca Drive (rear balcony)*

- Views from No. 1/51 Avoca Drive, Avoca Beach are from a rear terrace at the uppermost level of the development, which are visible via a narrow outlook between vegetation at South End Park. The view contains part of the wave zone at the beach which is visible above the existing theatre roof (**refer to Figure's 23 and 24**).





*Figure 23 - View corridor from 1/51 Avoca Drive (rear balcony)*



*Figure 24 - View corridor from 1/51 Avoca Drive (rear balcony – zoomed in)*

The Part 2 (now part A) consent included a reduction in the width of the roof void to Cinema 2, being setback from Avoca Drive an additional 2m. Whilst the additional height proposed under the previous modification application will result in a loss of vegetated outlook, the wave zone, beach and remainder of the whole view toward North Avoca will be retained in a greater capacity than that was previously approved by the LEC and considered acceptable.

A secondary view from this property is retained from a lower terrace (also at the uppermost level) of 1/51 Avoca Drive (**refer to Figure 25 and 26**). This outlook is largely obscured by vegetation, however the dominant view of the water and land interface will remain unaffected by the proposed modifications.



*Figure 25 - View corridor from 1/51 Avoca Drive (lower rear balcony)*



*Figure 26 - View corridor from 1/51 Avoca Drive (lower rear balcony – zoomed in)*

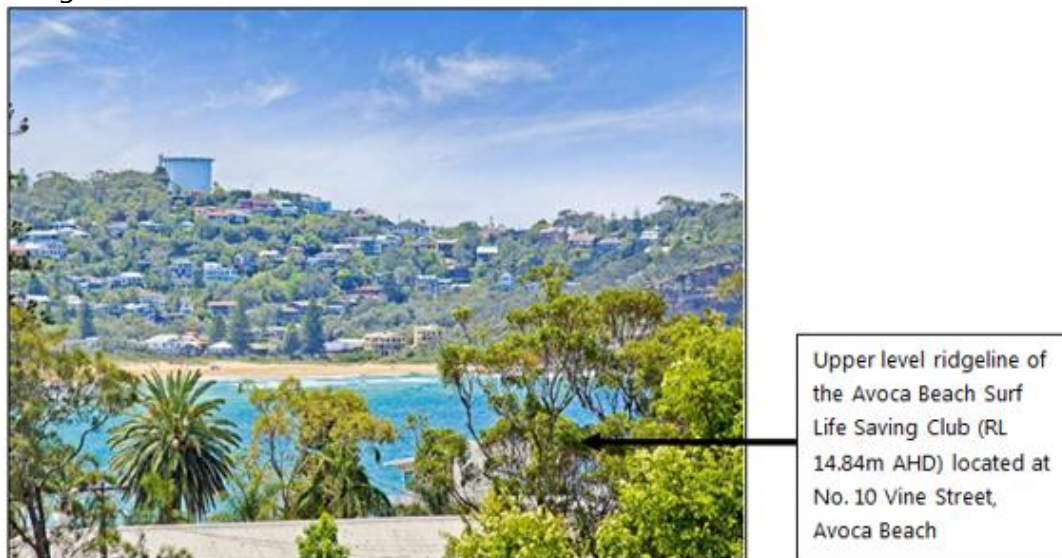
- No.72A Avoca Drive, Avoca Beach is occupied by an elevated dwelling with a northern first floor level balcony. The existing outlook from this balcony is towards the residential development located at No. 57A Avoca Drive, Avoca Beach, beyond which the existing roof of the Avoca Beach Theatre is visible (**refer to Figure 27**).





**Figure 27 - View corridor from 72A Avoca Drive (first floor balcony) showing approved building in green and proposed modification in red outline.**  
 (Source: Dr P Pollard-View Impact Assessment))

**Figure 28** details a further view of the outlook from the northern balcony of No. 72A Avoca Drive with the upper-level ridgeline of the Avoca Beach Surf Life Saving Club (RL 14.84m AHD) located at No. 10 Vine Street, Avoca Beach visible beyond the vegetation line. The increase of the approved development's maximum roof height by 245mm will result in a maximum RL 15.145m AHD, 0.825mm higher than the Avoca Beach Surf Life Saving Club.



**Figure 28 - View corridor from 72A Avoca Drive (first floor balcony)**  
 (Source: [www.realestate.com.au](http://www.realestate.com.au))

The approved roof of Cinema 2 will be visible above the roof of the existing Avoca Beach Theatre. The proposed modifications will result in a further loss of view from the northern first floor balcony of No. 72A Avoca Drive comprising built form and a narrow band of water seen heavily filtered through vegetation in the park beyond the development site. However, the wave zone of Avoca Beach and the remainder of the beach visible between Avoca and North Avoca in this view will be retained. Furthermore, the remainder of the outlook from this junction, including a view to the Skillion in Terrigal, will be retained **(refer to Figure 29)**.



**Figure 29 - View corridor from 72A Avoca Drive (first floor balcony)**  
(Source: [www.realestate.com.au](http://www.realestate.com.au))

It is considered the proposed modifications do not block a significant proportion of views to scenic items or highly values items. The additional view loss from No. 72A Avoca Drive is considered minor and reasonable being that the loss of outlook associated with the proposed modifications are currently heavily filtered by vegetation and built elements. The loss of these filtered views will not adversely impact the retention and interpretation of significant water and land interface views in the distance.

- No. 72 Avoca Drive, Avoca Beach is occupied by an elevated dwelling with a northern orientated first floor level balcony. The existing outlook from this balcony is towards residential development located on the northern side of Avoca Beach Drive beyond which the existing roof of the Avoca Beach Theatre is visible **(refer to Figure 30)**.



**Figure 30 - View corridor from 72 Avoca Drive (first floor balcony)**  
(Source: [www.realestate.com.au](http://www.realestate.com.au))

The approved roof of Cinema 2 will be visible above the roof of the existing Avoca Beach Theatre. It is acknowledged that the proposed modifications will result in a further loss of view comprising built form and a narrow band of water seen heavily filtered through vegetation in the park beyond the development site from the northern first floor balcony of No. 72 Avoca Drive. However, the wave zone of Avoca Beach and the remainder of the beach visible between Avoca and North Avoca in this view will be retained.

It is considered the proposed modifications do not block a significant proportion of views to scenic items or highly values items. The additional view loss from No. 72 Avoca Drive is considered minor and reasonable.

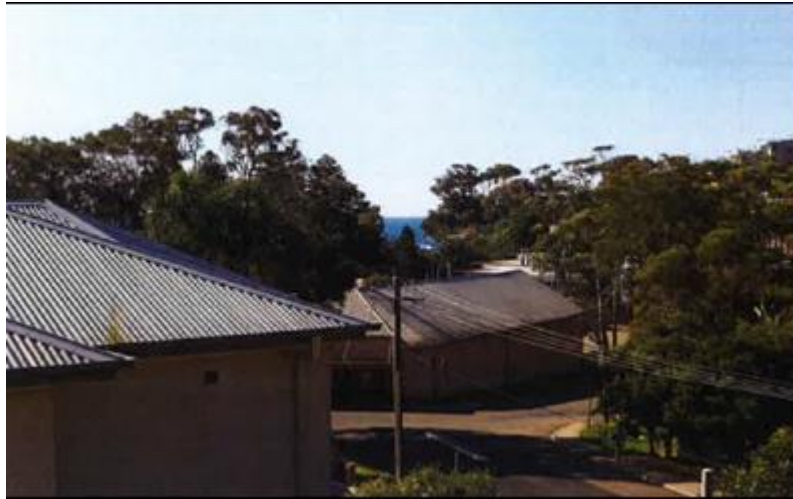
- The residential dwellings located in No. 92 Avoca Drive, Avoca Beach (Unit's 3 and 4) currently have a view of water in a north-easterly direction, visible through a narrow opening in vegetation (**refer to Figure's 31, 32 and 33**).

These water views are obtained over the existing theatre roof from both the lower and upper-level balconies of No. 3/92 Avoca Drive and the upper level balcony of No. 4/92 Avoca Drive via an oblique viewing corridor. This viewing corridor does not comprise the principal outlook from the three affected balconies. The principal outlooks from No.'s 3/92 and 4/92 Avoca Drive are in an easterly direction towards South End Park.

The lower-level terrace of No. 3/92 Avoca Drive does not currently obtain water views over the roof of the existing theatre (**refer to Figure 31**). The proposed modifications will result in a narrow view of vegetation being lost. Any view loss concern from the lower-level terrace of No. 3/92 Avoca Drive, is negligible.

The lower-level balconies of No.'s 3/92 and 4/92 Avoca Drive are adjacent to the principal internal living areas, with the upper level balconies adjacent to a bedroom.





**Figure 31 - View corridor from 3/92 Avoca Drive (upper level terrace)**



**Figure 32 - View corridor from 3/92 Avoca Drive (lower level terrace)**



**Figure 33 - View corridor from 4/92 Avoca Drive (upper level terrace)**  
(Source: [www.realestate.com.au](http://www.realestate.com.au))



**Figure 34 - View corridor from 4/92 Avoca Drive (upper level terrace)**  
(Source: [www.realestate.com.au](http://www.realestate.com.au))

The Part 2 (now part A) consent included a reduction in the width of the roof void to Cinema 2, being setback from Avoca Drive an additional 2m. Whilst the additional height proposed under the current modification application will result in a loss of vegetated outlook, the main view of the ocean in the distance will be retained from all three affected balconies in a greater capacity than that was previously approved by the LEC and considered acceptable. Any view loss concerns from No.'s 3/92 and 4/92 Avoca Drive, is negligible due to the proposed modifications.

#### Shadow Impact

It is concluded that there will be no significant view loss associated with the increase in part of the roof height by 245mm which would justify refusal of the modification application.

The proposed modifications do not cause excessive overshadowing to public open space areas.

#### **Likely Impacts of the Development**

##### *a) Built Environment*

The proposed built form is considered acceptable in the context of the site.

There will be no amenity impacts as a result of the variations to cl.4.3 (Height of Buildings) under CCLEP 2022 that would warrant further modification of the development application.

*b) Natural Environment*

The proposed modifications are satisfactory in relation to impacts on the natural environment as identified throughout this report.

*c) Economic Impacts*

The proposed modifications will continue to contribute to the supply of housing and tourist facilities in the locality and is considered to be satisfactory from an economic perspective.

*d) Social Impacts*

No additional social impacts will arise from the approval of this modification application.

### **Suitability of the Site for the Development**

A review of Council's records has identified the following constraints:

- Coastal Zone
- Bushfire
- Flooding

The proposal is supportable subject to the continued imposition of conditions, as originally approved and amended. There are no constraints that would render the site unsuitable for the modified development of the site.

### **Planning Agreements**

The proposed development is subject to a planning agreement (ECMD 3080720) dated 15 September 2006 which requires contributions for community facilities. **(Refer Condition 2.20)**

At its meeting held 19 October 2020, Council resolved the following:

*1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council. The development is subject to a planning agreement which requires a contribution to external works prior to the issue of a Construction Certificate. The money received under the legal agreement must be used by Council within the period specified under the agreement or refunded.

Condition 2.20 states:



2.20 *In accordance with the Voluntary Planning Agreement (ECM Doc No 3080720 – incorporating the Voluntary Planning Agreement executed between the parties dated 15 September 2006) signed by Gosford City Council, and Norman Augustus McDonald Hunter and Norbet Enterprises Pty Limited dated 22 January 2007 (the terms of which are incorporated herein as if fully set out herein), compliance with the following:*

- *In accordance with Recital E and clause 4(a) of the 2006 Voluntary Planning Agreement, payment of the total sum of \$500,000 for the public purpose of the provision of public amenities, namely, the construction and enhancement of car parking facilities near the development in South End Park, Avoca and the embellishment and beautification of the adjoining public open space known as Hunter Park, Avoca all as depicted on the plan annexed to the 2006 Voluntary Planning Agreement and marked with the letter "B"; and*
- *In lieu of Section 94 Contributions, payment of an amount of \$10,296 for the provision of public amenities by Council ("the Contribution Amount"). The Contribution Amount will be increased on each of 1 January, 1 March, 1 July and 1 October in each year from the date of this Agreement [being the date of the 2006 Voluntary Planning Agreement] until the Contribution Amount is paid by the same percentage increase as the percentage change, if any, in the Consumer Price Index in the 3 months prior to the relevant review date.*

*The above contribution amounts are to be paid prior to the issue of any Construction Certificate.*

*Any Construction Certificate is not to be issued by a certifying authority until the developer has provided the certifying authority with a copy of a receipt issued by Council that verifies that the contributions have been paid in accordance with the wording of this condition. A copy of this receipt is to accompany the documents required to be submitted by the certifying authority to Council under Clause 104 of the Environmental Planning and Assessment Regulation 2000.*

### **Development Contribution Plan**

Contributions may be applicable to development which is subject to Central Coast Regional Section 7.12 Contributions Plan. Development contributions are only levied where the proposal meets the cost of works thresholds and not subject to any exemption under this plan.

In this case contributions are not applicable as the development was approved prior to CP 7.12 and is subject to a planning agreement which requires contributions. **(Refer Condition 2.20)**

**The Public Interest**

The approval of the application is considered to be in the public interest.

**Political Donations**

During assessment of the application there were no political donations were declared by the applicant, applicant's consultant, owner, objectors and/or residents.

**Conclusion**

Based on the considerations provided above, it is concluded the proposed modifications are not without merit and will not hinder the attainment of objectives under s.1.3 of the EP & A Act. It is considered there are sufficient grounds to justify a further variation of the development standard to that originally approved and subsequently amended.

The proposed development is considered to be substantially the same development and the proposed modifications are not considered to have significant additional impacts on surrounding properties or the environment.

The Development Application has been assessed against the heads of consideration of s.4.15 and s.4.56 of the EP & A Act and all other relevant instruments and policies. The proposed modifications are considered reasonable and therefore it is recommended that Council grant approval to Development Application No. 42661/2012/E.










**Recommendation**

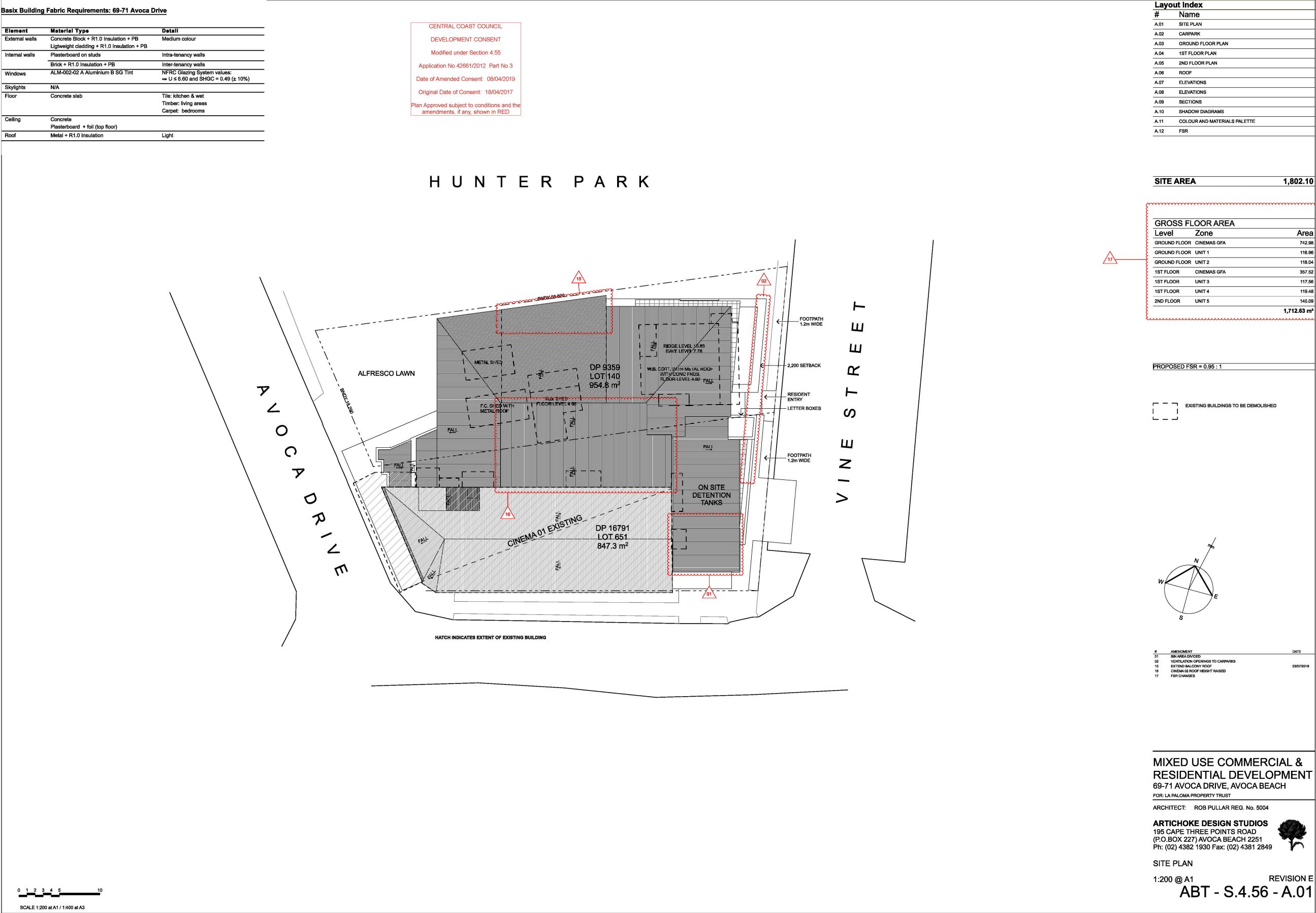
- 1     *That the Local Planning Panel grant consent to [DA/42661/2012/E – 69 Avoca Drive, Avoca Beach – Proposed Alterations and Additions to existing Theatre, subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***
- 2     *The consent be modified by:***
  - c.   The amendment of conditions 1.1A, 1.1, 2.2, 2.7, 2.13.***
  - d.   The addition of conditions 1.5, 2.22, 2.9, 5.23, 5.24.***
- 3     *That Council advise those who made written submissions of the Panel's decision.***
- 4     *That Council advise relevant external authorities of the Panel's decision.***

**Goal I: Balanced and sustainable development**

R-I3: Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management.

**Attachments**

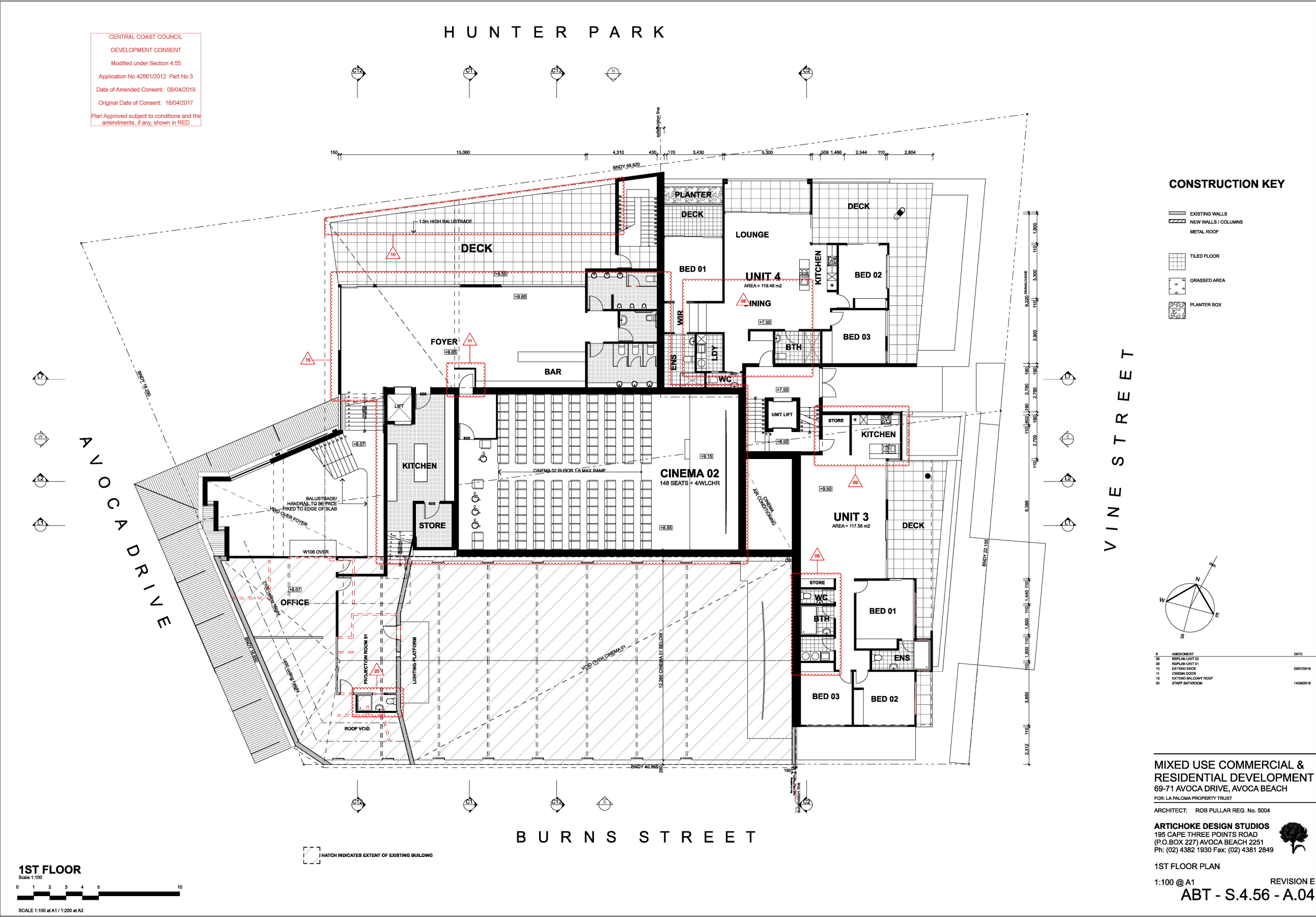
<a href="#"> 1</a> <a href="#">↓</a>	Approved Plans DA42661 L140 DP9359 H71 Avoca Drive AVOCA BEACH Part 3	ECMD24899443
<a href="#"> 2</a> <a href="#">↓</a>	Draft conditions/reasons - Avoca Beach Theatre 69 & 71 Avoca Drive, AVOCA BEACH - DA/42661/2012/E - Central Coast Council	D16143009
<a href="#"> 3</a> <a href="#">↓</a>	UPDATED View Impact Analysis[1]_PAN-268705 - 69 Avoca Drive AVOCA BEACH - Avoca Theatre - 69 & 71 Avoca Drive AVOCA BEACH - DA/42661/2012/E	D15643909
<a href="#"> 4</a> <a href="#">↓</a>	PUBLIC Apartment Design Guide Report - 69 Avoca Dr, AVOCA BEACH NSW 2251 - PAN-268705 - DA/42661/2012/E	D15367102
<a href="#"> 5</a> <a href="#">↓</a>	PUBLIC Architectural Design Statement - 69 Avoca Dr, AVOCA BEACH NSW 2251 - PAN-268705 - DA/42661/2012/E	D15367082
<a href="#"> 6</a> <a href="#">↓</a>	PUBLIC Design Verification Statement - 69 Avoca Dr, AVOCA BEACH NSW 2251 - PAN-268705 - DA/42661/2012/E	D15367081
<a href="#"> 7</a> <a href="#">↓</a>	PUBLIC Landscape Plan - 69 Avoca Dr, AVOCA BEACH NSW 2251 - PAN-268705 - DA/42661/2012/E	D15367079
<a href="#"> 8</a> <a href="#">↓</a>	Statement of Environmental Effects - DA/42661/2012/E - 69 Avoca Dr, Avoca Beach	D16122723
<a href="#"> 9</a> <a href="#">↓</a>	Shadow Diagram Comparison - D 12E - 69 Avoca Dr, Avoca Beach	D16189147





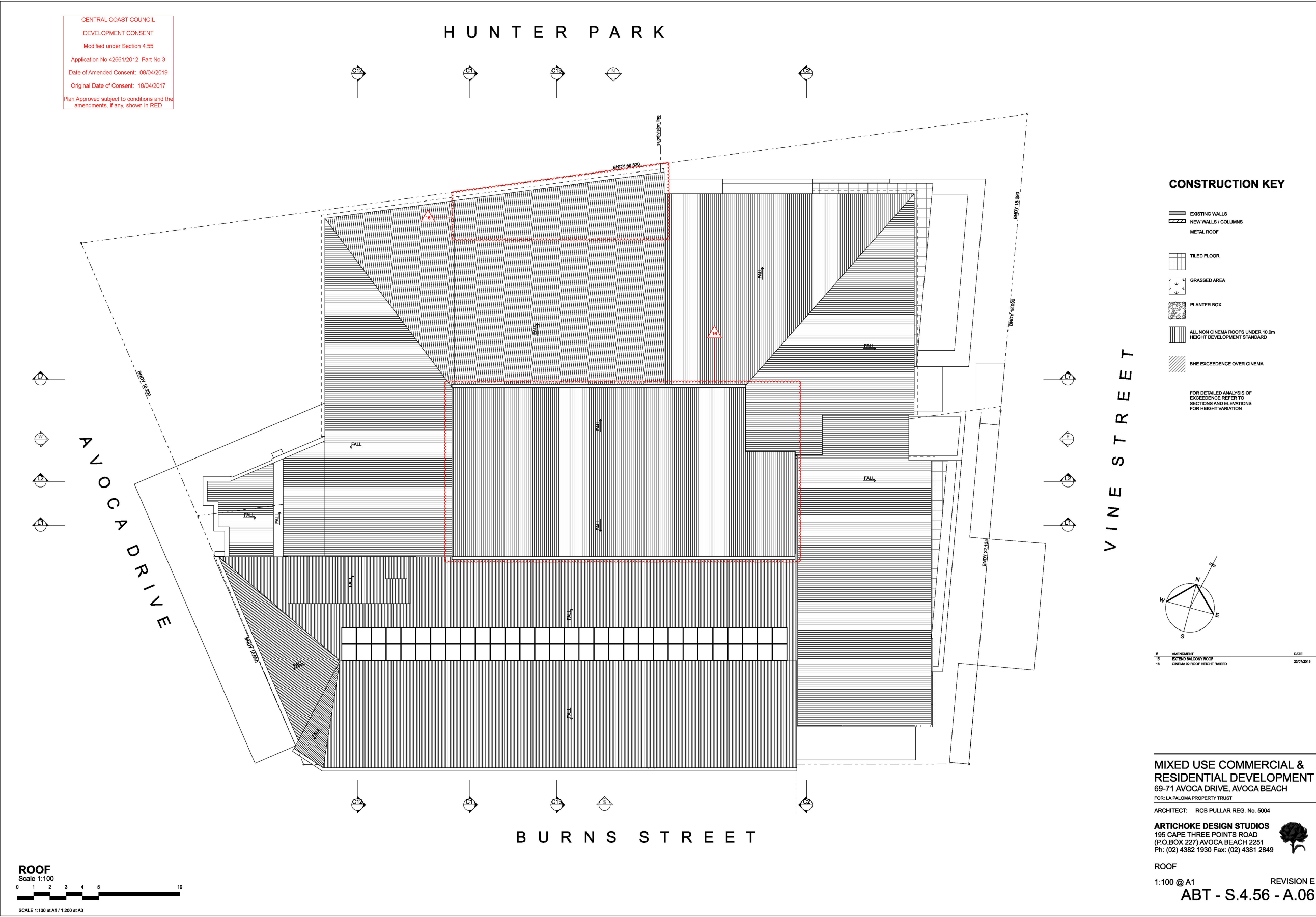


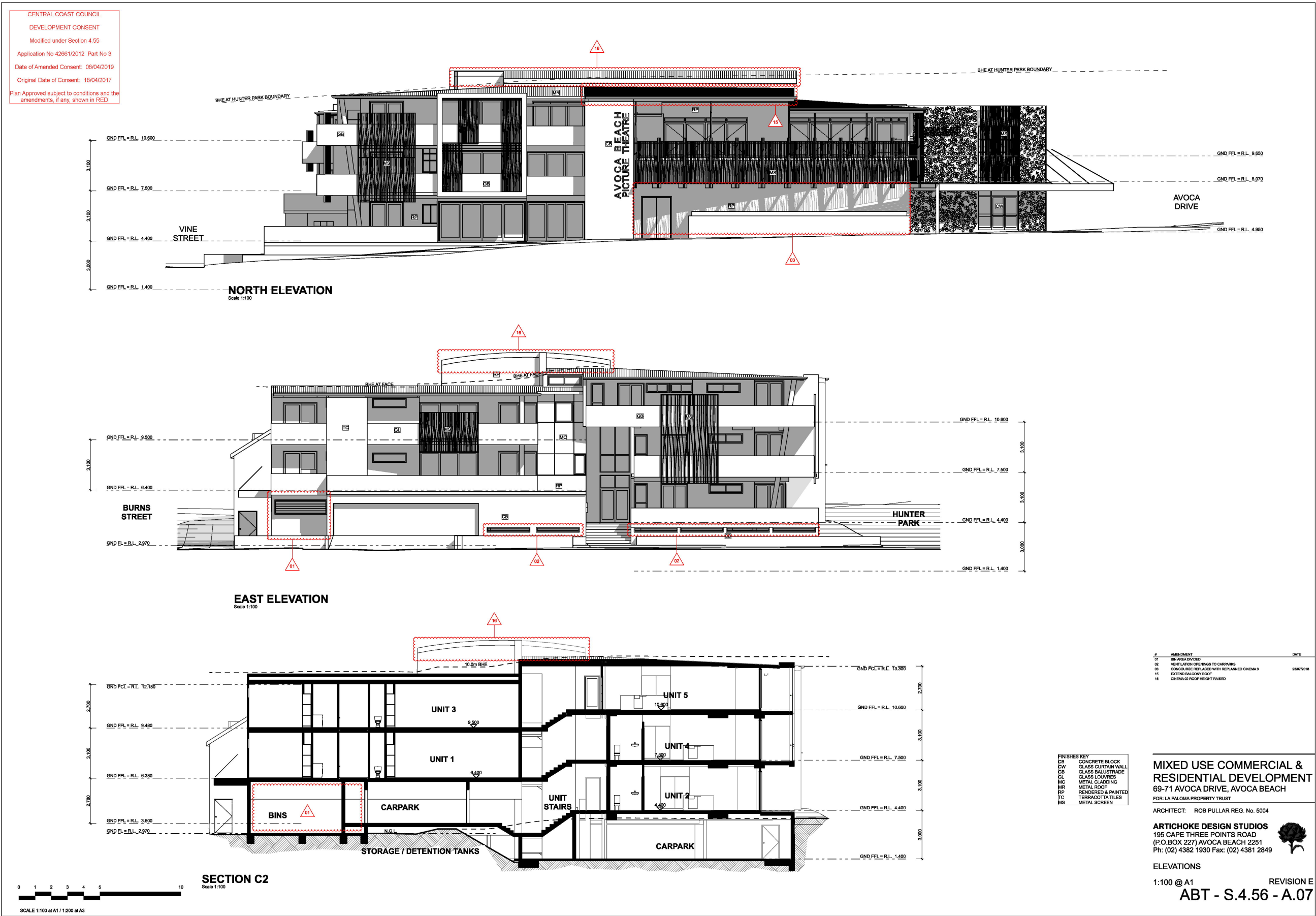


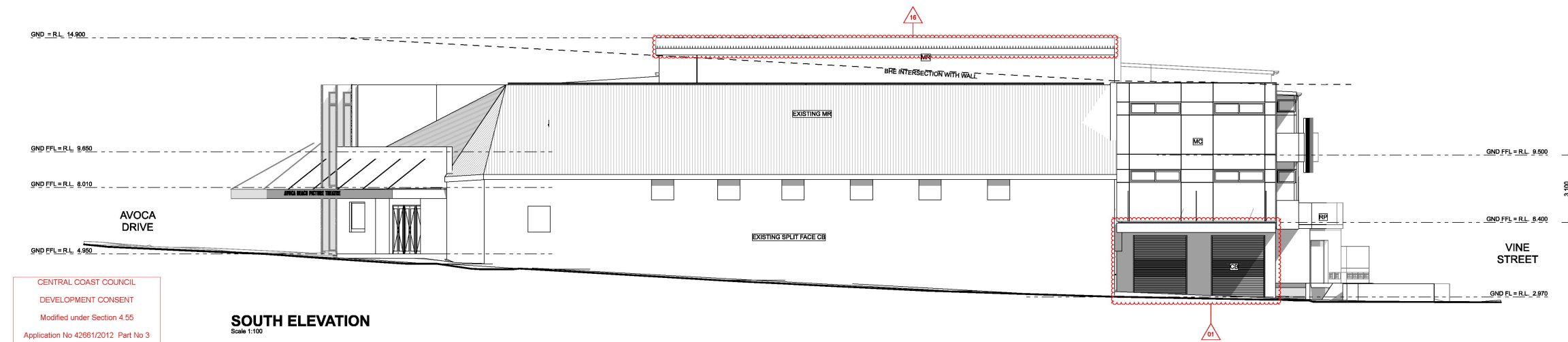




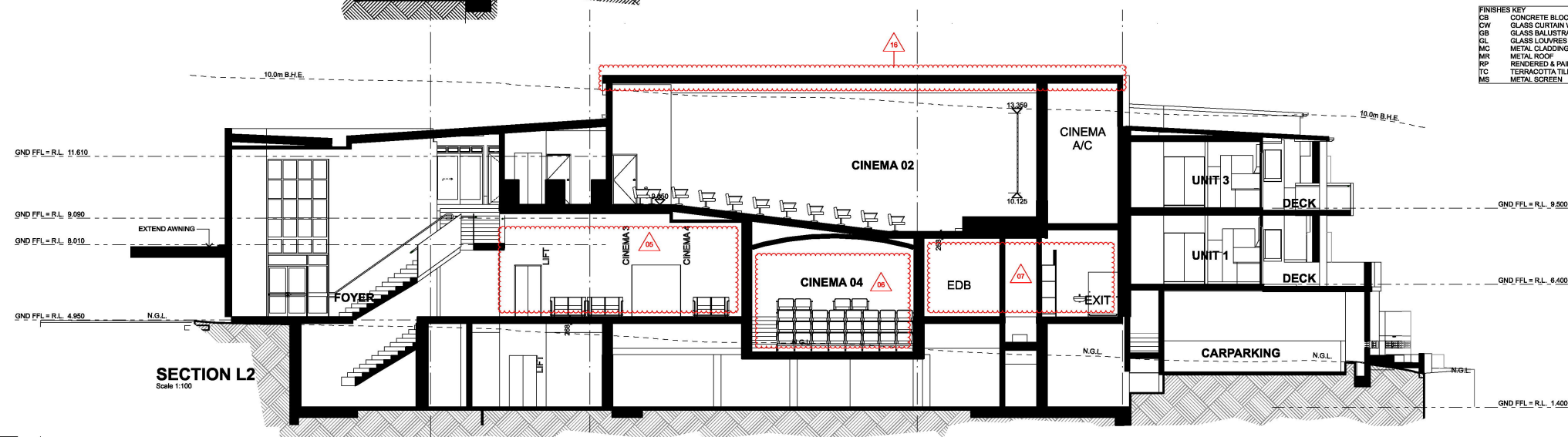
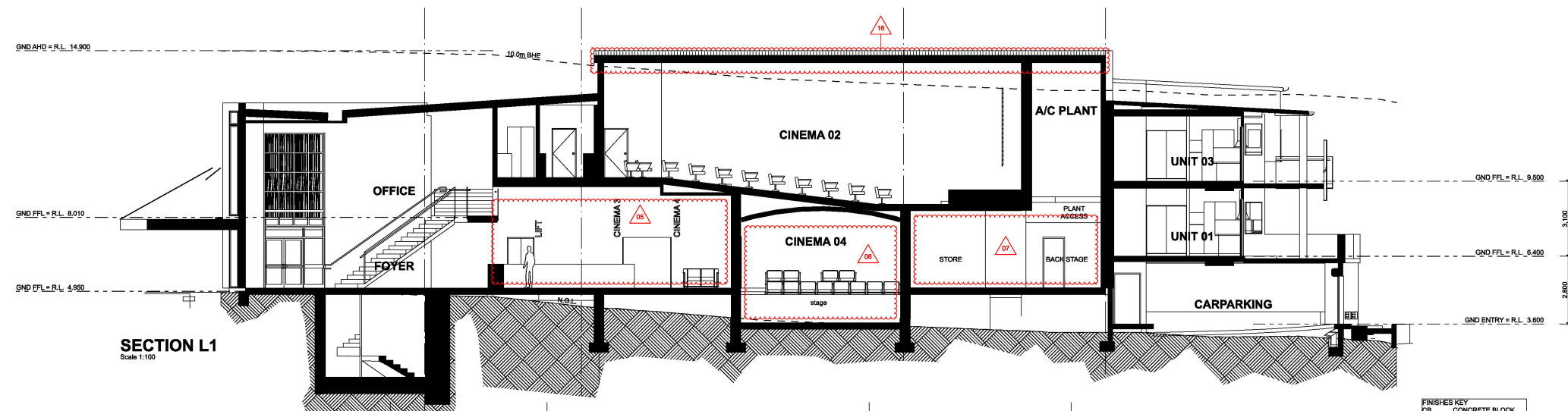








CENTRAL COAST COUNCIL  
DEVELOPMENT CONSENT  
Modified under Section 4.55  
Application No 42661/2012 Part No 3  
Date of Amended Consent: 08/04/2019  
Original Date of Consent: 18/04/2017  
Plan Approved subject to conditions and the  
amendments, if any, shown in RED



FINISHES KEY  
CB CONCRETE BLOCK  
CW GLASS CURTAIN WALL  
GB GLASS BALUSTRADE  
GL GLASS LOUVER  
MC METAL CLADDING  
MR METAL ROOF  
RP RENDERED & PAINTED  
ITC TERRAZZOTA TILES  
MS METAL SCREEN

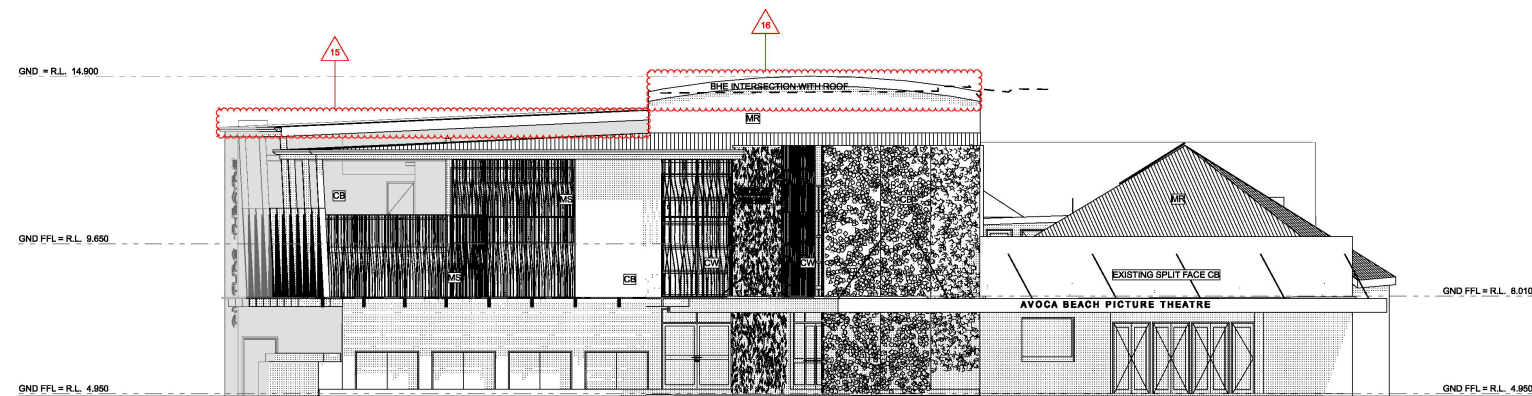
#	AMENDMENT	DATE
05	FOYER REPLANED	23/07/2018
06	CINEMA 4 REPLANED	
07	BACKSTAGE AND STAIRS REPLANED	
15	CINEMA 02 ROOF HEIGHT RAISED	
01	NEW AREA DIVIDED	Work in Progress

MIXED USE COMMERCIAL & RESIDENTIAL DEVELOPMENT  
69-71 AVOCA DRIVE, AVOCA BEACH  
FOR: LA PALOMA PROPERTY TRUST  
ARCHITECT: ROB PULLAR REG. No. 5004  
ARTICHOKE DESIGN STUDIOS  
185 CAPE THREE POINTS ROAD  
(P.O.BOX 227) AVOCA BEACH 2251  
Ph: (02) 4382 1930 Fax: (02) 4381 2849

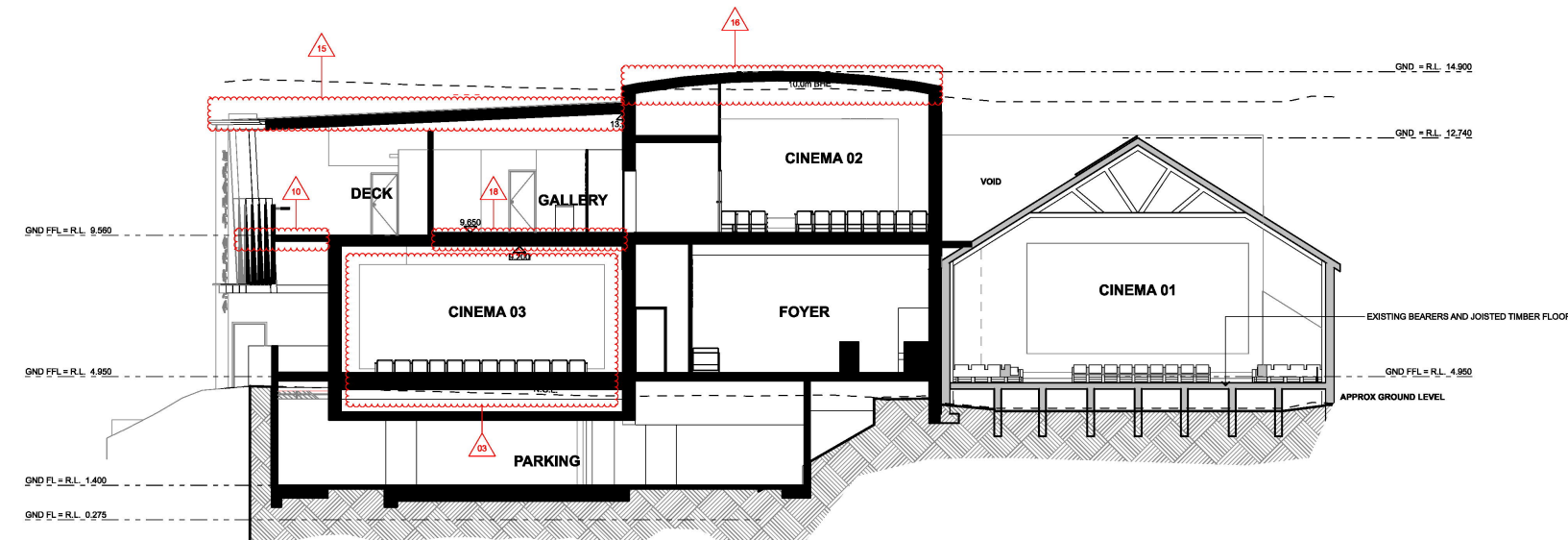
ELEVATIONS  
1:100 @ A1  
REVISION E  
ABT - S.4.56 - A.08

SCALE 1:100 at A1 / 1:200 at A3

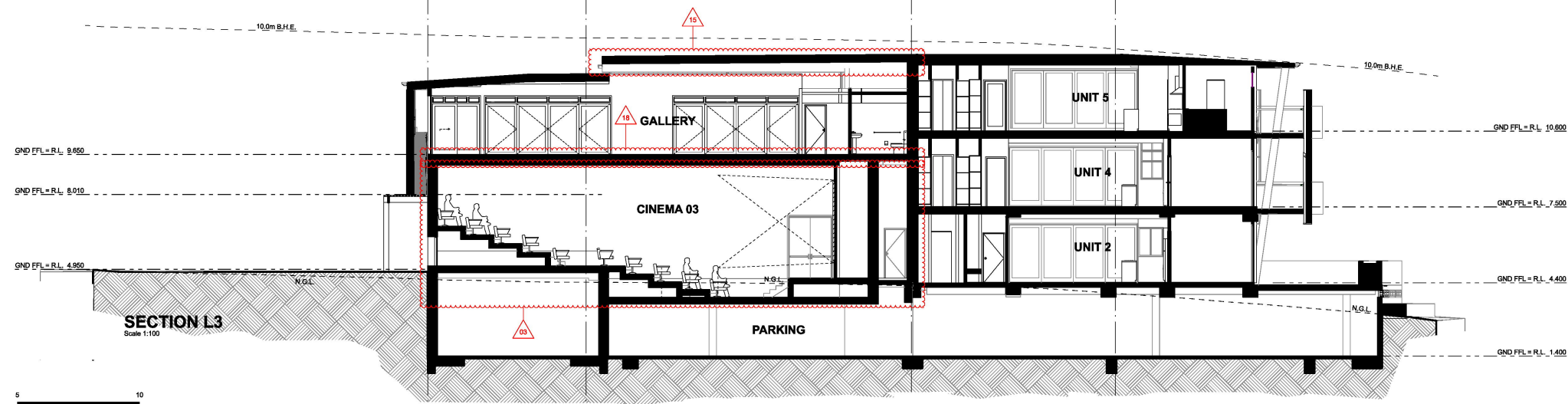




**WEST ELEVATION**  
Scale 1:100



**SECTION C1**  
Scale 1:100



**SECTION L3**  
Scale 1:100

CENTRAL COAST COUNCIL  
DEVELOPMENT CONSENT  
Modified under Section 4.55  
Application No 42661/2012 Part No 3  
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CW GLASS CURTAIN WALL  
GB GLASS BALUSTRADE  
CL GLASS LOUVRES  
MC METAL CLADDING  
MR METAL ROOF  
RP RENOVATED & PAINTED  
TC TERRACOTTA TILES  
MS METAL SCREEN

#	AMENDMENT	DATE
03	CONCOURSE REPLACED WITH REPLANNED CINEMA 3	
10	EXTENDING ROOF	23/07/2019
15	EXTENDING BALCONY ROOF	
18	CINEMA 02 ROOF HEIGHT RAISED	
18	GALLERY FLOOR LEVEL RAISED	

**MIXED USE COMMERCIAL & RESIDENTIAL DEVELOPMENT**  
69-71 AVOCA DRIVE, AVOCA BEACH  
FOR: LA PALOMA PROPERTY TRUST

ARCHITECT: ROB PULLAR REG. No. 5004

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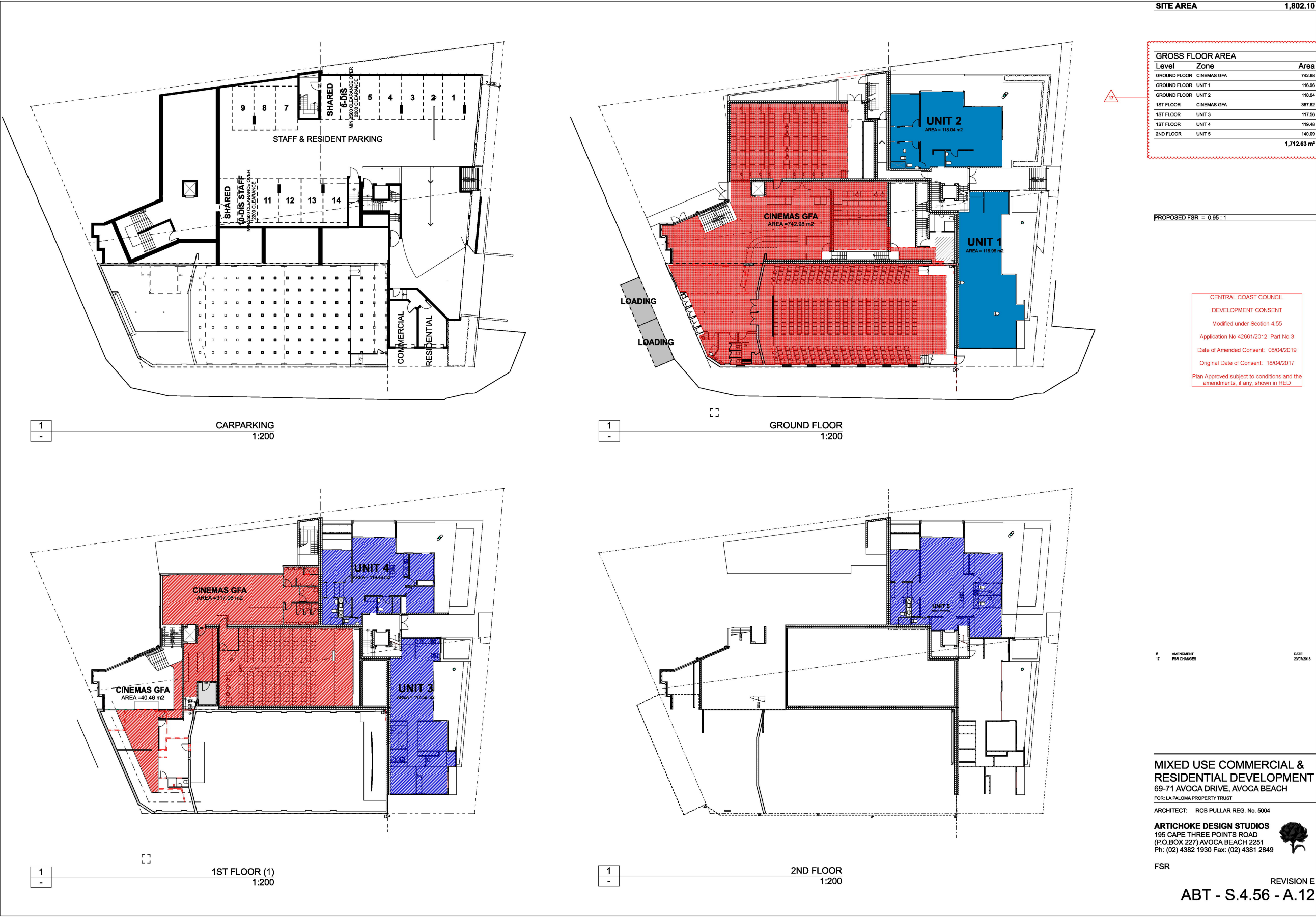
SECTIONS

1:100 @ A1

REVISION E

**ABT - S.4.56 - A.09**

0 1 2 3 4 5 10  
SCALE 1:100 at A1 / 1:200 at A3



**Date:** 8 April 2024  
**Responsible Officer:** Robert Eyre  
**Location:** Avoca Beach Theatre 69 & 71 Avoca Drive, AVOCA BEACH  
 Lot 651 DP 16791, Lot 140 DP 9359  
**Owner:** N A M Hunter and Norbet Enterprises Pty Ltd  
**Applicant:** Johnson Projects  
**Date of Application:** 4 October 2022  
**Application No:** DA/42661/2012/E  
**Proposed Development:** Alterations and Additions to Existing Theatre - (Amended Application) S4.56 Modification - (Notification period extended until 18/11/2022)  
**Land Area:** 1802.15  
**Existing Use:** XXXX

## PROPOSED CONDITIONS

The development taking place in accordance with the approved development plans reference number DA/42661/2012/E except as modified by any conditions of this consent, and any amendments in red.

## 1.PARAMETERS OF THIS CONSENT

### 1.1A Description of the Approved Development (Amended)

Approval is granted to Development Application No. 42661/2012 for alterations and additions to the Avoca Beach Picture Theatre, to include demolition of an existing cottage and ancillary buildings, retention of the existing theatre/cinema (cinema 1 with a maximum of 307 seats plus 4 wheelchair), three additional cinemas (providing a total of 4 cinemas) (cinema 2 with a maximum of 54 seats plus 4 wheelchair, cinema 3 with a maximum of 54 seats plus 4 wheelchair, and cinema 4 with a maximum of 32 seats plus 3 wheelchair), café, five (5) residential units, basement car parking at Lot 140 DP 9359 and Lot 651 DP 16791 and known as 69 and 71 Avoca Drive, Avoca Beach.

### 1.1. Approved Plans and Supporting Documents (Amended)

Implement the development in accordance with the approved plans and documents unless modified by any following condition of this consent.

#### Plans Prepared by CKDS Architecture

Drawing	Description	Sheets	Issue	Date
A-0001	Cover Sheet	1	10	14/09/2023
A-0002	S4.56 Comparison	1	08	14/09/2023
A-0003	S4.56 Comparison	1	08	14/09/2023



A-0004	S4.56 Comparison	1	08	14/09/2023
A-0005	GFA Comparison	1	04	14/09/2023
A-0006	GFA Comparison	1	04	14/09/2023
A-1001	Site Plan	1	10	14/09/2023
A-1101	Carpark Level	1	12	14/09/2023
A-1102	Ground Floor Plan	1	11	14/09/2023
A-1103	First Floor Plan	1	11	14/09/2023
A-1104	Unit 5	1	10	14/09/2023
A-1105	Roof Plan	1	11	14/09/2023
A-2001	North & South Elevation	1	10	14/09/2023
A-2002	West & East Elevation	1	10	14/09/2023
A-3001	Sections 1 & 2	1	08	14/09/2023
A-3002	Sections 3 & 4	1	10	14/09/2023
A-3003	Section 5	1	07	14/09/2023
A-5001	Residential Materials	1	10	14/09/2023
A-5002	Cinema Materials	1	10	14/09/2023
A-5004	3D Perspectives	1	07	14/09/2023

**Supporting Documentation**

<b>Document</b>	<b>Title</b>	<b>Date</b>
1	Supplementary Statement of Environmental Effects – Doug Sneddon Planning Pty Ltd	Sept 2016
2	Report of Drew Bewsher – Flooding and Stormwater Issues	7 Sept 2016
3	Draft Flood Emergency Response Plan for Theatre Avoca Beach by Dr Stephen Yeo, Flood Focus Consulting and Mr Drew Bewsher	7 Sept 2016
4	Draft Flood Emergency Response Plan Residential Strata Development, Avoca Beach by Dr Stephen Yeo, Flood Focus Consulting and Mr Drew Bewsher	7 Sept 2016
5	Traffic Report by Graham Pindar	13 Sept 2016
6	Basix Certificate No 1314580m	26/06/2022
7	Stormwater Concept Management Plan by ADW Johnson	7 Sept 2016
8	Colours & Materials, prepared by Artichoke Design Studios	Revision E
9	Shadow Diagrams, prepared by Artichoke Design Studios	Revision E
10	Landscape plans by Meraki Green Landscape Architecture Rev B	19/05/2022
11	S4.56 Modification Application-ADW Johnson Pty Ltd	Sept. 2022
12	Waste Management Plan-Barker Ryan Stewart	Sept. 2023
13	BCA Report-Blackett Maguire +Goldsmith Rev 2	16/05/2022
14	Interpretation Plan Heritage Significance-Placemark	04/04/2022

	Architecture and Cultural Heritage Issue C	
15	ADG Report-CKDS Architecture	30/03/2022
16	NaTHERS Certificate No 0007642051-Thermal Performance	25/04/2022
17	Architectural Design Statement- CKDS Architecture	05/04/2022
18	SEPP 65 Design Statement-CKDS Architecture Rev A	Undated



1.2A Prior to the issue of a construction certificate, a BCA Report and a BCA Section J Compliance Assessment in relation to the development approved by this consent (which includes any changes to the development made by these conditions) is to be submitted to and approved by Council.

1.2. All building works are to be carried out in accordance with the Building Code of Australia.

**1.3 Operating Hours**

The Cinemas are to operate only within the following hours:

(a) 8.30am to midnight Sunday to Thursday, 8.30 am to 12:30am Friday and Saturday;

(b) The hours specified in (a) above do not preclude patrons leaving the premises after the times specified in (a) above if the film or performance or other event has finished by the time specified above, provided they leave within 30 minutes of the completion of the film, performance or other event;

(c) The hours specified in (a) above do not preclude attendance on the premises of staff outside the hours specified in (a) above;

(d) The hours specified in (a) above do not preclude special promotions or premiers of films or movie marathons being held outside those hours on a maximum of six occasions in any 12 month period in the existing Cinema 1, and on no more than 2 consecutive days and otherwise with at least 1 month between such promotions, premiers or marathons.

1.4 The applicant is to ensure that patrons leave the premises quietly after 10 pm on any day of the week. In the event that a substantiated noise complaint is received by Council, the applicant/business owner will seek the services of a suitably qualified person to undertake noise assessment of the activity, an acoustic report will be published from the assessment. The acoustic assessment is to be carried out as per procedures and guidelines of Australian Standard AS1055, "Acoustics - Description and Measurement of Environmental Noise, Part 1 General Procedures". A copy of the acoustic report will be provided to Council and noise mitigating measures are to be implemented. An Acoustic Validation Report may be requested by Council to demonstrate that mitigating measures have been effective.

1.5 The proposed development has been identified to be within the zone of influence of the Council sewer pipeline. More detail about requirements and procedures can be found on the Council's website. (Added)  
<https://cdn.centralcoast.nsw.gov.au/sites/default/files/Council/Policies/d14133224buildinginproximitytowaterandsewerpipelinespolicy2.PDF>

<https://cdn.centralcoast.nsw.gov.au/sites/default/files/Council/Policies/d14133228buildinginproximitytowaterandsewerpipelinesprocedure.PDF>

**2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE**

All conditions under this section must be met prior to the issue of any Construction Certificate

- 2.1. No activity is to be carried out on site until any Construction Certificate required for that activity has been issued, other than:
  - a. Site investigation for the preparation of the construction, and / or
  - b. Implementation of environmental protection measures, such as erosion control etc that are required by this consent.
  - c. Demolition works as approved under this consent and in accordance with conditions relating to asbestos removal. (ADDED)
- 2.2. Prior to the issue of a Construction Certificate an application must be submitted to council under Section 138 of the *Roads Act, 1993*, for the approval of required works to be carried out within the road reserve.

Prior to the issue of a Construction Certificate, Engineering plans for the required works within a public road that have been designed by a suitably qualified professional in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - *Erosion Sedimentation Control*, must be submitted to and approved by Council. The Engineering plans must be included with the Roads Act application for approval by council.

Design the required works as follows:

- a. The construction of new kerb and gutter, road formation, waste ramp, pavement and associated works within Burns Street and extending into the Avoca Drive kerb to create a kerb blister. The re-alignment of the kerb shall include the provision of a time limited "Loading Zone", pavement widening to the Burns Street southern carriageway, utility adjustments, stormwater drainage works, adjustment to the bus stop and shelter, bollards, regulatory signage, and line marking. Note: The works are to be generally in accordance with Northrop Engineers Avoca Beach Theatre-Road Blister-C103.1 Rev 2 dated 28/11/2023 (Council Ref: D15976391 4/12/23) (Amended)
- b. Avoca Drive – Full width reinforced (SL72 steel fabric, 100mm thick) concrete footpath (or similar) across the full frontage of the site.
- c. Burns Street – 1.5 metre wide reinforced (SL72 steel fabric, 100mm thick) concrete path (or similar) and landscaping across the full frontage of the site.
- d. Vine Street - 1.5m wide reinforced (SL72 steel fabric, 100mm thick) concrete footpath across the full frontage of the site.

- e. Vine Street - (for existing Vine St pavement levels) – 6.5m wide Heavy-duty vehicle crossing / ramp constructed with 200mm thick concrete reinforced with 1 layer of SL72 steel fabric top and bottom generally in accordance with Northrop Engineers driveway to basement Civil Engineering Plans C3.1 & C3.2 Rev E job No NL210853 29/5/23 (Council Ref D15713987 29/5/23). Driveway long sections MC01 (north) and MC02 (south) with driveway design crest levels RL 3.137 & 3.109m AHD at site boundary for existing Vine St. pavement levels, OR

If Vine St pavement levels have been upgraded in accordance with Council plans Cardno Final Avoca Bowl Drainage Design Plans 38 Drawings Number 80514616- Rev C 8/9/2015 (Council Ref ECMD20035396) the driveway construction from upgraded gutter levels to site boundary are to include crest levels RL 3.400 (north) & 3.418m (south) AHD generally in accordance with Northrop Engineers driveway to basement Civil Engineering Plans C3.1 & C3.2 Rev E job No NL210853 29/5/23 (Council Ref D15713987 29/5/23) and retaining walls with approximately 180mm rise to prevent stormwater entering the basement and retain road gutter stormwater flows in minor/moderate storms. (Amended)

- f. Avoca Drive - All redundant vehicular crossings are to be removed and the footway formation reinstated with a full width reinforced (SL72 steel fabric, 100mm thick) concrete footpath.
- g. Vine Street - Minor upgrade of the stormwater drainage system if the stormwater drainage pit is required to be relocated due to a conflict with the location of the proposed driveway crossing. Currently, a stormwater drainage pit is located at the low point of the frontage adjacent to the proposed driveway crossing servicing the basement car park.
- h. Roadside furniture and safety devices as required e.g. fencing, signage, guide posts, chevrons, directional arrows, and/or guard rail in accordance with RMS and relevant Australian Standards.
- i. Signage and line marking, such as no stopping / parking signage at the intersection of Avoca Drive & Burns Street, loading zone and signage for the access driveway. The signage and line marking plan must be approved by Council's Traffic Committee prior to the issue of the Roads Act Application. (Amended)
- j. Pram ramps at the intersection of Avoca Drive & Burns Street and Burns Street & Vine Street.
- k. Relocation of the existing plaques and hand imprints to a suitable alternative location.

- I. All retaining walls shall be designed by a practicing Civil/Structural engineer and shall not conflict with services.

The Roads Act application must be approved by council prior to the issue of a Construction Certificate.

A fee for the approval of engineering plans under the *Roads Act 1993* applies. The amount of this fee can be obtained by contacting council's Customer Services on (02) 4325 8222.

All work required to be carried out within a public road reserve must be separately approved by Council, under Section 138 of the Roads Act 1993. (Amended)

- 2.3. A dilapidation report must be submitted to Council with the Roads Act application and / or Construction Certificate application. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development.
- 2.4. A security deposit of \$50,000.00 must be paid into Council's trust fund prior to the issue of any Construction Certificate. The payment of the security deposit is required to cover the cost of repairing damage to Council's assets that may be caused as a result of the development. The security deposit will be refunded upon the completion of the project if no damage was caused to Council's assets as a result of the development.
- 2.5. Prior to the issue of a Construction Certificate, an application must be submitted to council, under Section 68 of the Local Government Act, for the approval of required drainage works associated with public stormwater / watercourse works.

Engineering plans for the works must be prepared and designed by a suitably qualified professional in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - *Erosion Sedimentation Control*, and submitted to council for approval with the Local Government Act application.

The required works to be designed are as follows:

- a. Connection of all stormwater from impervious areas within the site via an on-site stormwater detention structure to council's drainage system located in Vine Street.

The Local Government Act application must be approved by council prior to the issue of a Construction Certificate.

A fee for the approval of engineering plans under the Local Government Act applies. The amount of this fee can be obtained by contacting council's Customer Services on (02) 4325 8222.

- 2.6. Prior to the issue of a Construction Certificate an application, with the relevant fee, must be submitted to council under Section 68 of the Local Government Act 1993 for an approval to discharge liquid trade waste to council's sewerage system. The Application to Discharge Liquid Trade Waste can be found on council's website: [www.gosford.nsw.gov.au](http://www.gosford.nsw.gov.au)

- 2.7. Submit an application to Council under section 305 of the Water Management Act 2000 for a section 306 Requirements Letter. The Application form can be found on Council's website [centralcoast.nsw.gov.au](http://centralcoast.nsw.gov.au). Early application is recommended.

The section 305 application will result in a section 306 letter of requirements which must be obtained prior to the issue of any Construction Certificate. The requirements letter will outline which requirements must be met prior to each development milestone e.g. prior to construction certificate, subdivision works certificate, occupation certificate and/or subdivision certificate. (Amended)

- 2.8. Prior to the issue of a Construction Certificate Engineering details prepared and certified by a practicing structural engineer must be submitted to the Council (Water Authority) for development constructed near or over the sewer main and / or adjacent to Council's water mains. The engineering details must comply with Council's guidelines for "Building Over or Near Council Sewer and Water Mains" and must be approved by Council prior to the issue of a Construction Certificate. A fee for engineering plan assessment must be paid when submitting the engineering details.

Additional fees for the submission of contractor's documentation and sewer inspection fees apply for the adjustment or encasement of Council's sewer main. Subject to approval of the engineering plans, and payment of the prescribed fees, the developer must contact Council's Water and Sewer Quality Inspector on mobile phone 0419 412 725 a minimum of one week prior to commencement of any work involving building over and / or adjacent to sewer mains.

- 2.9. Design details of the following engineering works within private property must be submitted to and approved by Council prior to the issue of a Construction Certificate:
- a. Driveways / ramps and car parking areas must be designed according to the requirements of AS2890: Parking Facilities for the geometric designs, and industry Standards for pavement designs. A longitudinal driveway profile between the parking level and Vine Street centreline, along centreline and both edges, shall be prepared by a suitably qualified and experienced engineer demonstrating that the driveway grades comply with the above standard. (Amended)
  - b. A stormwater detention system must be designed in accordance with the Gosford DCP 2013 Chapter 6.7 - Water Cycle Management and council's Civil Works Specification. The stormwater detention system must limit post development flows from the proposed development to less than or equal to predevelopment flows for all storms up to and including the 1% AEP storm event. A runoff routing method

must be used. An on-site stormwater detention report including an operation and maintenance plan must accompany the design. On-site stormwater detention is not permitted within private courtyards, drainage easements, and/or secondary flowpaths.

- c. On-site stormwater retention measures must be designed in accordance with council's DCP Chapter 6.7 - Water Cycle Management. A report detailing the method of stormwater harvesting, sizing of retention tanks for re-use on the site and an operation and maintenance plan must accompany the design.
- d. Nutrient/pollution control measures must be designed in accordance with Gosford DCP 2013 Chapter 6.7 - Water Cycle Management. A nutrient / pollution control report including an operation and maintenance plan must accompany the design.
- e. Piping of all stormwater from impervious areas within the site via an on-site stormwater detention structure to council's drainage system located in Vine Street. This shall include the provision of a flap valve on the outlet to prevent backwater entering into the basement.
- f. Full details of the holding tank capacity, pump type and system, discharge rate and the delivery line size for the basement drainage.
- g. The minimum floor level of all habitable rooms in the development must be RL 4.1m AHD.
- h. All building materials used or located below RL 3.6m AHD must be of a type that is able to withstand the effects of immersion.
- i. The driveway crest level to the basement carpark at the site boundary to be a minimum RL 3.109m AHD (south) and minimum RL 3.137m AHD (north). (Amended)
- j. Proposed structure certified to withstand the expected forces of floodwater.
- k. Provide flood gates and wall heights to minimum RL 4.1m AHD at driveway to basement carpark off Vine St and to waste collection area to prevent stormwater flows entering basement carpark and waste collection area generally in accord with Northrop Engineers driveway to basement Civil Engineering Plans C3.1 & C3.2 Rev E job No NL210853 29/5/23. Flood gates are to still be operative under mains power outages (ie. include backup power supply) and not to activate under normal stormwater gutter flows. (Added)

These design details and any associated reports must be included in the construction certificate. The plans shall be generally in accordance (with required amendments) with the submitted stormwater concept management plan by ADW Johnson (refer

Reference No. 238328 (1), dated 7/9/2016), which are to be advanced as necessary for Construction Certificate issue purposes.

- 2.10. A Road Safety Check prepared by a Road Safety Auditor recognised on the NSW Register of Road Safety Auditors must be submitted to the Council as the Roads Authority prior to the issue of a Construction Certificate. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of design drawings.
- 2.11. A "Flood Mitigation" report is to be submitted to and approved by Council prior to the issue of a Construction Certificate. The report is to detail industry best practice strategies and mitigation measures that will reduce the risk to life and property associated with the residential building's main access via a floodway (as detailed in Report of Drew Bewsher – Flooding and Stormwater Issues, Sept 2016).
- 2.12. The recommendations of the "Draft Emergency Response Plan for Residential and for the Theatre – Sept 2016" report are to be incorporated into the design of the development prior to the issue of a Construction Certificate.
- 2.13. Prior to the issue of a Construction Certificate, amended plans are to be submitted to and approved by Council which provide the following changes to the development to address waste management matters:
  - a. Submission of revised plans to indicate separate fully dimensioned Residential and Commercial waste storage enclosures.
  - b. The Residential waste storage enclosure is to be sized to accommodate a minimum of 5 x 120 litre mixed waste MGB's, 5 x 240 litre recyclable waste MGB's and a nominal number of 240 litre green waste MGB's should they be required for resident use only.
  - c. The Residential waste storage enclosure is to be located to provide internal resident access to the enclosure having a gradient not exceeding 10% alternatively an interim residential waste holding enclosure located adjacent to the resident lift may be considered with residential waste within the interim waste holding enclosure to be transferred by a caretaker or similar to a principal Residential waste enclosure located to facilitate roll out of MGB's to Burns St for kerbside collection.
  - d. Suitable internal access to the Residential and Commercial waste enclosure/s is required to ensure transfer of waste can be undertaken without travel outside the boundaries of the property.
  - e. A 10.0m long kerbside presentation location is to be indicated on the revised plans within Burns St adjacent to the proposed waste storage enclosure.
  - f. The Commercial waste storage enclosure is to be sized consistent with the multiple uses within the proposed development in accordance with Chapter 7.2 - Waste



Management of Gosford DCP 2013 and the Better Practice Guide for Waste Management in Multi-Unit Dwellings published by DECC.

- g. Mixed and recyclable mobile garbage bins for kerbside collection by a Private waste contractor are to be indicated.
  - h. Mixed waste and recyclables mobile garbage bins for kerbside collection are to be wheeled out on arrival of the Private waste collection contractor and returned to the Commercial waste storage enclosure immediately after servicing. (Amended)
  - i. The waste storage enclosure/s are to be located to be readily accessible to the occupants of the residential units, the Commercial operator and the Residential and Commercial waste collection contractors. (Amended)
  - j. The Residential and Commercial waste enclosure/s are required to be in accordance with Chapter 7.2 - Waste Management of Gosford DCP 2013 to ensure waste is appropriately stored to minimise any potential odour/vermin issues within the proposed development and the public domain.
- 2.14 Prior to the issue of a Construction Certificate the revised signed and dated Waste Management Plan consistent with advice provided to address/clarify solid waste issues, and consistent with the amended plans approved pursuant to condition 2.13 of this consent, must be submitted to and approved by Council.
- 2.15 A Waste Management Strategy to detail responsibilities of transfer of Residential and Commercial waste, servicing frequencies and management of waste enclosure/s, consistent with the amended plans approved pursuant to condition 2.13 of this consent, must be submitted to and approved by Council prior to the issue of a Construction Certificate.
- 2.16 An Interpretation Plan shall be prepared by a suitably qualified heritage consultant to include appropriate measures to interpret the heritage significance of the original theatre to be retained and adaptively reused, including measures for ongoing maintenance. The Plan is to be submitted to Council for approval and approval obtained prior to the approval of the Construction Certificate and approved measures shall be detailed in the application for the Construction Certificate, and the following:
- a. A Photographic archival record of the Theatre is to be undertaken by a suitable qualified professional prior to commencement of construction works. The archival record and measured drawings should be undertaken in accordance with the Office of Environment and Heritage, Heritage Branch Guidelines *Photographic Recording of Heritage Items*. Two copies of the Record must be submitted to Council for approval and made available in the Library. Approval by Council must be confirmed in writing prior to construction.

A report is to be prepared by a practicing structural engineer by the applicant detailing the structural adequacy of the Theatre building to withstand the

proposed excavation works. This report must include any measures required to be incorporated to ensure that no damage will occur during the course of works. The report must be submitted to Council and relevant adjoining property owners prior to the issue of any construction certificate.

- b. Submit an updated landscape plan is required. Approval by Council must be confirmed in writing prior to construction.
- 2.17 The fitout of the food premises is to comply with the Food Act, 2003, Food Regulation 2010, Food Standards Code and the Australian Standard AS4674 for the Design, Construction and Fitout of Food Premises. Details of compliance are to be included in the plans and specifications for the **Construction Certificate** to the satisfaction of the certifying authority
  - 2.18 Details of any proposed mechanical ventilation systems, detailing compliance with the relevant requirements of Clause F4.12 of the Building Code of Australia (BCA) and Australian Standard AS1668 Parts 1 & 2 (including exhaust air quantities and discharge location points) are to be submitted to and approved by the PCA **prior to a Construction Certificate being issued** for the subject works.
- A certificate is to be submitted at the completion of the installation and prior to the issue of a Occupation Certificate, from a practising Mechanical Engineer certifying that the construction, installation and operation of the exhaust hood ventilation system meets the requirements as AS 1668.1 and/or AS 1668.
- 2.19 Appropriate noise attenuation is to be incorporated into the design of the residential units to minimise the impacts of elevated noise in accordance with a specification to be provided by an appropriately qualified and experienced Acoustic Consultant.
  - 2.20 In accordance with the Voluntary Planning Agreement (ECM Doc No 3080720 – incorporating the Voluntary Planning Agreement executed between the parties dated 15 September 2006) signed by Gosford City Council, and Norman Augustus McDonald Hunter and Norbet Enterprises Pty Limited dated 22 January 2007 (the terms of which are incorporated herein as if fully set out herein), compliance with the following:
    - In accordance with Recital E and clause 4(a) of the 2006 Voluntary Planning Agreement, payment of the total sum of \$500,000 for the public purpose of the provision of public amenities, namely, the construction and enhancement of car parking facilities near the development in South End Park, Avoca and the embellishment and beautification of the adjoining public open space known as Hunter Park, Avoca all as depicted on the plan annexed to the 2006 Voluntary Planning Agreement and marked with the letter "B"; and
    - In lieu of Section 94 Contributions, payment of an amount of \$10,296 for the provision of public amenities by Council ("the Contribution Amount"). The Contribution Amount will be increased on each of 1 January, 1 March, 1 July and 1 October in each year from the date of this Agreement [being the date of the

2006 Voluntary Planning Agreement] until the Contribution Amount is paid by the same percentage increase as the percentage change, if any, in the Consumer Price Index in the 3 months prior to the relevant review date.

The above contribution amounts are to be paid prior to the issue of any Construction Certificate.

Any Construction Certificate is not to be issued by a certifying authority until the developer has provided the certifying authority with a copy of a receipt issued by Council that verifies that the contributions have been paid in accordance with the wording of this condition. A copy of this receipt is to accompany the documents required to be submitted by the certifying authority to Council under Clause 104 of the Environmental Planning and Assessment Regulation 2000.

- 2.21 Prior to the issue of a Construction Certificate the development consent to DA 6344/1999 for the Outdoor Theatre is to be relinquished.
- 2.22 **Structural Design plans are to be submitted to Council's Water Assessment Team for assessment and acceptance prior to commencement of works on site.**

Part of the development has been identified to be within the zone of influence of Council's existing and proposed sewer main – as defined in Council's ["Building in Proximity to Water and Sewer Pipelines Policy"](#). The Development shall be designed and constructed to comply with the policy to ensure additional load is not placed on the sewer main and the development is structurally independent should the sewer main and surrounding material be excavated.

They are to comply with the pier requirements as identified in the policy. A plan view and section view drawing detailing the zone of influence in relation to the structure shall be submitted via email (contact details provided below). The design plans must include certification by a practicing qualified structural engineer specifically stating that the structural design plans are: **"adequate to support and protect the proposed structure from damage in the event that water/sewer main is excavated, or disturbance or settlement occurs within the zone of influence and in accordance with Central Coast Council's Building in Proximity to Water and Sewer Pipelines Policy"**. Each drawing in relation to building over sewer is to be stamped with the above certification and should also be signed and dated by the structural engineer. If the base of the pool is below the zone of influence, then this is to be shown on the structural plans and no piercing is required.

**Note:** Fees apply for this assessment as quoted in this letter and are payable prior to the assessment. The details accepted by Council shall form part of the documentation for the Construction Certificate issued by the Accredited Certifier. (Added)

### 3. PRIOR TO COMMENCEMENT OF ANY WORKS

All conditions under this section must be met prior to the commencement of any works

- 3.1. A Principal Certifying Authority is to be appointed after the construction certificate for the building work has been issued and prior to the commencement of any works.
- a. The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
  - b. Submit to Council a *Notice of Commencement of Building Works* or *Notice of Commencement of Subdivision Works* form giving at least two (2) days notice of the intention to commence building or subdivision work. The forms can be found on Council's website [www.gosford.nsw.gov.au](http://www.gosford.nsw.gov.au)
- 3.2. A copy of the stamped approved plans must be kept on site for the duration of site works and the plans must be made available upon request to either the Principal Certifying Authority or an officer of Council.
- 3.3. Site works must not be commenced until the sediment control measures have been installed in accordance with the approved plans / Gosford DCP 2013 Chapter 6.3 - *Erosion Sedimentation and Control*.
- 3.4. Prior to the commencement of any works a sign is to be erected in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- a. The name, address and telephone number of the principal certifying authority for the work; and
  - b. The name of the principal contractor and a telephone number at which that person may be contacted outside of working hours; and
  - c. That unauthorised entry to the work site is prohibited.

Remove the sign when the work has been completed.

- 3.5. Both a Plumbing and Drainage Inspection Application must be submitted to Council prior to the commencement of any works, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: [www.gosford.nsw.gov.au](http://www.gosford.nsw.gov.au).

[Contact Council prior to submitting these forms to confirm the relevant fees.](#)

- 3.6. Prior to the commencement of any works, a Tree Protection Zone is to be established around the Eucalyptus tree located on the road reserve corner of Vine and Burns

Street. Due to the limited area available, the distance from the tree to a protective fence should be no less than 2m. The protective fence is to consist of a 1.8 metre high chain mesh fence erected around the tree and must remain intact until construction is completed. The fence is to be sign posted to warn of its purpose.

- 3.7. Prior to the commencement of any works a Construction Traffic Management Plan is to be prepared for the relevant works ~~development~~ and submitted to and approved by Council. The Plan shall include Traffic Control Plans prepared by a suitably qualified and experienced consultant with necessary construction management measures identified during demolition, excavation, delivery and construction phases. All works must ensure the safety of all vehicles and pedestrians. (AMENDED)
- 3.8. Demolition involving asbestos must be undertaken in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- a. more than 10m<sup>2</sup> of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b. friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

#### 4. DURING WORKS

All conditions under this section must be met during works

- 4.1. Clearing of land, excavation, and / or earthworks, building works, and the delivery of building materials must only be carried out between the following hours:

Mondays to Fridays - 7:00am to 6:00pm

Saturdays - 8:00am to 4:00pm except as noted in Clause 'b'

- a. No work is permitted on Sundays and Public Holidays
- b. No work is permitted on:
  - Saturdays when a public holiday is adjacent to that weekend.
  - Construction industry awarded rostered days off.
  - Construction industry shutdown long weekends.

Clause b does not apply to works of a domestic residential nature as below:

- i Minor renovation or refurbishments to single dwelling construction.
- ii Owner occupied renovations or refurbishments to single dwelling construction.
- iii Owner builder construction of single dwelling construction; and / or

- iv Any cottage constructions, single dwellings or housing estates consisting of predominantly unoccupied single dwellings.
- 4.2. Erosion and Siltation control measures must be undertaken and maintained during the carrying out of all works, in respect to any part of the land where the natural surface is disturbed or earthworks are carried out. The controls must comply with Gosford DCP 2013 Chapter 6.3 - *Erosion and Sedimentation Control*.
- 4.3. A copy of the stamped approved plans must be kept on site for the duration of site works and the plans made available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.4. Council must be notified when plumbing and drainage work will be ready for inspection(s) and the work must be made accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.
- 4.5. The following Crime Prevention Through Environmental Design (CPTED) principles and strategies must be incorporated into the development during the carrying out of "works" to minimize the opportunity for crime:
  - a. Provide adequate lighting to common areas as required under *AS1158: Lighting for roads and public spaces*.
  - b. Paint the ceiling of the car park white.
  - c. Design of landscaping, adjacent to mailboxes and footpaths, must not provide concealment opportunities for criminal activity.
  - d. Design the development to avoid foot holes or natural ladders so as to minimise unlawful access to the premises.
  - e. Provide signage within the development to identify all facilities, entry/exit points and direct movement within the development.
- 4.6. The works within the road reserve that required approval under the Roads Act must be constructed in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - *Erosion Sedimentation Control*.
- 4.7. The location of all electrical fixtures and/or gas outlets are to be at a minimum height of RL 3.6m AHD.
- 4.8. All Site Preparation, Demolition and Construction commitments as detailed within the required revised signed and dated Waste Management Plan in accordance with the Gosford City Council Development Application Guide and Chapter 7.2 – Waste Management of Gosford DCP 2013 must be complied with during the carrying out of works.

- 4.9. During construction, the Applicant/developer must arrange with the relevant service provider / Authority (e.g. Ausgrid, Jemena, communications provider) for the supply of services concurrent with the engineering work. Arrangements must include where required any relocation of existing mains and services and dedication of easements for mains and services.
- 4.10. Filling or debris must not be placed within any watercourse or drain.
- 4.11. Should any Aboriginal objects or artefacts be uncovered during works on the site, all works shall cease. The Office of Environment and Heritage shall be contacted immediately and any directions or requirements complied with.

#### **5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE**

All conditions under this section must be met prior to the issue of any Occupation Certificate

- 5.1. An application for the Occupation Certificate is to be submitted to the Principal Certifying Authority for approval.
- 5.2. The premises must not be occupied until the Occupation Certificate has been issued.
- 5.3. A Certificate of Compliance for all plumbing and drainage work and a Sewer Service Diagram showing sanitary drainage work (to be provided by licensed plumber) in accordance with the *Plumbing and Drainage Act 2011* must be submitted prior to the issue of an Occupation Certificate.
- 5.4. Lot 140 DP 9359 and Lot 651 DP 16791 must be consolidated into a single allotment under one Certificate of Title prior to the issue of any Occupation Certificate.
- 5.5. Prior to the issue of an Occupation Certificate, the Applicant must construct, grade, drain, seal and line mark including directional arrows with impervious paving material the driveway, vehicle manoeuvring area and 14 car parking spaces as shown on the approved plan, in accordance with *AS2890.1-2004: Parking facilities - Off-street parking*.
- 5.6. Prior to the issue of an Occupation Certificate, mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post, must be provided.
- 5.7. Prior to the issue of an Occupation Certificate, works within the road reserve that required approval under the Roads Act are to be completed in accordance with Council's 'Civil Construction Specification', 'GCC Design Specification for Survey, Road and Drainage Works' and Policy 'D6.46 Erosion Sedimentation Control'. Documentary evidence for the acceptance of such works obtained from the Roads Authority must be provided prior to the issue of any Occupation Certificate.



Note 1: A maintenance bond shall be paid on completion of the works in accordance with Section 1.07 Maintenance of the 'Civil Construction Specification'.

- 5.8. Any damage not shown in the dilapidation report submitted to Council before site works had commenced, will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense, prior to release of any Occupation Certificate.
- 5.9. Prior to the issue of an Occupation Certificate the internal engineering works within private property must be completed in accordance with the plans and details approved with the construction certificate.
- 5.10. Prior to the issue of any Occupation Certificate the Deposited Plan (DP) must be amended to:
  - Include an Instrument under the Conveyancing Act 1919 for the following restrictive covenants; with the Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants shall be defined by bearings and distances shown on the plan.
    - a To create a 'Restriction as to User' over all lots containing an on-site stormwater detention system and/or a nutrient/pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility.

And,

- Include an instrument under the Conveyancing Act 1919 for the following positive covenants; with the Council having the benefit of these covenants and having sole authority to release and modify. Contact Council for wording of the covenant(s).
  - a To ensure on any lot containing an on-site stormwater detention system and/or a nutrient/pollution facility that:
    - (i) The facility will remain in place and fully operational.
    - (ii) The facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner
    - (iii) Council's officers are permitted to enter the land to inspect and repair the facility at the owners cost.
    - (iv) Council is indemnified against all claims of compensation caused by the facility.

Registered title documents showing the restrictive and positive covenants must be submitted to and approved by the Principal Certifying Authority prior to the issue of any occupation certificate.

- 5.11. Prior to the issue of an Occupation Certificate, a registered surveyor is to confirm that the finished floor level of the car park and the finished crest level to the car park are in accordance with the design levels.
- 5.12A. Prior to the issue of an Occupation Certificate, a suitably qualified engineer is to certify that the automatic flood gates have been installed in accordance with the manufacturer's instructions, and that they are operating as designed.
- 5.12. Flood mitigation strategies, in accordance with the "Flood Mitigation" report, are to be installed and/or constructed.
- 5.13. Prior to the issue of an Occupation Certificate the Applicant/developer must arrange with the relevant service provider / Authority (e.g. Ausgrid, Jemena, communications provider) for the supply of services concurrent with the engineering work. Arrangements must include where required any relocation of existing mains and services and dedication of easements for mains and services.
- 5.14. Prior to the issue of an Occupation Certificate all existing buildings and structures must be connected to the stormwater systems.
- 5.15. Prior to the issue of an Occupation Certificate all existing buildings with plumbing fixtures must be connected to the sewer systems.
- 5.16. Pursuant to clause 4(c) of the Voluntary Planning Agreement (ECM Doc No 3080720 - incorporating the Voluntary Planning Agreement executed between the parties dated 15 September 2006) signed by Gosford City Council, and Norman Augustus McDonald Hunter and Norbet Enterprises Pty Limited dated 22 January 2007 (the terms of which are incorporated herein as if fully set out herein), the Applicant will, on registration of a strata plan of subdivision for the Land [as defined in the Voluntary Planning Agreement] or the issue of an occupation certificate for the development of the Land, whichever occurs first, dedicate to the Council without costs to the Council the strip of land 1.2 metres wide along Vine Street frontage (Vale Street) depicted on the plan annexed to the Voluntary Planning Agreement and marked with the letter "D".
- 5.17. Certification from a suitably qualified and experienced flooding consultant demonstrating that the recommendations within the Report of Drew Bewsher dated 7 September 2016 have been fully implemented for the development, including the Flood Emergency Response Plans (FERP's) must be submitted to Council prior to the issue of an Occupation Certificate.
- 5.18. Prior to the issue of an Occupation Certificate the refrigerated/cooling/freezing chamber, which is of sufficient size for a person to enter must have-
- (a) a door which is capable of being opened by hand from inside without a key; and
  - (b) internal lighting controlled only by a switch is located adjacent to the entrance doorway inside the chamber; and

- (c) an indicator lamp positioned outside the chamber which is illuminated when the interior light is switched on; and
- (d) An alarm that is-
  - a. located outside but controllable only from within the chamber; and
  - b. able to achieve a sound pressure level outside the chamber of 90dB(A) when measured 3m from the sounding device.

The door required by (a) above must have a doorway with a clear width of not less than 600mm and a clear height of not less than 1.5m.

Reason: to ensure compliance with the Building Code of Australia (BCA).

- 5.19. Council is to be notified upon completion of work and following the issue of the occupation certificate, prior to trading commencing to enable the premises to be inspected by Council's Environmental Health Officer and for the premises to be registered with the Council as a food premises.

Reason: to ensure that the fit out of the food premises complies with relevant standards and to enable registration of the food premises.

- 5.22. A Liquid Trade Waste Approval must be obtained from council prior to the issue of an Occupation Certificate.
- 5.23. Submit an application to Council under section 305 of the Water Management Act 2000 for a section 306 Requirements Letter. The Application form can be found on Council's website [centralcoast.nsw.gov.au](http://centralcoast.nsw.gov.au). Early application is recommended.

The section 305 application will result in a section 306 letter of requirements which must be obtained prior to the issue of any Construction Certificate. The requirements letter will outline which requirements must be met prior to each development milestone e.g. prior to construction certificate, subdivision works certificate, occupation certificate and/or subdivision certificate. (Added)

- 5.24. **Provide an inspection report/certification from a practicing qualified structural engineer** to Council demonstrating that sewer protection / pier works have been undertaken in accordance with the design assessed and accepted by Council. This certification shall be provided prior to issue of the Section 307 Certificate of Compliance. (Added)

## 6. ONGOING OPERATION

- 6.1. The on-site stormwater detention facility is to be maintained in accordance with the operation and maintenance plan.
- 6.2. The nutrient / pollution control facilities are to be maintained in accordance with the operation and maintenance plan.

- 6.3. No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs etc.
- 6.4. All Use of Premises and On-Going Management of waste requirements as detailed within the required revised signed and dated (and approved) Waste Management Plan in accordance with the Gosford City Development Application Guide and Chapter 7.2 – Waste Management of Gosford DCP 2013 must be complied with.
- 6.5. Comply with all commitments as detailed within the approved, required Waste Management Strategy.
- 6.6. The Residential mobile garbage/recycling/green waste containers must be placed at the approved location at the kerbside no earlier than the evening prior to the collection day and return to the approved Residential waste storage enclosure as soon as possible after service, no later than the evening on collection day. The residents, caretaker and Body Corporate are responsible for the placement and return of the mobile waste containers.
- 6.7. Commercial waste mixed and recyclable mobile garbage bins to be wheeled out on arrival of the private Commercial waste collection contractor and immediately returned to the approved Commercial waste storage enclosure.
- 6.8. Commercial waste to be serviced at such times to not conflict with Residential waste services.
- 6.9. Commercial waste to be serviced at a suitable frequency to ensure adequate storage capacity is available within the sealed mixed and recyclable waste MGB's at all times and to minimise potential odour issues.
- 6.10. Food waste to be serviced at maximum 3 day intervals. Alternatively, food waste may be stored within a dedicated food waste refrigerator/chiller and placed in waste MGB's on arrival of the Commercial waste collection contractor for immediate servicing.
- 6.11. No waste material, waste packaging or waste product to be placed or stored outside of the approved, sealed mixed and recyclable waste storage containers within the approved waste storage enclosures.
- 6.12. The waste storage enclosure must be constructed and managed in accordance with the provisions of Gosford DCP 2013, Part 7: Chapter 7.2 - *Waste Management, Appendix D and Appendix G*, as applicable.
- 6.13. The conditions of the Liquid Trade Waste Approval must be complied with at all times.
- 6.14. The cinemas are limited to 75% of their seating capacity prior to 4pm on Sundays during the summer public school holiday period in December/January. The Applicant will restrict seat availability in the cinemas through the cinema Point of Sale ticket system by 25% for screenings or other performances or events which commences before 4.00 pm. Records of

daily ticket sales for these specified days will be kept and will be made available for inspection by Council or will be produced to Council on request.

*(reason: to limit parking impacts of the proposed development)*

- 6.15. The area identified on the approved plans as "Foyer" (previously noted as "gallery") is an ancillary use to the cinema and is not permitted to be leased separately or operated as a separate entity.

## 7. GENERAL

- 7.1. Public authorities who may have separate requirements in the following aspects are to be consulted:
- a. *Australia Post* for the positioning and dimensions of mail boxes in new commercial and residential developments;
  - b. *Jemena Asset Management* for any change or alteration to the gas line infrastructure;
  - c. *Ausgrid* for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
  - d. *Telstra, Optus* or other telecommunication carriers for access to their telecommunications infrastructure.
  - e. *Central Coast Council* in respect to the location of water, sewerage and drainage services.
- 7.2. All work under this Consent is to be carried out in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- 7.3. Dial Before You Dig  
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. 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 phone number 1800 810 443.

- 7.4. Separate application is required should the applicant require a new or upsized water supply connection to Council's water supply system.
- 7.5. Backflow prevention device(s) must be installed and maintained in accordance with Council's *WS4.0 Backflow Prevention Containment Policy*. This policy can be found on Council's website at: [www.gosford.nsw.gov.au](http://www.gosford.nsw.gov.au)
- 7.6. The inspection fee for works associated with approvals under the Roads Act is calculated in accordance with council's current fees and charges policy.
- 7.7. Payment of a maintenance bond may be required for civil engineering works associated with this development. This fee is calculated in accordance with council's fees and charges.
- 7.8. The inspection fee for works associated with approvals under the Local Government Act is calculated in accordance with council's current fees and charges policy.

## 8. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a **criminal offence**. Failure to comply with other environmental laws may also be a **criminal offence**.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

### Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

The staff responsible for the preparation of the report, recommendation or advice to any person with delegated authority to deal with the application have no pecuniary interest to disclose in respect of the application.

Robert Eyre  
Reporting Officer

XXXXX  
Reviewing Officer

The staff authorised to determine the application have no pecuniary interest to disclose in respect of the application. The report is endorsed and the recommendation contained therein.

Approved/Refused:

Date:



Property:

No's 69 & 71 Avoca Drive, Avoca Beach Lot 140 DP 9359 & Lot 651 DP 16791

Visual Impact Analysis - Avoca Beach Picture Theatre.

Section 4.56 Modification Application - Modification of DA42661/2012

Prepared by Dr Philip Pollard FRAIA MPIA



Figure1: Looking west across Hunter Park – Avoca Theatre is to the right of the image, at its Burns Street and Vine Street corner.



## 1 Introduction

### 1.1 Purpose of Report

The author, Dr Philip Pollard, was commissioned by Karen Zeuschner of Johnson Projects, to provide an independent Visual Impact and View Analysis in respect to the s4.56 modification to the existing development approval for a mixed use development incorporating a cinema multiplex, the existing Avoca Theatre, and five new apartments. The modification proposal is documented in the Architectural plans prepared by CKDS Architecture, Issue 10, Avoca Theatre Mixed Use S4.56 Application dated 21/12/2022, and in the Modification Application of DA 42661/2012 for Avoca Beach Picture Theatre 69 & 71 Avoca Drive, Avoca Beach (Ref: 190768) prepared by ADW Johnson, dated September 2022.

I understand that this Analysis, including photomontages of the proposal included in it, is proposed to be provided to Central Coast Council as part of the Section 4.56 Modification Application to DA42661/2012.

A copy of my CV is appended.

### 1.2 Methodology

I am generally familiar with the area, and attended the site and its surrounds on 30 March 2023 specifically to consider the proposal and its possible visual impacts.

I have been requested to review the report prepared by Dr Richard Lamb (RLA) in support of the original Development Application, and also to consider the overview prepared by Council's officers in respect to the most recent amendment which sought to increase the height of the roof ridge to Cinema 2 by 0.7m. As part of that assessment, and consistent with the initial RLA analysis, Council identified seven properties which were deemed to require consideration in regard to view impacts. These are shown in *Figure 2* below.



Figure 2: Page 25 of 51, Record of Pre-Development Advice, Central Coast Council, 10 September 2021

Council has in its Record of Pre-Development advice meeting of Friday 10th September 2021 (from which the above plan was extracted) considered the potential view impacts arising from the proposal before it at that time. While the current Modification proposal differs to a moderate extent from the design presented at that time, the principles established in this earlier analysis, and the 2016 Analysis of Dr Richard Lamb in respect to the approved development, are useful to inform the subject Modification application.

I understand that, on the basis of public submissions in response to the exhibition of the subject Modification proposal, Council has specifically requested further analysis of the view impacts to the residences at 1/51 Avoca Drive and 72A Avoca Drive.

The ADW Johnson Modification Application, dated September 2022 under the heading **Clause 4.3** summarises the proposed modification as:

The originally approved development on site exceeds the 10m height control by approximately 42%. Subsequent amendments permitted an increase of 700mm and a maximum RL 14.9m AHD associated with the roof of Cinema 2, resulting in a further variation to the development standard.

The proposed modifications to roof are described in Part 4.1 of this report and are repeated here for clarity:

- The roof being extended over the residential unit balconies facing Vine Street to align with the balcony edge;

- The curved roof over Cinema 2 being replaced with a single fall skillion roof, and slightly raised to accommodate the height of the cinema screen;

ITEM	CURRENTLY APPROVED	PROPOSED	EXTENT OF VARIATION
Height of Building	RL 14.9	RL 15.145 (new roof level)	+245mm above approved height

Figure 3 – Extract from ADW Johnson Report Page 17. Note that previously referenced screen to plant area has been deleted from the proposal as per the elevation below in Figure 3a

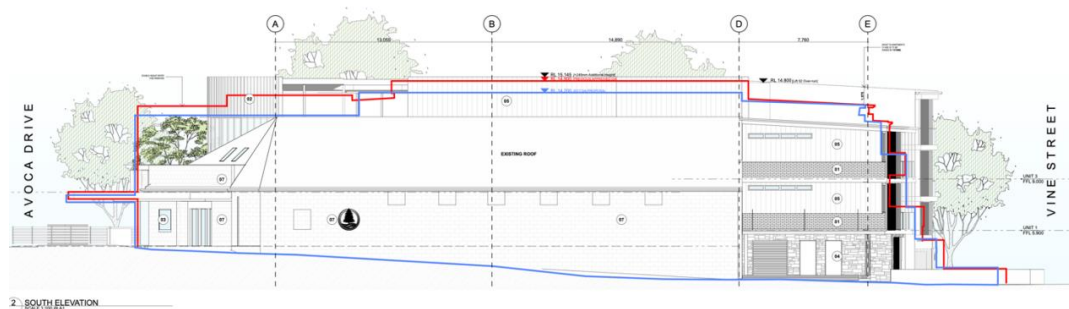


Figure 3a – South Elevation – CKDS A2001 Issue 10 – 21/12/2022

The proposed changes in the building's profile are outlined in the architectural elevations Issue 10, Page A-2001, 21/12/2022, from which Figure 3a above is extracted. The principal changes proposed by the modification, in so far as potential view impacts are concerned, involve an increase in the height of the roof by 245mm across its central cinema area, with a greater increase in more limited locations, including above the footprint of the stairwell facing Avoca Drive, and an increase to the skillion roof above the apartments facing Vine Street of up to 1 metre is also proposed. A reduction in height, and corresponding bulk and scale, is proposed in the area of the new Foyer to the cinemas facing Avoca Drive. The South Elevation seen above, is particularly relevant to the consideration of potential View Impacts from 1/51 Avoca Drive and 72A Avoca Drive.

Photomontages of the proposal have been prepared by Mr David Murgatroyd of Rockhunter Pty Ltd, whose professional work I am very familiar with, having initially met him when he had prepared montages for the opposing side in a LEC matter, in which I was engaged by Kiama Council to provide expert evidence. I have since engaged his services on a number of occasions, and have consistently found his work to be accurate technically, and to honestly illustrate the respective proposal under consideration.

The NSW Land and Environment Court's Planning Principles established in *Tenacity Consulting v Warringah Council* [2004] is considered the most relevant and appropriate means of assessing any impacts, and is referenced in the following Visual Impact Analysis.

## 2.0 Avoca Beach and its context.

Prior to consideration of individual view impacts, landscape character consideration can provide a useful context in which to undertake informed local impact evaluations. The relevant landscape character in this instance is the Avoca Beach area, towards its southern end. The topography in the area rises steeply in a roughly concave bowl formation, on the lower reaches of which are dense stands of forest scale trees in Hunter Park and surrounding streets and public places. The topography is such that dwellings set part way up the bowl and above, beyond the canopy height of trees on the flatter ground around Hunter Park, typically enjoy more open views of the beach and the foreshore to the north and north east. Dwellings on the lower streets, including Avoca Drive, are set below the tree canopy, and their views, if available at all, are filtered substantially by the stands of trees – including trees in other properties, and especially substantial stands of native vegetation on public land between the residences and the waterfront.

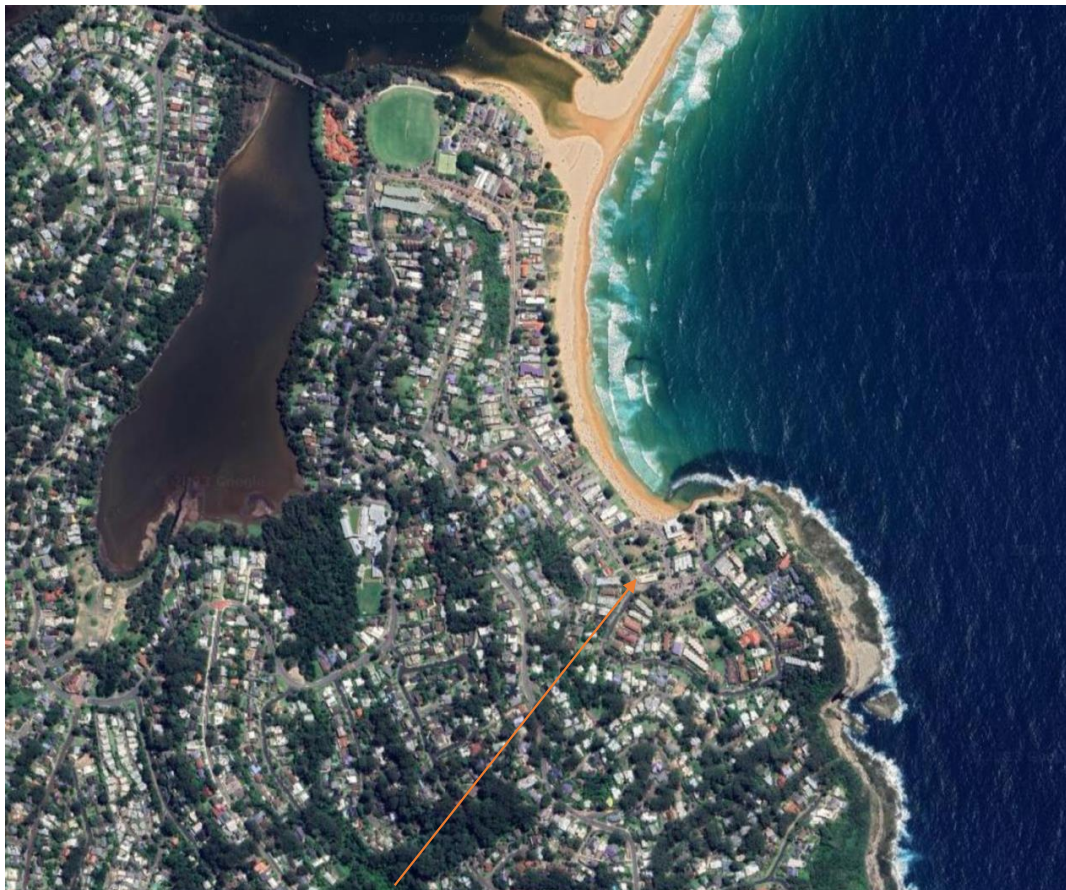


Figure 4:- Subject Site shown with Orange arrow – note development closer to the coast to the north and to the east of the Site  
Google Maps

## 2.1 Aspects that make a place unique

As outlined in the Transport for NSW *Guideline for Landscape Character and Visual Impact Assessment*, landscape character relates to the built, natural and topographical aspects that make a place unique.

The character of a landscape is more than its visual appearance, although an area's visual presentation is clearly a central means of perceiving a place, it is not the only way it is perceived. Furthermore, individual, fixed point "views" to a place are more a representative approximation of our perception of an area, whereas we typically take in our environment by moving about in it, and layer visual impressions with other sensory input over time, to create a cognitive "map" or impression of a place. Limited or constricted fixed-views can act as a shorthand for the viewer's layered cognitive map, that has been built up from familiarity with the area, and views obtained from moving around in it.

## 2.2 Previous View Analyses

In preparing his visual impact analysis (VIA), in 2016 Dr Richard Lamb attended a number of properties to the south-west and south of the Site and photographed the views, in a number of instances in the presence of a registered surveyor, who identified the geolocation of the camera in order to establish its geo-relationship with the Site. Dr Lamb noted the following in respect to 1/51 Avoca Drive:

Potential view loss exists for one unit at No. 1/51 Avoca Drive and two dwellings at 72A and 72 Avoca Drive. with regard to 1/51 Avoca Drive, views from this street level unit's rear terrace include the roof of the existing theatre, which is visible in a narrow 'window' of view between trees, blocking part of the view of water off Avoca beach. Part of the wave zone at the beach is visible above the existing theatre roof. A slim horizontal section of the view above the existing roof will be lost (as indicated approximately by the height pole in the photograph). The part of the view to be lost, includes built form, vegetation and a narrow band of water. The wave zone, beach and remainder of the cameo whole view toward background in North Avoca would be retained.

Page 6 RLA

In respect to 72A and 72 Avoca Drive, Dr Lamb noted:

Nos 72A and 72 Avoca Drive are elevated dwellings on the south side of the street, which have views toward Avoca Beach and North Avoca over a foreground composed of residences in the Avoca Bowl north of Avoca Drive. A part of the roof of the existing picture theatre building is visible with a backdrop of trees in Hunter Park which are between the proposed development site and the beach. Part of the proposed development, predominantly the roof of the theatre component, would be visible above the level of the roof of the existing theatre building. The part of the view to be lost, includes vegetation and a narrow band of water seen heavily filtered through vegetation in the park beyond the development site, which would be retained by the development. The wave zone of the majority of the beach and remainder of the sweep of beach visible between Avoca and North Avoca in the view would be retained, as would the remainder of the view.

Page 6 RLA



In relation to the properties 1/51 Avoca Drive and 72A (and 72 Avoca Drive adjacent) Dr Lamb concluded that any view loss arising from the Application before the LEC would be minor, at most.

In my opinion all but three of the views from residences identified as affected can be discounted as being affected by potential view loss given that the threshold test in step 1 of Tenacity has not been met. For the view from No.1/51, 72A and 72 Avoca Drive, the minor loss of view assessed in Step 3 does not in my opinion justify proceeding to Step 4. In my opinion the reasonableness question in relation to those views does not arise. However, if I am wrong and Step 4 is to be considered, it is my opinion that the view loss is nonetheless, reasonable.

Page 6 RLA

It is noted that since 2016 when the photos were taken by Dr Lamb, the vegetation in the area, which he described then as “dense native evergreen vegetation” and street trees, can be seen to have grown in both height and density, when the photos of 2016 and 2022/23 are compared from the corresponding locations. This is particularly evident in respect to the area to the north of 1/51 Avoca Drive and 72A Avoca Drive.

In respect to the preparation of photomontages illustrating the development on its site, as viewed from local residences Dr Lamb notes:

- a. There does not appear to be any utility in having 3D representations of the proposed development prepared. In fact, it would be difficult to show that photomontages prepared to represent the views affected would conform to the Land and Environment Court of New South Wales practice direction for the preparation of photomontages for use in evidence in the Court, as it would be difficult to show that a wire frame model of the existing environment could be fitted accurately to the photographs.
- b. This is because of the minimal visibility of the existing building/s as a result of foreground screening by vegetation. If the proposed development is of no, or minimal visibility, there can be no significant visual impacts.

Page 7 RLA

### 3.0 Visual Impact Assessment –

#### 3.1 Assessing the Visual Impact – LEC Planning Principles

The two primary NSW LEC Planning Principles for considering impacts to views are *Tenacity Consulting v Warringah Council* and *Rose Bay Marina Pty Ltd v Woollahra Municipal Council*. The former relates to impacts arising to views obtained from private property, and the latter on views obtained from public locations. It is not proposed to undertake a further *Rose Bay Marina* based examination of public views, as the Principle is primarily aimed at specifically identified fixed views. Such views are generally of a broad or panoramic nature, and take in elements that can be considered iconic. While views from public places around the Site are attractive, the nature of the site and the extent of stands of dense vegetation in proximity to it, coupled with the presence of other built-form development closer than the Site to the beachfront, mean that

there are no significant views featuring the Site from any public place, that could reasonably warrant detailed analysis in terms of *Rose Bay Marina*. Dr Lamb arrived at a similar conclusion in his 2016 VIA.

### 3.2 Views from Private Properties

It is proposed here to generally assess the nominated private view impacts under the Planning Principle in respect to view loss in respect to private properties under: the *Tenacity Consulting v Warringah* [2004] NSW LEC140 –

The *Tenacity* Planning Principle is primarily focused upon achieving an outcome that enables, where possible, view sharing as a desirable outcome. The guidance is premised upon reasonableness and equity, achieved via capable design that mitigates avoidable adverse view impacts.

Private properties that could potentially be impacted by the proposal are essentially limited to a small number of proximate residences at lower levels on the landform, with viewing locations below the predominant local tree canopy. This equates generally with the tan shaded area identified in *Figure 2: (above) Page 25 of 51, Record of Pre-Development Advice, Central Coast Council*. Above the tree canopy level, viewing points are set on higher topography, and are located some distance from the Site. These higher views are not filtered by the canopies of trees in Hunter Park and nearby trees on level ground in surrounding public and private places, but the elevation of higher properties means that views are not adversely impacted by the Approved Development or by the proposed Modification. The proposal is sitting considerably lower than streets in the bowl above Avoca Drive, including Ascot Avenue and Fairscene Crescent, and will not cause obstruction of views to the beach, the land/water interface, or other attractive elements.

I concur with the opinion of Dr Lamb in his summation above (P7 RLA) that there can be minimal, if any, visual access to the site from all of the properties designated in *Figure 2* with the possible exception of 51 Avoca Drive and 72 and 72A Avoca Drive. The changes proposed in the s4.56 Modification involve quite limited height increase, and with the possible exception of the nominated properties, make no difference to the limited visual access brought about by topography, existing built form and by dense vegetation. I note also that photographic comparison demonstrates that since 2016, vegetation has increased somewhat in scale and density. Council's 2021 Record of Pre-Development Advice also provides a summary of view loss analysis (PP25-35) which is consistent with the opinion offered by Dr Lamb.

Council has requested the Applicant prepare of a visual representation of the proposed Modification, in respect to views obtained from 1/51 Avoca Drive and from 72A Avoca Drive, which has been undertaken under my direction as per the following outline:



Figure – 5 View from above the maximum proposed roof level under the Modification (above the existing tall palm trees) – looking towards the south showing 1/51 and 72A Avoca Drive

**Roseth SC in *Tenacity* defines a four step process** to assist in a determination of impacts of a proposed development from the private domain:

- Step 1: Views to be affected
- Step 2: Locations within the property from which the views are obtained
- Step 3: Extent of impact to the property as a whole
- Step 4: Reasonableness

The Step process is intended to be sequential, and one does not need to progress to the subsequent step unless the preceding threshold is reached.

#### **Considering the views from 72A Avoca Drive:**

Step 1: Views from the property were assessed from the private open space (deck) of the upper floor of the cottage at 72A, from the location indicated at an equivalent standing height of 1.6m above the deck floor. (Indicated by the orange arrow in *Figure 6* below).

Step 2: Location from which views are obtained - The western part of the deck at the point at which the photo in *Figure 7* was taken is illustrated in *Figure 6* below. This area of the deck is considered to offer views that are somewhat less obstructed by trees than more easterly sections of the deck adjacent.

Step 3: The extent of impact to the property as a whole is considered to be minor.

Step 4 – There is no justification for proceeding to Step 4, as the threshold for proceeding has not been met.





Figure 6 – Dwelling at 72A Avoca Dr and camera location shown with orange arrow. Camera is set at 1.6m above the floor of the deck.

As can be observed in the photomontage of the view obtained from 72A Avoca Drive, northerly views over the approved development on the Site, illustrated in solid green, will be heavily filtered by vegetation in the foreground. A moderate extent of open water, but no land/water interface, will be obstructed by the approved development. The additional component of the view obstructed by the s4.56 modification is very limited in its extent, with only a small component of the view of the lower section of the Norfolk Pine tree obscured. This is considered to have a minor impact on the view.



Figure 7 - View obtained from the deck of 72A Avoca Drive, from the location illustrated in Figure 6 – (Base photo- FL 50mm)



Figure 8 - Photomontage of approved built form (in green) and proposal as per the s4.56 design, illustrated in dark tint, outlined in red for clarity.



### Considering the views from 1/51 Avoca Drive:

Step 1: Views from the property were assessed from the private open space (roof deck) of the upper floor of the apartment at 1/51, from the location indicated at an equivalent standing height of 1.6m above the turfed area of the roof. This location is illustrated in *Figure 9*. The POS rises from the outdoor dining area which is travertine tiled, up to a timber deck which in turn rises to a turfed area – from which the base photo in *Figure 11* was taken. A narrow timber boardwalk is adjacent to the lomandras that abut the glass balustrade. *Figure 10* is included only to illustrate the four rising levels from the apartment floor to the glass balustrade, and the location of the outdoor dining area.

Step 2: Location from which views are obtained – visual access to the beach is via a narrow gap in the trees within the park to the north of the property. If the viewer moves a short distance – a step or two - either way from this corridor, the narrow view to the beachfront is obscured by foliage. Glimpses from an internal corridor illustrated by Dr Lamb in his VIA showed a similar cameo view of water, sand and treed ridge-line to the glimpse available in *Figure 10*, which is at a similar floor level.

Step 3: The extent of impact to the property as a whole is considered to be minor.

Step 4 – There is in my opinion, not an evident justification for proceeding to Step 4, as the threshold for proceeding has not been met.



Figure 9 - Location of camera for photo seen in Figure 11.



Figure 10 - Outdoor dining area illustrating level changes (only)

As can be observed in the photomontage of the view obtained from 51/1 Avoca Drive, northerly views over the approved development on the Site, illustrated in solid green, will be heavily filtered by vegetation in the foreground. A moderate extent of open water, but no land/water interface, will be obstructed by the approved development.



Figure 11 – Existing view from a standing position from the rooftop turfing area POS of 1/51 Avoca Drive (base photo- FL 50mm)



Figure 12- Photomontage of approved built form (in green) and proposal as per the s4.56 design, illustrated in dark tint, outlined in red for clarity.

The additional area of view obscured under the s4.56 proposal is illustrated in dark tint, with a red outline for clarity. As is evident in *Figure 12*, the additional component of the view obstructed by the s4.56 modification is limited in its extent, with a view to the roof of the Avoca Beach House restaurant and a small area of water obstructed. The sand/ water interface on either side of the “shark tower” and the tower itself remain visible. This is considered to have a overall minor impact on the view.

Impact upon views brought about by works proposed in the s4.56 Modification from the nominated private properties, 1/51 Avoca Drive and 72A Avoca Drive, have been considered here in terms of *Tenacity*, and are not assessed to be of a degree of impact that warrants progression to consideration in terms of *Step 4 – Reasonableness*.

If Step 4 were to be considered, in both instances I would note the following:

The Approved Development was determined by the LEC to be reasonable in its impacts, and there is in my opinion no substantive difference between the view impacts arising from the approved design and those of the proposed Modification. While views from both properties are enjoyed by their occupants, the existing views are highly filtered, and are available from limited locations within the respective properties.

## 7.0 Conclusion

Visual impacts to views obtained from nearby private properties are generally considered negligible, and in the cases of 1/51 and 72A Avoca Drive to be minor.

This assessment has also concluded that any impact from the proposed Modification to views from the public areas around Avoca Drive, Vine Street, Burns Street and their surrounds to generally to be negligible. Streetscape impacts are also considered to be consistent with current and desired future character, and the retention and sensitive integration of the existing Avoca Theatre to be a worthwhile and very positive contribution to the locality.



Dr Philip Pollard FRAIA MPIA

Nominated Architect 5241  
Director, AMENITY urban & natural environments Pty Ltd

20 April 2023





30<sup>th</sup> March 2022  
 Job Number 21031

SEPP 65 – APARTMENT DESIGN GUIDE REPORT – Avoca Beach Theatre Mixed Use – Residential Component

#### 1.0 OBJECTIVES

OBJECTIVE	SUMMARY	ACTIONS	Compliance
	SITING		
3A-1	Site Analysis illustrates that design decisions have been based upon the opportunities and constraints of the site.	<i>The site is well located to public transport, services, and amenity. The development fully harnesses the beach views and solar access provided by the location. The massing of the proposal responds to local neighbouring and site conditions</i>	Yes
3B-1	Building types and layouts respond to the streetscape and site while optimising solar access within the development	<i>Apartments are all designed to maximise northern sun whilst still capturing the views to the east and north. Apartments comply with street frontage setbacks, providing privacy with an appealing treatment for the street corner and park frontage.</i>	Yes
3B-2	Overshadowing of neighbouring properties is minimised during mid winter	<i>No overshadowing occurs to neighbouring buildings.</i>	Yes
3C-1	Transition between private and public domain is achieved without compromising safety and security	<i>A clear and secure entry point that is accessible is provided along the Vine Street frontage for the residences.</i>	Yes
3C-2	Amenity of the public domain is retained and enhanced	<i>Apartments comply with street frontage setbacks, providing privacy with an appealing treatment for the street corner and park frontage. Access to the adjacent public domain [Hunter Park] is not compromised.</i>	Yes
3D-1	An adequate area of communal open space is provided to enhance residential amenity and provide opportunities for landscaping	<i>N/A</i>	<i>N/A</i>
3D-2	Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	<i>N/A</i>	<i>N/A</i>
3D-3	Communal open space is designed to maximise safety	<i>N/A</i>	<i>N/A</i>



3D-4	Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	N/A	N/A
3E-1	Deep soil zones allow for and support healthy plant growth.  Min. deep soil zones <650sqm No min. dimensions 7% site area 650 – 1500 3m min dimension 7% site area ≥ 1500 6m min dimension 7% site area	8% Deep soil is achieved due to the nature of the site existing buildings.	No
3F-1	Adequate building separation distances are shared equitably between neighbouring sites to achieve reasonable levels of external and internal visual privacy  Height Habitable rooms/balconies Non habitable rooms Up to 12m 6m 3m Up to 25m 9m 4.5m >25m 12m 6m	N/A	N/A
3F-2	Site and building design elements increase privacy without compromising access to light and air and balance outlook and views between habitable rooms and private open space.	A balance between glass and solid balustrades provides unobstructed access to sunlight and views. Orientation of apartments provides a large degree of privacy without obstructing views.	Yes
3G-1	Building entries and pedestrian access connects to and addresses the public domain	Entry to the apartments is accessible via a ramp and external lift at Street Level located at residential entry along Vine Street	Yes
3G-2	Access, entries and pathways are accessible and easy to identify	The residential entry is clearly signed and identifiable, located within an intentional 'break' in the building.	Yes
3G-3	Large sites provide pedestrian links for access to streets and connection to destinations	NA	N/A
3H-1	Vehicle access points are designed to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	Car parking entry is located at lowest points of site to minimise sloping entry. Entry is Via Vine Street and is a single double garage door to minimize its impact to the façade that is otherwise balconies to apartments to animate what is currently a very tired and empty streetscape.	Yes
3J-1	Car parking is provided based on proximity to public transport in metropolitan	Car parking is compliant however a number of bus stops are in close council	Yes





	Sydney and centres in regional areas	<i>proximity which connect to wider transport hubs such as Gosford Station.</i>	
3J-2	Parking and facilities are provided for other modes of transport	<i>Compliant</i>	Yes
3J-3	Car park design and access is safe and secure	<i>N/A</i>	N/A
3J-4	Visual and environmental impacts of underground car parking are minimised	<i>Car parking situated underground to minimise visual impact. Where the minimal penetration occurs due to sloping site, vegetation is introduced to soften protrusion. Exposure of basement is compliant with DCP allowances</i>	Yes
3J-5	Visual and environmental impacts of on-grade car parking are minimised	<i>As above</i>	Yes
3J-6	Visual and environmental impacts of above ground enclosed car parking are minimised	<i>As above</i>	Yes
	DESIGNING THE BUILDING		
4A-1	Optimise the number of apartments receiving min. 2 hours sunlight to habitable rooms, primary windows and private open space between the hours of 9am and 3pm  All other areas – a min. of 3 hours A max. of 15% receive no sun in mid winter	<i>100% of the apartments achieve the minimum 2hrs required sunlight in mid winter to the living areas. Percentage of south facing apartments is 0%. Exterior communal spaces receive 3 hours of direct sunlight to nearly 100% of area.</i>	Yes
	2 hours min sunlight midwinter in Sydney/Newcastle/Wollongong	<i>See above</i>	Yes
	All other areas a min. of 3 hours	<i>See above</i>	Yes
4A-2	Daylight access is maximised where sunlight is limited	<i>In accordance with the guidance contained in the ADG, sun scarce exterior and interior spaces have been given light coloured finishes, and large amounts of glazing provide large amounts of ambient light</i>	Yes
4A-3	Design incorporates shading and glare control, particularly for warmer months	<i>Sliding vertical screens to all balcony areas allows customisable control of sun glare. Entirely controllable by the occupant.</i>	Yes
4B-1	All habitable rooms are naturally ventilated	<i>All habitable rooms are naturally ventilated, and many have multiple windows in different facades</i>	Yes
4B-2	The layout and design of single aspect apartments maximises natural ventilation	<i>NA</i>	Yes
4B-3	The number of apartments with cross ventilation is maximised  At least 60% of apartments are naturally cross ventilated	<i>All apartments are cross ventilated.</i>	Yes



	Over all depth of cross over apartments in 18m max.		
4C-1	Ceiling height achieves sufficient natural ventilation and daylight access. Min height of – Habitable rooms 2.7m Non habitable rooms 2.4m Two storey apartments 2.7m main living floor 2.4m for second floor (max. 50% area) Attic spaces 1.8m at edge of room 30° ceiling slope	All habitable rooms have ceiling heights of $\geq 2.7m$ All non habitable rooms have ceiling heights of $\geq 2.4m$	Yes Yes
4C-2	Ceiling height increases the sense of space in apartments and provides for well proportioned rooms	Proposal has adequate floor to ceiling heights, see above	Yes
4C-3	Ceiling height contributed to flexibility of building use over the life of the building	Ceiling heights comply	Yes
4D-1	Layout of rooms within an apartment is functional, well organised and provides a high standard of amenity	Layout of rooms is functional, articulated to make best use of the design's character and provide a high standard of amenity	Yes
	Min. areas  2 bed 70sqm	Complies	Yes
	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	All habitable rooms have operable windows in excess of the 10% minimum requirement.	Yes
4D-2	Environmental performance of the apartment is maximised	See above	Yes
	Habitable room depths are limited to a maximum of 2.5 x the ceiling height	See Below	Yes
	In open plan layouts the maximum habitable room depth is 8m from a window	No habitable room location is more than 8m from a window	Yes
4D-3	Apartment layouts are designed to accommodate a variety of household activities and needs	Layouts incorporate flexible open plan living areas with a variety of multi purpose storage and study areas	Yes
	Master bedrooms have a minimum area of 10sqm and other bedrooms 9sqm (excluding wardrobes)	Complies.	Yes
	Bedrooms have a minimum dimension of 3m (excluding robes)	Complies.	Yes



	Living rooms or open plan living have min width of 3.6m for studios/1beds 4m for 2/3beds	<i>Complies.</i>	Yes
	Width of cross over apartments are at least 4m internally to avoid narrow layouts	<i>N/A</i>	<i>NA</i>
4E-1	Apartments provide appropriately sized private open space and balconies to enhance residential amenity	<i>All 5 dwellings have generous private outdoor spaces in the form of balconies.</i>	Yes
	Primary balconies  2 bed 10sqm 2m min depth	<i>NA</i>	Yes
	Apartments at ground level or on podium have a private open space instead of a balcony. Minimum area is 15sqm and minimum depth is 3m	<i>Complies</i>	Yes
4E-3	Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building	<i>All balconies are designed and detailed as integral components of the façades. Balconies are designed frame themselves within the skin of the exterior, blending into the overall form of the structure. Balconies maintain privacy for residents while allowing long access to sunlight and views. Timber screening over various densities also provide additional façade articulation as well as providing adjustable levels of privacy.</i>	Yes
4E-4	Private open space and balcony design maximises safety	<i>All balconies to be designed and constructed in accordance with the BCA</i>	Yes
4F-1	Common circulation spaces achieve good amenity and properly service the number of apartments	<i>Circulation space provides adequate amenity for residents as each floor services only 2 apartments. 1 lift is adequate to service the 5 apartments and exterior circulation space provides good access to beach and street</i>	Yes
	Maximum number of apartments off a circulation core on a single level is 8	<i>Maximum of 2 dwellings off a single core</i>	Yes
	For buildings 10 + storeys, maximum number of apartments sharing a single lift is 40	<i>N/A</i>	<i>N/A</i>
4F-2	Common circulation spaces promote safety and provide for social interaction between residents	<i>Circulation is direct and legible and secure. It is clearly defined as resident only space due to the distance from the boundary.</i>	Yes
4G-1	Adequate, well designed storage is provided in each apartment	<i>All apartments are provided with storage within one or more locations; being bedrooms, kitchens, study and dedicated storage cupboards. Further storage is to be added in basement during detail design.</i>	Yes



	2 bed 8m3	<i>Apartments have adequate space to incorporate compliant storage, and will be included during detailing of design</i>	Yes
4G-2	Additional storage is conveniently located, accessible and nominated for individual apartments.	<i>See above</i>	NA
4H-1	Noise transfer is minimised through the siting of buildings and building layout	<i>All apartments on site are located away from the major traffic noise. All wall construction and glazing is in accordance with the Acoustic Engineer's recommendations. Vertical circulation aligns quiet and noisy function spaces. Garage doors and other mechanical equipment is located min 3m away from bedrooms.</i>	Yes
4H-2	Noise impacts are mitigated within apartments through layout and acoustic treatments	<i>All separating construction to be in accordance with the BCA</i>	Yes
4J-1	In noisy or hostile environments the impacts of external noise and pollution are minimised through careful siting and layout of buildings	<i>The portion of the site is on a side road is situated on relatively quiet urban streets and as such, noise pollution from traffic and ambience is kept to a minimum.</i>	Yes
4J-2	Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.	<i>Party walls will comply with noise attenuation requirements. All External fenestration will provide adequate noise dampening through glazing and sealing. External screening elements and apartment separation provides additional noise shielding to and from apartments</i>	Yes
4K-1	A range of apartment types and sizes is provided to cater for different household types now and into the future.		Yes
4K-2	The apartment mix is distributed to suitable locations within the building.	<i>Different apartment types are located to best utilise and accommodate the site's best attributes.</i>	Yes
4L-1	Street frontage activity is maximised where ground floor apartments are located.	<i>Street frontage apartments all incorporate private outdoor terraces with garden element and privacy screening. Access from both the circulation corridor and street is also provided.</i>	Yes
4L-2	Design of ground floor apartments delivers amenity and safety for residents	<i>Landscaped courtyards on ground floor apartments incorporate vegetation and barrier screening.</i>	Yes
4M-1	Building facades provide visual interest along the street while respecting the character of the local area.	<i>Sliding Screens, varying balustrade types and a combination of complimentary building materials.</i>	Yes
4M-2	Building functions are expressed by the façade	<i>Building entries are expressed with prominence by utilising different material changes.</i>	Yes



4N-1	Roof treatments are integrated into the building design and respond positively to the street.	<i>Penthouse roofs are designed to reduce the scale of the building through shallow depth and minimal pitch. Glass clerestories create a floating roof effect and visually separate the building.</i>	Yes
4N-2	Opportunities to use roof space for residential accommodation and open space are maximised.		No.
4N-3	Roof design incorporates sustainability features	<i>Clerestories for solar access and efficient water catchment provided</i>	Yes
4O-1	Landscape design is viable and sustainable	<i>The landscape design and species selection makes intelligent and diverse use of species for all garden spaces and is in accordance with council guidelines</i>	Yes
4O-2	Landscape design contributes to the streetscape and amenity	<i>Street trees and public landscaping has been selected and designed by the landscape Architect to contribute to the streetscape. The landscaping incorporates species to thrive and contribute to a coastal environment. Differing species will differentiate public from private space. Boundary vegetation softens site boundaries and raises the pedestrian visual experience</i>	Yes
4P-1	Appropriate soil profiles are provided	<i>Landscape Architect has provided appropriate plant species for proposed soil volumes in accordance with council guidelines</i>	Yes
4P-2	Plant growth is optimised with appropriate selection and maintenance	<i>Plants have been selected by the Landscape Architect to suit the site conditions.</i>	Yes
4P-3	Planting on structures contributes to the quality and amenity of communal and public open spaces	<i>Planter boxes are provided to soften hard landscaped areas and basement protrusions as well as masking apartment fenestration from communal spaces.</i>	Yes
4Q-1	Universal design features are included in apartment design to promote flexible housing for all community members	<i>Less than 10 Apartments. N/A</i>	N/A
4Q-2	A variety of apartments with adaptable designs are provided	<i>Less than 10 Apartments. N/A</i>	N/A
4Q-3	Apartment layouts are flexible and accommodate a range of lifestyle needs	<i>N/A</i>	N/A
4R-1	New additions to existing buildings are contemporary and complementary and enhance an areas identity and sense of place	<i>N/A</i>	N/A
4R-2	Adapted buildings provide residential amenity while not precluding future adaptive reuse	<i>N/A</i>	N/A
4S-1	Mixed use developments are provided in appropriate locations and provide	<i>N/A</i>	N/A



	active street frontages that encourage pedestrian movement.		
4S-2	Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents	<i>Residential only</i>	Yes
4T-1	Awnings are well located and complement and integrate with building design	<i>Awning use is appropriate for design in regulating solar access and creating visual appeal</i>	Yes
4T-2	Signage responds to the context and desired streetscape character	<i>Signage is to be incorporated into the mailing area as a motif for a sense of place. This will be clearly visible from street level and assist in identifying the residential entry also. Vine Street Façade.</i>	Yes
4U-1	Development incorporates passive environmental design	<i>Beyond compliance with BASIX's numerical standards, the site planning and building design maximise the benefits of passive solar design to the dwellings, exceeding ADG minimum standards.</i>	Yes
4U-2	Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	<i>Thermal mass in concrete and use of awnings and eaves throughout will provide optimised passive solar design throughout the year</i>	Yes
4U-3	Adequate natural ventilation minimises the need for mechanical ventilation	<i>All apartments are naturally cross ventilated</i>	Yes
4V-1	Potable water use is minimised	<i>TBC</i>	TBC
4V-2	Urban stormwater is treated on site before being discharged to receiving waters	<i>In accordance with DCP</i>	Yes
4V-3	Flood management systems are integrated into site design	<i>In accordance with DCP</i>	Yes
4W-1	Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	<i>Waste storage is located in allocated basement bin room located out of sight from residents and public. Waste is wheeled onto street for collection</i>	Yes
4W-2	Domestic waste is minimised by providing safe and convenient source separation and recycling	<i>Recycling provided in bin room</i>	Yes
4X-1	Building design detail provides protection from weathering	<i>Durable materials with appropriate flashing and capping are designed to shed water intelligently – reducing staining and maximising durability</i>	Yes
4X-2	Systems and access enable ease of maintenance		Yes
4X-3	Material selection reduces ongoing maintenance costs	<i>Robust and durable materials have been specified.</i>	Yes

The project will create a high quality residential environment for future residents, with very good amenity well above ADG requirements.

Caine King  
Architect; NSW ARB number: #7974

CKDS – Revision A  
Nominated Architects: Caine King #7974 / Stuart Campbell #7545





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05.04.2022

#### AVOCA BEACH THEATRE RE DEVELOPMENT

Avoca Drive,  
Avoca Beach NSW 2251

#### ARCHITECTURAL DESIGN STATEMENT

The proposed re-development of Avoca Beach Theatre aims to revitalise a well-known Central Coast attraction of significant local, social, and cultural value. This proposal provides an updated design which sets out to rationalise and modernise a series of earlier approaches resulting in a more appropriate response to the site and its context.

The proposal consists of two main components, the commercial [theatre] frontage, facing Avoca Drive and Hunter Park and the residential component also fronting Hunter Park and Vine Street, to the rear of the site.

The updated design aims to ensure that the prominent street frontage has an appropriate level of activation in order to animate and populate the streetscape. A large foyer space and feature stair is welcoming with an open and spacious entry which draws in visitors from the street, while the front courtyard provides a green buffer to the park and road. The new entry glass foyer extends the line of the parapet of the old theatre to ensure the scale of the existing theatre is re-interpreted and used as a basis for future additions, such as this.

The additional theatres and foyers spaces are arranged to ensure the majority of bulk is concentrated in the centre of the building. This approach avoids lengths of blank facades and ensuring the perimeter of the building is punctuated with glazing where possible to maximise views to the surrounding beachside setting as well improving passive surveillance and more importantly, animating the streetscape through the building's use.

Five private residences front Hunter Park and Vine Street. The apartments are accessed via a private residential entry. Large balconies improve the passive surveillance of a previously derelict part of the site, while providing dwellings with a significant amount of outdoor amenity, overlooking the park to the ocean beyond.

Another major consideration was the architectural response to the local environment. A selection of building material and elements have been used which reflect the coastal landscape of where the site is located. Subtle curves, intentional points of articulation and deliberate changes in building form allow the building to be broken down into smaller elements, rather than reading as a single form as per previous iterations.

The overall design aims to create a building that is respectful of its past and origins while providing the community with a building that is responsive to the future, evolving as it needs to meet changing social, economic, and cultural factors.

CKDS – Revision A

Nominated Architects: Caine King #7974 / Stuart Campbell #7545

1



Note: The above statement is to be read in relation to the following drawings:

A-0001 Issue 10

A-0002 Issue 08

A-0004 Issue 08

A-0005 Issue 04

A-0006 Issue 04

A-1001 Issue 10

A-1101 Issue 11

A-1102 Issue 11

A-1103 Issue 11

A-1104 Issue 10

A-1105 Issue 11

A-2001 Issue 10

A-2002 Issue 10

A-2002 Issue 10

A-3001 Issue 08

A-3002 Issue 10

A-3003 Issue 07

A-5001 Issue 10

A-5002 Issue 10

A-5004 Issue 1

Nominated Architects: Caine King #7974 / Stuart Campbell #7545



30.09.2022

**AVOCA BEACH THEATRE RE DEVELOPMENT**

Avoca Drive,  
Avoca Beach NSW 2251

**ARCHITECTURAL DESIGN MODIFICATION STATEMENT**

CKDS Architecture were engaged to lead the design modification which differs from the previously approved, original design undertaken by others. A description of the changes are addressed in the accompanying Statement of Environmental Effects.

Corey Diffin B Sc [Arch] / B Arch *Hons*

Associate



## Avoca Beach Theatre Mixed Use Development

AVOCA DRIVE, AVOCA BEACH, NSW 2261

### SEPP 65 Compliance Statement – *For Residential Component*



Prepared to accompany the Development Application submitted for;

Multi Dwelling Residential Development at Avoca Drive, Avoca Beach.  
For Johnson Projects

Verification of Qualifications

Caine King and Stuart Campbell are registered as Architects in New South Wales and are enrolled in the Division of Chartered Architects in the register of Architects pursuant to the Architect Act 1921. Their registration numbers are 7974 and 7574 respectfully.

Statement of Design

CKDS Architecture has been working in conjunction with related professionals and experts in respect of the design. The project has been designed to provide a development that is respectful of local planning and design controls and that responds to the best practice design principles of SEPP No. 65.

CKDS Architecture verify that the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development are achieved for the proposed residential development as stated below.



#### Proposed Development

The proposed residential component of the site is located opposite Avoca Beach, fronting Hunter Park on the corners of Vine and Burns Street.

The design intent of the residential aspect of the project is to provide five luxury apartments that captures the potential vistas and presents a strong architectural to the context, which is currently occupied by an empty site and dilapidated cottage.

Whilst developing the design, due consideration has been given to the impact on immediate and surrounding neighbours, the architectural aesthetic and the surrounding coastal context. The following aims have been the drivers of the design response:

- Architectural Environment      The proposed building sits in a primarily residential area and as such the design has focused on minimising any detriment to neighbouring amenity while maximising the experience of luxurious and community living. The neutral material palette, street setbacks and communal space provide a pleasing and fitting addition to the streetscape.
- Context      As the building is located close to the beachfront, the design focused to provide every apartment with access to northern or eastern sun and beach views. The structure is set back from the boundaries to minimise overshadowing and avoid blocking neighbouring vistas.
- Scale      Much consideration was taken to reduce the proposals scale to comply with the objectives of the planning controls and reduce impact. The building maintains a consistent two - three storey development that is reflective of similar multi residential dwellings in the immediate context.





#### SEPP Design Verification Statement

The assessment of the proposal is made in accordance with respect to the Design Quality principles as set out in SEPP 65, part 2. As noted in the introduction:

- Good design is a creative process which, when applied to towns and cities, results in the development of great urban places: buildings, streets, squares and parks.
- Good design is inextricably linked to its site and locality, responding to the landscape, existing built form, culture and attitudes. It provides sustainable living environments, both in private and public areas.
- Good Design serves the public interest and includes appropriate innovation to respond to technical, social, aesthetic, economic and environmental challenges.

The design quality principles do not generate design solutions, but provide a guide to achieving good design and the means of evaluating the merit of proposed solutions.

CKDS Architecture has prepared and reviewed the architectural drawings and are satisfied that the design meets the intent of the design quality principles as set out in part 2 of State Environmental Planning Policy No.65 Design Quality of Residential Flat Development.

CKDS Architecture has extensive experience in the design of residential housing and developments in various forms ranging from individual residential houses to high-density apartment development.

Reference has also been made to the Residential Flat Design Code in preparing this report. These sections are used in order to cite objectives for each of the section headings.



Note:

Design Quality Principles



Design Quality Principle 1: Context		
Objectives	Proposed Development	Compliance
<p>"Good design responds and contributes to its context. Context is the key natural and natural built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions."</p>	<p><i>A single residence and the existing theatre currently occupies the subject site. The site fronting hunter Park, thrives off the local economy and tourism. The strategy for the development is to attract more people to the site for a variety of activities and uses. This will in turn contribute positively to the local economy and built environment.</i></p> <p><i>The proposed development will provide attractive and luxurious apartments for potential residents while improving the local streetscape and bringing a defining architectural element to the street corner. The design considerations will also encourage the beach culture of the local area.</i></p>	<p>Yes</p>
Design Quality Principle 2: Built Form and Scale		
Objectives	Proposed Development	Compliance
<p>"Good Design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings."</p> <p>Good Design also achieves an appropriate built form for the site and the building in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p><i>The design has been developed with due consideration to the scale of existing and proposed developments in the vicinity and are in line with the objectives of the Planning Strategies for the area The built form is of a similar scale to the neighbouring developments and does not block their access to sunlight.</i></p>	<p>Yes</p>



Design Quality Principle 3: Density		
Objectives	Proposed Development	Compliance
<p>"Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment."</p>	<p><i>The development has been designed with due consideration given to apartment density. The building consists of 5 apartments over 2 levels, all with generous areas and balcony spaces, with courtyard design elements incorporated into every apartment. The low apartment density creates minimal traffic impact and allows large open communal spaces to be developed on site. It also improves passive surveillance in the area considerably.</i></p>	<p>Yes</p>
Design Quality Principle 4: Sustainability		
Objectives	Proposed Development	Compliance
<p>"Good design combines positive environmental, social and economic outcomes. Good Sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials, and deep soil zones for groundwater recharge and vegetation."</p>	<p><i>The proposed development focuses highly on sustainability providing a high level of passive environmentally sustainable design. Instances include: water reuse tanks, operable louvers to control sun penetration and privacy, compliant cross ventilation and solar access in accordance with the ADG, high level of solar thermal heating in winter.</i></p>	<p>Yes</p>



Design Quality Principle 5: Landscape		
Objectives	Proposed Development	Compliance
<p>"Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good Landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values, and preserving green networks. Good landscape design optimises usability, privacy and opportunities for social interaction, provides for practical establishment and long term management."</p>	<p><i>The development employs a range of landscaping features that are appropriate for the various areas and are conducive to a beach landscape. Various elements include communal meeting areas, streetscape planting, planter boxes and private landscaped spaces for individual apartments. These spaces have been considered in relation to aspect, access and connection to the surrounding public areas.</i></p>	<p>Yes</p>



Design Quality Principle 6: Amenity		
Objectives	Proposed Development	Compliance
<p>"Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.."</p>	<p><i>The proposed design solution is consistent with the principles of SEPP No. 65 particularly through the orientation and design of the units (solar access and ventilation).</i></p> <p><i>An analysis of the building has been undertaken in order to meet BASIX requirements and solar amenity.</i></p> <p><i>The Statement of Environmental effects details the buildings performance in this regard with a conclusion that the design is consistent with the stated objectives.</i></p> <p><i>In conceiving the design, the following issues were considered:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Each unit has been provided with a private balcony that has a functional area and configuration conducive to recreational use.</i></li> <li>▪ <i>100% of apartments can be considered to be cross ventilated</i></li> <li>▪ <i>100% of apartments have a minimum of 2 hours of solar access on June 21 between 9am and 3pm</i></li> </ul> <p><i>Day lighting has been considered for the general amenity of all apartments. The depth of the dwellings has been restricted to maintain optimal access to natural daylight to all rooms therein.</i></p>	<p>Yes</p>



Design Quality Principle 7: Safety		
Objectives	Proposed Development	Compliance
<p>"Good design optimises safety and security, within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defines secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose"</p>	<p><i>The principle entrance points are clearly identifiable and allow for passive surveillance, basement areas will have remote security controls. A single, defined residential entry also assists in clear and present entry to the residential element of the development.</i></p> <p><i>Recesses and niches have been avoided in the public access areas.</i></p> <p><i>The car park layouts are designed to minimise opportunities for alcoves. The car park has been designed so that walls do not obstruct sight lines.</i></p> <p><i>The car park is open plan and security access will be provided.</i></p> <p><i>Lighting details will be furnished in accordance with Australian Standards.</i></p> <p><i>Direct access is available from the car parking levels to all apartments including disabled access.</i></p>	<p>Yes</p>
Design Quality Principle 8: Housing Diversity and Social Interaction		
Objectives	Proposed Development	Compliance
<p>"Good Design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents.</p>	<p><i>This proposal provides for a market responsive 5 x 2 Bed apartments which allows for holiday lettings, people seeking to downsize from their previous family home, couples and professionals.</i></p> <p><i>Social interaction is achieved through well designed and centralised, shared entries and balconies that balance an appropriate mix of controlled privacy and passive surveillance.</i></p>	<p>Yes</p>





Design Quality Principle 9: Aesthetics		
Objectives	Proposed Development	Compliance
<p>"Good Design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good Design uses a variety of materials colours and textures.</p> <p>The visual appearance of well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p><i>The form of the proposed structure responds to the cues of the context. The scale of the structure matches that of the neighbouring developments. The façade and materiality relates to the coastal context with the material palette consisting of materials such as stone, light neutral bricks and timber that mimic the local landscape.</i></p>	<p>Yes</p>



Part 1 – Local Context



## Primary Development Controls

Building Height	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To ensure future development responds to the desired scale and character of the street and local area.</li> <li>To allow adequate daylight and solar access to apartments, common open space, adjoining properties and the public domain.</li> </ul>	<i>The residential component of the development complies with the 10m height limit for the residential component. The scale and interface with the local context is appropriate and replicates other 2 storey developments in the neighbouring area.</i>	Yes
Building Depth	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To ensure that the bulk of the development is in scale with the existing or desired future context.</li> <li>To provide adequate amenity for building occupants in terms of sun access and natural ventilation.</li> <li>To provide for dual aspect apartments.</li> </ul>	<i>The development has been designed to relate to the surrounding residential developments</i> <i>The building depth provides adequate amenity to the occupants. 100% of apartments will have cross ventilation and more than 100p% of apartments will have 2 hours of sun access in mid winter to the living space.</i>	Yes
Building Separation	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.</li> <li>To provide visual and acoustic privacy for existing and new residents.</li> <li>To control overshadowing of adjacent properties and private or shared open space.</li> <li>To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.</li> <li>To provide deep soil zones for stormwater management and tree planting, where contextual and side conditions allow.</li> </ul>	<i>Building separation has been provided where possible in line with SEPP No. 65 requirements.</i> <i>Street setbacks are generally in accordance with requirements.</i>	Yes



## Primary Development Controls

Street Setbacks	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To establish the desired spatial proportions of the street and define the street edge.</li> <li>To create a clear threshold by providing a transition between public and private space.</li> <li>To assist in achieving visual privacy to apartments from the street.</li> <li>To create good quality entry spaces to lobbies, foyers or individual dwelling entrances.</li> <li>To allow an outlook to and surveillance of the street.</li> <li>To allow for street landscape character.</li> </ul>	<i>Street setbacks are generally in accordance with requirements.</i>	Yes
Side & Rear Setbacks	Proposed Development	Compliance
<p>Side setbacks:</p> <ul style="list-style-type: none"> <li>To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.</li> </ul> <p>To retain or create a rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form.</p> <p>Rear setbacks:</p> <p>To maintain deep soil zones to maximise natural site drainage and protect the water table.</p> <p>To maximise the opportunity to retain and reinforce mature vegetation.</p> <p>To optimise the use of land at the rear and surveillance of the street at the front.</p> <p>To maximise building separation to provide visual and acoustic privacy.</p>	<p><i>Side Setbacks are in accordance with requirements.</i></p> <p><i>A new side setback envelope has been proposed as per surrounding developments, to allow maximum development efficiency while meeting design principles, social dynamics, privacy and amenity.</i></p>	Yes



Primary Development Controls

Floor Space Ratio	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To ensure that development is in keeping with the optimum capacity of the site and the local area.</li> <li>To allow definable development density for generic building types.</li> <li>To provide opportunities for modulation and depth of external walls within the allowable FSR.</li> <li>To promote thin cross-section buildings, which maximise daylight access and natural ventilation.</li> <li>To allow generous habitable balconies.</li> </ul>	<p><i>The development seeks a slight variation to the allowable FSR due to the updated design increasing modulation, articulation and improving the overall appearance of the building as a whole, compared to the previous approval.</i></p> <p><i>Daylight, access to cross ventilation, room sizes and balconies exceed standard requirements.</i></p>	No



Part 2 – Site Design



## Site Configuration

Site Analysis	Proposed Development	Compliance
	<i>A comprehensive and detailed site analysis has been formulated as part of the design process for the proposed development and the resultant design responds to all identified site attributes and constraints.</i>	Yes
Deep Soil Zones	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To assist with management of the water table.</li> <li>To assist with the management of water quality.</li> </ul> <p>To improve the amenity of developments through the retention and/or planting of large and medium size trees.</p> <p>Rules of Thumb</p> <p>A minimum 25% of the open space area of a site should be a deep soil zone.</p>	<i>Deep soil has been proposed as much as possible, however, due to the other uses and nature of existing buildings on the site, 8% is achieved.</i>	No
Fences and Walls	Proposed Development	Compliance
<p>To define the edges between public and private land.</p> <p>To define the boundaries between areas within the development having different functions or owners.</p> <p>To provide privacy and security.</p> <p>To contribute positively to the public domain.</p>	<p><i>The proposed development will include street treatment in accordance with Council requirements.</i></p> <p><i>Low planter walls, perimeter planting and limited fencing, if any will ensure that the proposed development has a positive and inviting interface with it's surroundings.</i></p>	Yes





## Site Configuration

Landscape Design	Proposed Development	Compliance
To add value to residents' quality of life within the development in the forms of privacy, outlook and views.	<i>The landscape design will incorporate native plants to encourage fauna. Please refer to Landscape Architect documents.</i>	Yes
To provide habitat for native indigenous plants and animals.		
To improve stormwater quality and reduce quantity.	<i>ESD principals have been adhered to including water sensitive design and use of plants that require low levels of irrigation</i>	
To improve the microclimate and solar performance within the development.		
To improve urban air quality.		
To contribute to biodiversity.		

Open Space	Proposed Development	Compliance
To provide residents with passive and active recreational opportunities.	<i>Whilst, open space is limited on the subject site – the development has a significant frontage along its northern boundary to Hunter Park which provides a large expanse of open space which can be used for a variety of activities.</i>	No
To provide an area on site that enables soft landscaping and deep soil planting.		
To ensure that communal open space is consolidated, configured and designed to be useable and attractive.		
To provide a pleasant outlook.		

## Rules of Thumb

Communal open space should generally be at least between 25-30% of the site area. Larger sites and brownfield sites may have potential for more than 30%

The minimum recommended area of private open space for each apartment at ground level is 25m<sup>2</sup>; the minimum preferred dimension in one direction is 4m.



#### Site Configuration

Orientation	Proposed Development	Compliance
<p>To optimise solar access to residential apartments within the development and adjacent development.</p> <p>To contribute positively to desired streetscape character.</p> <p>To support landscape design of consolidated open space areas.</p> <p>To protect the amenity of existing development.</p> <p>To improve the thermal efficiency of new buildings.</p>	<p><i>The proposed building apartment layout is oriented in design to achieve maximum possible solar access to the living areas of the residential units.</i></p>	Yes

Planting on Structures	Proposed Development	Compliance
<p>To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.</p> <p>To encourage the establishment and healthy growth of trees in urban areas.</p>	<p><i>Edge and perimeter planting through planter boxes has been incorporated into the proposal where possible to soften the interface to the surrounding context.</i></p>	Yes

Stormwater Management	Proposed Development	Compliance
<p>To minimise the impact of residential flat development and associated infrastructure on the health and amenity of natural waterways.</p> <p>To preserve existing soil and natural features, including watercourses and wetlands.</p> <p>To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity.</p>	<p><i>The proposed development incorporates an approach that is designed to meet the following general objectives:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Protect and minimise the impact of the development on the surrounding existing developments.</i></li> <li>▪ <i>Reduce run-off and peak flows using the local detention measures and minimising impervious areas,</i></li> </ul> <p><i>Stormwater quality would be treated through the implementation of the detention tank, which has been sized appropriately to reduce discharge from the site.</i></p> <p><i>Refer to Stormwater Management report for detail.</i></p>	Yes



## Site Amenity

Safety	Proposed Development	Compliance
To ensure residential flat developments are safe and secure for residents and visitors.	<i>The public and private domain are clearly separate within the development.</i>	Yes
To contribute to the safety of the public domain.	<i>The proposal has been designed to improve the residential entry on street level with passive surveillance available from balconies which overlook street level.</i>	
	<i>With public vantage points at entry, the occupants and the public are offered a level of surveillance.</i>	

## Visual Privacy

	Proposed Development	Compliance
To provide reasonable levels of visual privacy externally and internally, during the day and at night.	<i>Consideration has been given to ensure privacy is able to be managed and sustained by the occupants of the building. Sliding privacy screens and a balance of transparent and solid balustrades allow for view access from the living spaces, while solid elements control views into private spaces such as bedrooms. Sliding timber screening allows for flexibility.</i>	Yes
To maximise outlook and views from principal rooms and private open space without compromising visual privacy.		



## Site Access

Building Entry	Proposed Development	Compliance
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To create entrances which provide a desirable residential identity for the development.

*The main entries of the building are clearly defined, and accessible by pedestrians without accessing the car park.*

Yes

To orientate the visitor.

To contribute positively to the streetscape and building façade design.

Parking	Proposed Development	Compliance
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To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport – public transport, bicycling and walking.

*The car park is accessed from Vine Street and is located in a secure basement.*

Yes

To provide adequate car parking for the building's users and visitors, depending on building type and proximity to public transport.

*Parking numbers have not varied from the original*

To integrate the location and design of car parking with the design of the site and the building.

*14 Space in total*

*[2 of the 14 spaces are accessible]*

*Street parking is immediately available on Vine Street as adjacent in the Avoca Beach SLSC carpark.*

Pedestrian Access	Proposed Development	Compliance
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To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain.

*Entry to the apartments is accessible via a ramp and external lift at Street Level located at residential entry along Vine Street.*

Yes

To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their apartment and use communal areas via minimum grade ramps, paths, access ways or lifts.

*All access points are suitable for use by strollers and wheelchairs and people with bicycles.*

Vehicle Access	Proposed Development	Compliance
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To integrate adequate car parking and services access without compromising street character, landscape or pedestrian amenity and safety.

*The car park is accessed from Vine Street and is located in a secure basement.*

Yes



To encourage the active use of street frontages.

*Entries are clear due to their design and deliberate location along the façade. Signage will be incorporated for way finding.*



Part 3 - Building Design



## Building Configuration

Apartment Layout	Proposed Development	Compliance
To ensure the spatial arrangement of apartments is functional and well organised.	<i>The typical apartment layouts are simple in that they are buildable, serviceable and provide a good level of environmental performance with a Northern or Eastern orientation.</i>	Yes
To ensure that apartment layouts provide high standards of residential amenity.	<i>Each apartment layout provides a good level of residential amenity</i>	
To maximise the environmental performance of apartments.	<i>All kitchens are no more than 8m from a window</i>	
To accommodate a variety of household activities and occupants' need.	<i>The width of each apartment type is greater than 4m</i>	
	<i>All apartments [2B] are greater than 70m<sup>2</sup></i>	
<b>Rules of Thumb</b> Single aspect apartments should be limited in depth to 8m from a window. The back of a kitchen should be no more than 8m from a window. The width of cross-over or cross-through apartments over 15m deep should be 4m or greater to avoid deep narrow apartments. Minimum apartment sizes: ➤ 1-bedroom 50m <sup>2</sup> ➤ 2-bedroom 70m <sup>2</sup> ➤ 3-bedroom 95m <sup>2</sup>	<i>All achieved</i>	Yes





## Building Configuration

Apartment Mix	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To provide a diversity of apartment types, which cater for different household requirements now and in the future.</li> <li>To maintain equitable access to new housing by cultural and socio-economic groups.</li> </ul>	<i>The apartment mix will cater for different household requirements.</i>	Yes

Balconies	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To provide all apartments with private open space.</li> <li>To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents.</li> <li>To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings.</li> <li>To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.</li> </ul>	<p><i>All balconies have a balcony with a minimum depth of 2m or greater and are oriented towards the sun where possible.</i></p> <p><i>The configuration of balconies and apartments will provide a good level of surveillance to public and private areas.</i></p> <p><i>Balconies within the proposed development, far exceed private open space / balcony requirements.</i></p>	Yes

## Rules of Thumb

Minimum depth of private balconies 2 metres.



## Building Configuration

Ceiling Heights	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To increase the sense of space in apartments and provide well proportioned rooms.</li> <li>To promote the penetration of daylight into the depths of the apartment.</li> <li>To contribute to flexibility of use.</li> </ul>	2.7m minimum floor to ceilings for habitable rooms and 2.4m minimum for non habitable rooms can be achieved.	Yes

To achieve quality interior spaces while considering the external building form requirements.

## Rules of Thumb

In general, 2.7m minimum for all habitable rooms on all floors, 2.4m is the preferred minimum for all non-habitable rooms, however 2.25m is permitted.

For two storey units, 2.4m minimum for second storey if 50% or more of the apartment has 2.7m minimum ceiling heights.

Attic spaces, 1.5m minimum wall height at edge of room with a 30° minimum ceiling slope.

Flexibility	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To encourage housing designs which meet the broadest range of the occupants' needs possible.</li> </ul>	Each of the proposed apartments exceed the minimum size requirements. Allowing for greater potential flexibility.	Yes

## Building Configuration

Ground Floor Apartments	Proposed Development	Compliance
-------------------------	----------------------	------------



- To contribute to the desired streetscape of an area and to create active safe streets.
- To increase the housing and lifestyle choices available in apartment buildings.

*Ground Floor apartments provide excellent passive surveillance to the immediate surrounding context. They populate what is currently a predominately empty streetscape consisting of a single, dilapidated house.*

NA

#### Rules of Thumb

Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units.

Provide ground floor apartments with access to private open space, preferably as a terrace or garden.

NA

#### Internal Circulation

- To create safe and pleasant spaces for the circulation of people and their personal possessions.
- To facilitate quality apartment layouts, such as dual aspect apartments.
- To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.

To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.

#### Rules of Thumb

In general, where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to eight.

#### Proposed Development

*Internal corridors have been designed to provide privacy to front doors by use of turning corridors. The single circulation core is centred amongst apartment types for ease of access.*

#### Compliance

Yes



## Building Configuration

Mixed Use	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To support the integration of appropriate retail and commercial uses with housing.</li> <li>To create more active lively streets and urban areas, which encourage pedestrian movement, service the needs of the residents and increase the area's employment base.</li> <li>To ensure that the design of mixed use developments maintains residential amenities and preserves compatibility between uses.</li> </ul>	<i>Not Applicable.</i>	<i>N/A</i>
Storage	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To provide adequate storage for everyday household items within easy access of the apartment.</li> </ul> <p>To provide storage for sporting, leisure, fitness and hobby equipment.</p>	<p><i>Adequate Storage will be provided to each apartment both within each apartment and in the basement.</i></p> <p><i>Of each of the 8m3 required for a 2B apartment, 4m3 will be located in the basement and 4m3 will be located within the apartments.</i></p>	<i>Yes</i>

## Rules of Thumb

In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates:

- Studio 6m3
- 1-bedroom 6m3
- 2-bedroom 8m3
- 3-bedroom 10m3



## Building Amenity

Acoustic Privacy	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces.</li> </ul>	<i>The apartments are designed to meet the acoustic requirements as outlined in the BCA through the use of acoustic insulation to provide a compliant level of amenity</i>	Yes

Daylight Access	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development.</li> <li>To provide adequate ambient lighting and minimise the need for artificial lighting within daylight hours.</li> </ul> <p>To provide residents with the ability to adjust the quantity of daylight to suit their needs.</p>	<p><i>The development has been designed to relate to the surrounding residential developments</i></p> <p><i>The building depth provides adequate amenity to the occupants. 100% of apartments will have cross ventilation and more than 100% of apartments will have 2 hours of sun access in mid-winter to the living space.</i></p>	Yes

## Rules of Thumb

Living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of three hours direct sunlight between 9 am and 3 pm in mid winter. In dense urban areas a minimum of two hours may be acceptable.

Limit the number of single-aspect apartments with a southerly aspect (SW-SE) to a maximum of 10 percent of the total units proposed. Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and how energy efficiency is addressed (see Orientation and Energy Efficiency).



#### Building Amenity

Natural Ventilation	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.</li> <li>To provide natural ventilation in non-habitable rooms, where possible.</li> </ul> <p>To reduce energy consumption by minimising the use of mechanical ventilation, particularly air-conditioning.</p>	<p><i>100% of Apartments have cross ventilation.</i></p> <p><i>All Kitchens have access to natural ventilation.</i></p>	Yes
<p>Rules of Thumb</p> <p>Building depths which support natural ventilation typically range from 10 to 18 metres.</p> <p>Sixty percent (60%) of residential units should be naturally cross ventilated.</p> <p>Twenty five percent (25%) of kitchens within a development should have access to natural ventilation.</p> <p>Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved, particularly in relation to habitable rooms.</p>		Yes



## Building Form

Awnings & Signage	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To provide shelter for public streets.</li> </ul> <p>To ensure signage is in keeping with desired streetscape character and with the development in scale, detail and overall design.</p>	N/A	N/A
Facades	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To promote high architectural quality in residential flat buildings.</li> <li>To ensure that new developments have facades which define and enhance the public domain and desired street character.</li> <li>To ensure that building elements are integrated into the overall building form and façade design.</li> </ul>	<i>The façade has been designed with a mix of materials and elements to provide visual interest, whilst sitting comfortably within the context of the surrounding environment.</i>	Yes
Roof Design	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To provide quality roof designs which contribute to the overall design and performance of residential flat buildings.</li> <li>To integrate the design of the roof into the overall façade, building composition and desired contextual response.</li> <li>To increase the longevity of the building through weather protection.</li> </ul>	<i>The roof design will be integrated into the overall design of the building.</i>	Yes
Energy Efficiency	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To reduce the necessity for mechanical heating and cooling.</li> <li>To reduce reliance on fossil fuels.</li> <li>To minimise greenhouse gas emissions.</li> <li>To support and promote renewable energy initiatives.</li> </ul>	<i>The design considers ESD design principals to reduce greenhouse gas emissions.</i>	Yes



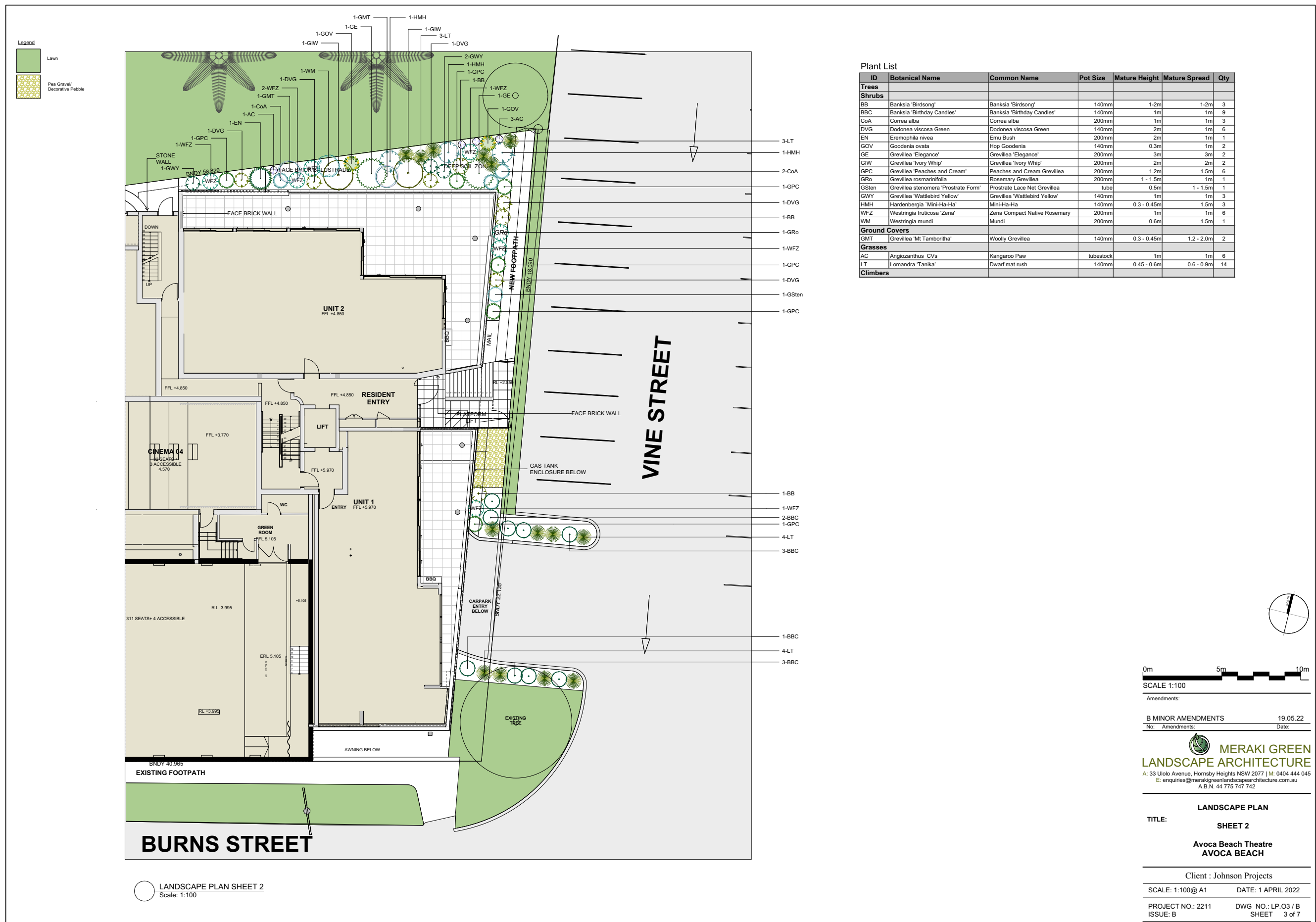


## Building Form

Maintenance	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To ensure long life and ease of maintenance for the development.</li> </ul>	<i>Robust and durable materials have been selected to enhance the life of the buildings and the landscaping.</i>	Yes
Waste Management	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To avoid the generation of waste through design, material selection and building practices.</li> <li>To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development.</li> <li>To encourage waste minimisation, including source separation, reuse and recycling.</li> <li>To ensure efficient storage and collection of waste and quality design of facilities.</li> </ul>	<i>Waste management plan will be prepared to minimise waste and recycle existing materials.</i>	Yes
Water Conservation	Proposed Development	Compliance
<ul style="list-style-type: none"> <li>To reduce mains consumption of portable water.</li> <li>To reduce the quantity of urban stormwater runoff.</li> </ul>	<i>Energy efficient fittings will be used in all bathrooms.</i> <i>Soft landscaping used wherever possible. Stormwater detention provided.</i>	Yes









SYMBOL	NAME	QTY
•	Vedita LED VE1 - LS9401LED	45
-----	FESTOON LIGHTS- OUTDOOR STRING LIGHTS	

 LIGHTING PLAN  
Scale: 1:200



0m 10m 20m  
SCALE 1:200

Amendments:

<b>B MINOR AMENDMENTS</b>	<b>19.05.22</b>
No: Amendments:	Date:

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TITLE: **LANDSCAPE PLAN**  
**LIGHTING PLAN**

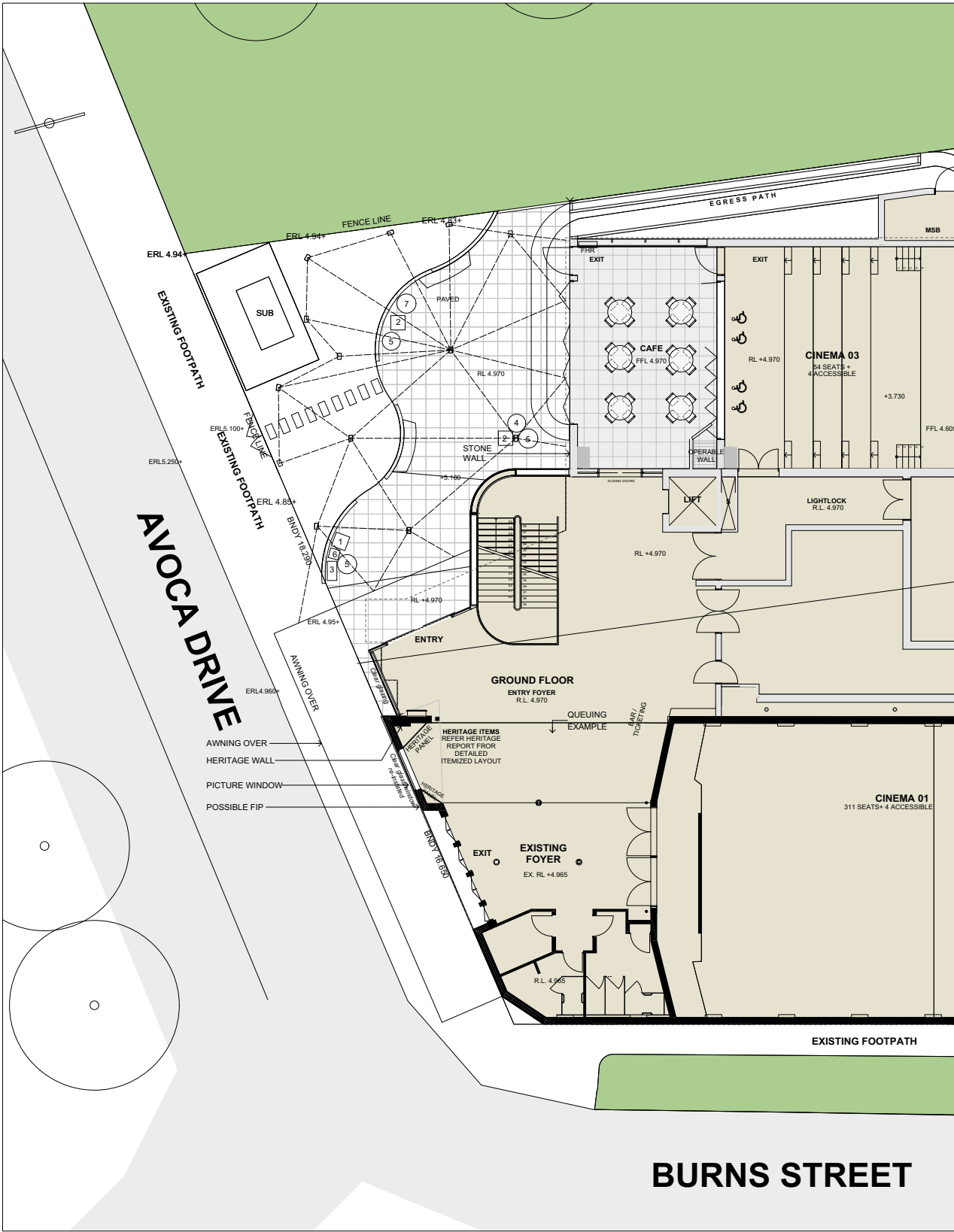
**Avoca Beach Theatre**  
**AVOCA BEACH**

Client : Johnson Projects

SCALE: 1:200@ A1      DATE: 1 APRIL 2022

PROJECT NO.: 2211	DWG NO.: LP.O4 / B
ISSUE: B	SHEET 4 of 7





POT DETAIL SHEET  
Scale: 1:100

REFERENCE	SYMBOL	NAME	MEASUREMENTS	COLOUR	QTY
1		CUBE	600Lx600Wx600H	RUST	1
2		CUBE	700Lx700Wx700H	RUST	2
3		TALL RECTANGULAR PLANTER	800Lx400Wx800H	CHARCOAL	
4		ECLIPSE GARDEN BOWL	750Wx200H	CHARCOAL	1
5		RIO BOWL	800Wx400H	RUST	3
6		TALL TAPERED SQUARE	900Hx410W	CHARCOAL	1
7		U CUP PLANTERS	800Wx800H	CHARCOAL	1



RIO BOWL



GRC EGG PLANTER



U CUP PLANTERS



ECLIPSE GARDEN BOWL



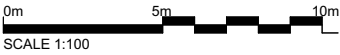
CUBE



TALL TAPERED SQUARE



TALL RECTANGULAR PLANTER



SCALE 1:100

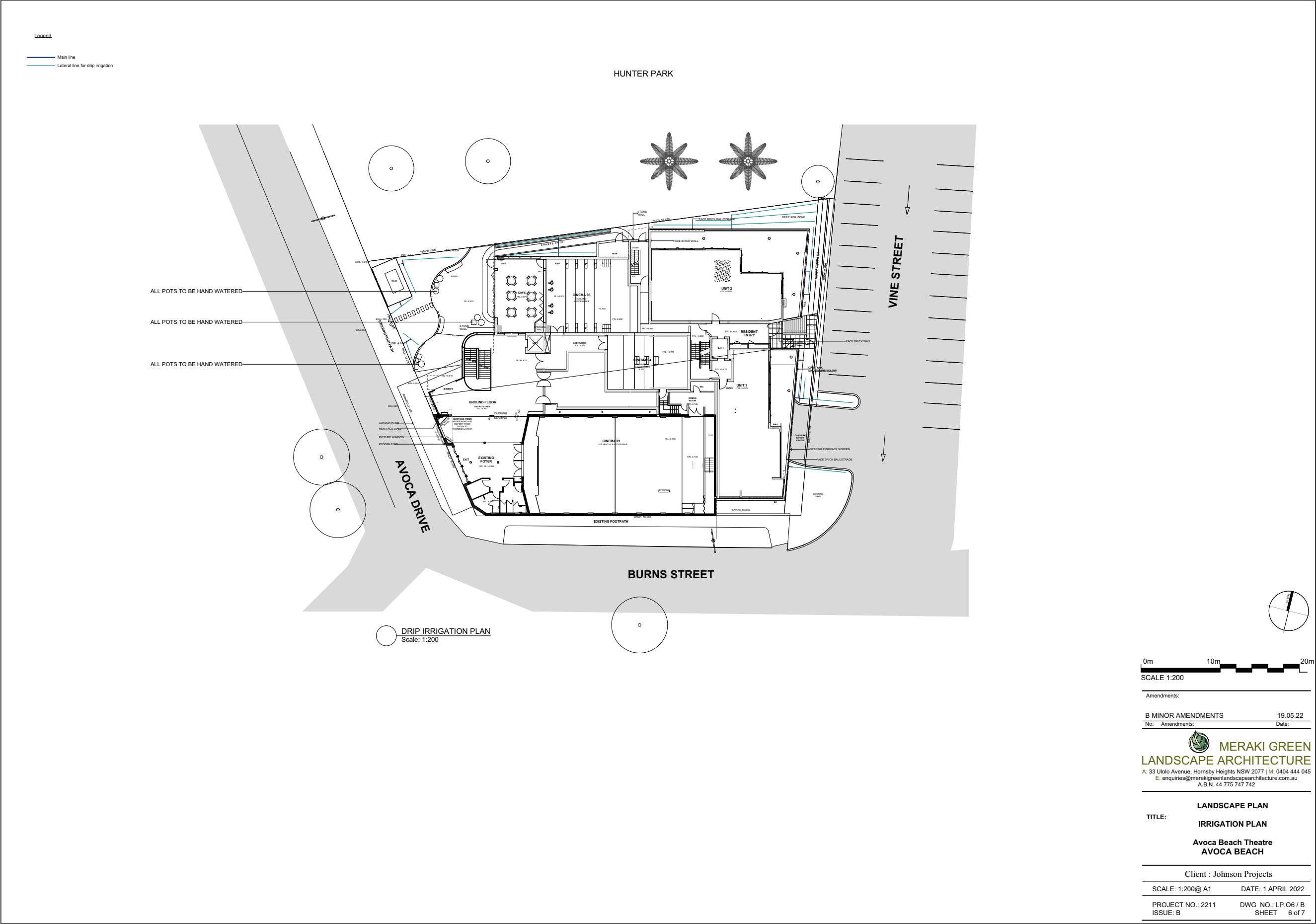
Amendments:

B MINOR AMENDMENTS	19.05.22
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**LANDSCAPE PLAN**  
**TITLE:**  
**POT DETAIL SHEET**  
**Avoca Beach Theatre**  
**AVOCA BEACH**

Client : Johnson Projects	
SCALE: 1:100@ A1	DATE: 1 APRIL 2022
PROJECT NO.: 2211	DWG NO.: LP.O5 / B
ISSUE: B	SHEET 5 of 7





landscape contractor shall check the existing pressure available from the ring and size irrigation piping to suit. Supply shall be from local hose cock where available. All piping and fittings are to be buried 50mm below the finished soil levels in bed areas, and secured in position at 5m centre with galv wire pins. Sizing of pipe shall be done so as to ensure that the working pressure at the end of the line will not decrease by more than 5%.

On completion of installation, the system shall be tested and all components are to be functionally functional and operational prior to approval. Should any defect develop, or any deficiency or efficiency of the system decline during the agreed maintenance system, the contractor shall be immediately rectified.

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**Section 4.56 Modification Application****Modification of DA42661/2012 for  
Avoca Beach Picture Theatre****Property:**

No's 69 & 71 Avoca Drive, Avoca Beach  
Lot 140 DP 9359 & Lot 651 DP 16791

**Applicant:**

Johnson Projects

**Date:**

September 2022



Project Management • Town Planning • Engineering • Surveying  
Visualisation • Social Impact • Urban Planning

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## Document Control Sheet

Issue No.	Amendment	Date	Prepared By	Checked By
A	Draft	31 <sup>st</sup> March 2022	AHI	Client
B	Final for Lodgement	19 <sup>th</sup> May 2022	AHI	AHI
C	Amends for BASIX, Pre-Lodgement	21 <sup>st</sup> June 2022	AC	AC
D	Amended	23 <sup>rd</sup> September 2022	AC	AC
E	Client and Architect comments	29 <sup>th</sup> September 2022	AC	AC

### Limitations Statement

This report has been prepared in accordance with and for the purposes outlined in the scope of services agreed between ADW Johnson Pty Ltd and the Client. It has been prepared based on the information supplied by the Client, as well as investigation undertaken by ADW Johnson and the sub-consultants engaged by the Client for the project.

Unless otherwise specified in this report, information and advice received from external parties during the course of this project was not independently verified. However, any such information was, in our opinion, deemed to be current and relevant prior to its use. Whilst all reasonable skill, diligence and care have been taken to provide accurate information and appropriate recommendations, it is not warranted or guaranteed and no responsibility or liability for any information, opinion or commentary contained herein or for any consequences of its use will be accepted by ADW Johnson or by any person involved in the preparation of this assessment and report.

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The Client should be aware that this report does not guarantee the approval of any application by any Council, Government agency or any other regulatory authority.



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## APPENDICES

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<b>Appendix 2</b>	Certificates of Title
<b>Appendix 3</b>	Proposed Amended Architectural Plans
<b>Appendix 4</b>	Proposed Amended Landscape Plan
<b>Appendix 5</b>	Sepp 65 Design Verification Statement
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<b>Appendix 9</b>	Civil Engineering Plans
<b>Appendix 10</b>	Stormwater Management Plan
<b>Appendix 11</b>	Waste Management Plan (Amended)
<b>Appendix 12</b>	Interpretation Plan Heritage Significance
<b>Appendix 13</b>	Architectural Design Statement
<b>Appendix 14</b>	BCA Report
<b>Appendix 15</b>	Section J Report



## 1.0 Introduction

ADW Johnson has been engaged by Johnson Projects ("proponent") to prepare a Section 4.56 modification application with Central Coast Council ("Council") to amend Development Consent 42661/2012 approved on 18<sup>th</sup> April 2017 by the Land and Environment Court (LEC).

A number of factors have led to the identified need for the proposed amendments. Firstly, the nature of the Cinema experience has changed dramatically. While this change has been happening gradually over several years – since the advent of streaming services, the COVID pandemic has accelerated the need for small, independent cinema operators to reconsider their business model. It is no longer viable to operate a one (1) screen cinema, nor is it viable to operate a number of similar sized theatres. Operators now have to expand the range of options available through providing a range of theatre sizes and experiences.

In order to maintain a viable business, the operators have identified the need to rearrange the approved theatre arrangements, thereby providing the required range of cinema experiences – ranging from the larger studio releases, to the smaller, independent / art house releases for which a larger theatre would be uneconomical. This new arrangement for the theatres, while maintaining the overall number of screens, has resulted in an overall reduction in cinema seats from the current approval.

These amendments have also allowed changes to the arrangement of other aspects of the approved development, including the food service options which now present a more pleasing presentation to the street front, and to the adjoining Hunter Park. These changes contribute to the enhancement of the public realm.

The second factor leading to the proposed changes is a review of the architectural possibilities in light of the amendments discussed above – while also recognising the five (5) years since the original approval, and the opportunity to improve on a design which in the end was driven more by Court proceedings than consideration of architectural merit.

The proposed modifications to the approved development are aimed at providing a more efficient, liveable and viable development, whilst continuing to retain the original appearance of the Avoca Beach Theatre (Cinema 1 and foyer).

The proposed amendments do result in minor variations to the approved height and FSR of the proposal, with the details of these variations are discussed elsewhere within this report. In short, the currently approved height already exceeds the LEP maximum, and the proposal seeks a minor increase on this variation for part of the roof area. These changes have primarily come about as a result of an improvement in the design of the roof; and for a small portion of the roof area, are the result of roof plant screening.

While part of the roof is proposed as slightly higher than the current approved form, the new design and arrangements for the building have been arrived at with a view to rationalising the form and planning. Importantly, and as alluded to above, the proposed new form is considered to be far less complicated and bulky than the current approval.

The current approved FSR complies with the LEP maximum, and with the proposed amendments, results in a slight exceedance.



It is to be noted however, that the overall footprint of the building remains unchanged, and the additional FSR is largely due to the screening of balconies within the dining areas, and the additional office space being included as FSR.

The modifications to the approved development provides for an updated design which rationalises and modernises a series of earlier approaches resulting in an improved response to the site and its context. The updated design aims to ensure that the street frontage has an appropriate level of activation in order to animate and populate the streetscape, and also provides an attractive presentation to Hunter Park. The architectural response to the local environment includes materials and elements which reflect the coastal landscape. The new arrangements ensure that the majority of the bulk is concentrated in the centre of the building, thus avoiding long lengths of blank facades, and ensuring the perimeter is punctuated where possible with glazing elements.

The proposal also requests the deletion of a condition restricting ticket sales during certain periods, as the reduced number of cinema seats has made this condition redundant.

The following statement has been prepared pursuant to Section 4.56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and addresses the necessary issues that require assessment to assist Council in making a determination on the subject application.

Development Consent 42661/2012 for 'alterations and additions to Avoca Beach Theatre to include demolition of an existing cottage and ancillary buildings, retention of the existing theatre/cinema, three additional cinemas, café, five (5) residential units and basement car parking' was approved on 18 April 2017 by the Land and Environment Court (LEC).

Further modifications to DA 42661/2012 have been approved by Council and include:

#### DA 42661/2012 Part 2

Modified consent was issued on 24<sup>th</sup> November 2017 comprising:

- Modification to the waste storage area and changes to the storage room and stair access at the basement floor level;
- Modifications to the 'back of house' areas adjacent to Cinema 3/4, modification to the stair, foyer, kitchen and extension of the roof to the first floor deck;
- Minor change to Unit No.'s 1 – 3.

#### DA 42661/2012 Part 3

Modified consent was issued on 8<sup>th</sup> April 2019 comprising:

- Increase the height of the roof ridge of Cinema 2 by 700mm;
- Internal reconfiguration of all residential units resulting in a minor increase in the residential gross floor area (being 23.36m<sup>2</sup>);
- Amendment to the description of the proposal contained within Condition 1.1A and plans and supporting documents referenced in Condition 1.1.



DA 42661/2012 Part 4

Modified consent issued on 15<sup>th</sup> September 2022 comprising:

- Amendment to condition to allow for demolition works to occur prior to all other conditions of consent needing to be complied with – consistent with other consents issued by Council.

The plans submitted with this proposal show the outline of the originally approved building, and of the current (amended) approval for the purpose of comparison. These are shown as blue and red outlines respectively.

A Pre DA Meeting was held with Central Coast Council on 10<sup>th</sup> September 2021 to discuss the proposed amendments that included unit layout adjustments, façade amendments to the residential and cinema components. This report considers the matters raised within the meeting and as outlined in the Record of Pre-Development Advice within **Appendix 8**.

Overall, the proposed amendments are consistent with the original consent and the current version, each of which included variations to the maximum Building Height and Floor Space Ratio (FSR) development standards.

On this basis, Council is requested to approve the modification of DA 42661/2012.





## 2.0 The Site

### 2.1 LOCATION

The subject site is located on the corner of Avoca Drive and Burns Street, Avoca Beach (see Figure 1).



Figure 1: Locality Map (Source: NSW Planning Portal)

### 2.2 LAND TITLE

The subject site contains two (2) allotments identified as Lot 651 DP 16791 and Lot 140 DP 9359, being No. 69 and No. 71 Avoca Drive, Avoca Beach respectively.

A copy of the Deposited Plans are provided as **Appendix 1**.

### 2.3 OWNERSHIP

Certificates of Title identify Lot 140 in Deposited Plan 9359 is owned by Norbet Enterprises Pty Ltd; and Lot 651 in deposited Plan 16791 is owned by Norman Augustus McDonald Hunter. Copies of the Certificates of Titles are provided as **Appendix 2**.



## 2.4 PHYSICAL DESCRIPTION

### 2.4.1 Site

The site contains the existing Avoca Beach Theatre, a weatherboard cottage and several outbuildings. The Theatre is to be retained as part of the development consent approved redevelopment of the site, and the weatherboard cottage and outbuildings will be demolished.

**Figure 2** provides an aerial image of the site in the context of the surrounding locality.



**Figure 2: Aerial Image (Source: Six Maps)**

### 2.4.2 Access

Access to the site is from Avoca Drive.

### 2.4.3 Topography

The site is relatively flat.

#### 2.4.4 Vegetation

The site is developed and contains no native vegetation.



## 3.0 Description of the Proposed Modification

### 3.1 PROPOSED MODIFICATION

The proposed amendments are summarised below:

#### Carpark Level

1. Plant room added;
2. Relocated disable car parking space;
3. Vertical circulation (stairs, lifts) positions amended;
4. Car park layout and entry amended. Ramp at entry is removed due to flood gate being primary tool for flood mitigation;
5. Waste area amended to reflect the current Central Coast Council (CCC) requirements and the Waste Management report.

#### Ground Floor

6. Stairs to foyer amended;
7. Stepping wall adjacent to the entry replaced with glazed connection between existing theatre and the new entry;
8. Stage to Cinema 3 adjusted for egress;
9. Cinema 3 seats reduced from approved 114 seats plus four (4) accessible to 54 seats plus four (4) accessible;
10. Café area shown on the ground floor plan as originally approved (Part 2 of DA42661/2012);
11. Relocation of kitchen from first floor level to ground floor level;
12. Cinema 4 layout rotated to achieve level access to the back of house area;
13. Cinema 4 seats increased from approved 28 seats plus three (3) accessible to 32 seats plus three (3) accessible;
14. Ground floor total number of cinema seats (Cinemas 3 and 4) reduced from approved 142 seats plus seven (7) accessible to proposed 86 seats plus seven (7) accessible. No change to Cinema 1 seating;
15. Cinema entries amended;
16. Ticket and candy bar layout amended to provide back of house storage;
17. Residential entry and vertical circulation amended;
18. Units 1 and 2 layout amended, balcony extend adjusted, and glazing line amended;
19. At-grade paved area to front of building.

#### First Floor

20. Units 3 and 4 layout amended, balcony extend adjusted, and glazing line amended;
21. First floor amenities relocated next to residential stair and lift;
22. Stair to offices relocated;
23. Cinema 2 seating layout adjusted and reduced from approved 148 seats plus four (4) accessible to proposed 54 seats;
24. Foyer seating added for 59 seats;
25. First floor total number of cinema seats reduced from approved 148 seats plus four (4) accessible to proposed 113 seats plus four (4) accessible;
26. Kitchen and Bar relocated;
27. Terrace screening added for weather protection;
28. Residential foyer and vertical circulation amended.

Modification Application of DA 42661/2012 for Avoca Beach Picture Theatre  
69 & 71 Avoca Drive, Avoca Beach  
(Ref: 190768)



### Second Floor

- 29. Residential foyer and vertical circulation amended;
- 30. Unit 5 layout amended, balcony extend adjusted, and glazing line amended.

### Roof

- 31. Curved roof over Cinema 2 replaced with single fall skillion roof;
- 32. Roof to theatre terrace amended;
- 33. Plant and solar array removed from existing theatre roof and relocated to new roof area;
- 34. Plant screen added around roof plant area;
- 35. Residential roof extent amended to reflect balcony edge below;
- 36. Solar panels added to satisfy BASIX requirements for an additional 3Kw.

The proposed modifications have been architecturally designed as verified in the Architectural Design Statement within **Appendix 13**.

The proposed modifications include amendments to the approved landscaping for the site (refer to **Appendix 4**).

The proposed amended Architectural Plans are provided as **Appendix 3**.

As a flow on from the reduced number of cinema seats, it is proposed that condition 6.14 be deleted. The reduced number of cinema seats will reduce parking demand during peak periods as defined by Council, making that condition redundant.

### 3.2 PURPOSE FOR MODIFICATION

The proposed amendments are aimed at achieving the objectives set out within the introduction. In short, they are intended to facilitate changes to the operation of the Avoca Beach Cinema in response to the changing nature of the Cinema experience; and to use the opportunity of the reduction in theatre seats and the associated internal changes to create a more vibrant site, with a significantly improved relationship to the street front, and to Hunter Park. Other changes, such as those proposed to the carpark and to the entry to this area, have come about due to the changing requirements of Council around issues such as waste collection, and an updated consideration of flooding issues which recognises the ability of the driveway slope to prevent the entry of floodwaters to the basement, without the need to rely on a wall or gate.

The proposed design changes are also considered to represent a more considered response to the built form of the existing Avoca Beach Cinema, as discussed within the Architectural Design Statement by CKDS Architects.

The specific modifications are grouped together below, with a brief explanation as to their nature, and the reason for each:



#### Building Height

The proposed roof form has changed with the roof being extended over the residential unit balconies facing Vine Street to reflect the balcony edge, and the curved roof over Cinema 2 being replaced with a single fall skillion roof – and slightly raised to accommodate a level internal floor and the height of the cinema screen.

The inclusion of a 3Kw solar panel, and roof plant equipment within a services zone on the roof and the proposed screen to conceal the roof plant equipment increases the building height over a minor portion of the new building.

#### Floor Space Ratio

The enclosure of approved level 1 deck for weather protection; the reconfiguration of the residential units and extension of the north east balcony edge; and the inclusion of the ancillary office space above the existing Theatre into the gross floor area calculation has slightly increased the floor space ratio (FSR) beyond the originally approved FSR of 1:1.

#### Cinemas

The number of approved cinemas will be retained by the proposed modifications. However, cinema layout and seating to Cinemas 2, 3 and 4 is modified, and the overall number of seats is reduced by 152 seats.

#### Foyer, Café, Bar and Kitchen

The approved uses are retained and reconfigured throughout the ground and first floor levels relating to the approved cinema/theatre use.

#### Unit Reconfiguration

The reconfiguration of approved residential unit layout is proposed both as a result of the changes made to extend the north east balcony edge, and to improve the amenity and liveability for residents, based on industry changes and the current market trend.

#### Basement Carpark Level

The basement level carpark entry, layout and waste area is modified internally to meet development consent conditions, Council and building services requirements.

### **3.3 CONDITIONS REQUIRING AMENDMENT**

The following conditions within the current consent will require amendment to correspond to the proposed modifications:

#### **Condition 1.1A – Description of the Approved Development**

Amend to refer to the amended cinema seat numbers included as part of this Section 4.56 application.



#### **Condition 1.1 – Approved Plans and Supporting Documents**

Amend to refer to new plan numbers and supporting documents provided as part of this Section 4.56 application.

#### **Condition 2.9 – Engineering Works**

Amend conditions where relevant based on the amended civil plans and stormwater management plan provided as part of this Section 4.56 application.

#### **Conditions 2.13 to 2.15 – Waste Management**

Amend conditions where relevant based on the amended plans and supporting waste management plan provided as part of this Section 4.56 application.

- Cinema 1 = 311 seat + four (4) accessible
- Cinema 2 = 54 seats + four (4) accessible
- Cinema 3 = 54 seats + four (4) accessible
- Cinema 4 = 32 seats + three (3) accessible

#### **Condition 2.16 – Heritage Interpretation**

Delete this condition based on the Interpretation Plan and amended Landscape Plan being prepared and provided as part of this Section 4.56 application.

Refer to **Appendix 12 and Appendix 4** respectively.

#### **Conditions 6.4 to 6.5 – Ongoing Waste Management**

Amend conditions where relevant based on the amended plans and supporting waste management plan provided as part of this Section 4.56 application.

#### **Condition 6.12 – Ongoing Waste Management**

Amend conditions where relevant based on the amended plans and supporting waste management plan provided as part of this Section 4.56 application.

#### **Condition 6.14 – Limited Cinema Seating Capacity in Summer School Holidays**

Delete this condition, as it is noted that this condition was intended as a means by which ticket sales could limit the parking impacts of the proposal. With the currently approved 616 seat (total) capacity, the 25% restriction of sales would result in 462 seats being available. This number is only four (4) seats less than the proposed 466 total seats under the current proposal. Given the greatly reduced number of seats – and the fact that the current maximum is only four (4) less than the proposed total, it is not considered that this condition is still required.

## **4.0 Requirements for a Section 4.56 Modification**

Modification Application of DA 42661/2012 for Avoca Beach Picture Theatre  
69 & 71 Avoca Drive, Avoca Beach  
(Ref: 190768)





#### 4.1 RELEVANT ISSUES UNDER SECTION 4.56 OF THE EP&A ACT

Development Consent 42661/2012 was originally granted for 'alterations and additions to Avoca Beach Theatre to include demolition of an existing cottage and ancillary buildings, retention of the existing theatre/cinema, three additional cinemas, café, five (5) residential units and basement car parking' on 18<sup>th</sup> April 2017 by the Land and Environment Court (LEC).

To lodge an amendment under Section 4.56 of the EP&A Act, the applicant needs to satisfy the consent authority that the development as modified is substantially the same development as originally approved, as follows:

*A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

- a) It is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*

**Comment:** It is considered that the consent authority could be satisfied that the proposed development as modified is substantially the same development as that which was previously approved (as summarised in the table overleaf). The amended proposal will continue to retain Avoca Beach Theatre in its built form, context and setting including its Cinema 1 and foyer; continue to provide three additional cinemas; a café; five (5) residential dwelling units and basement car parking over basement, ground, first and second floor levels, and complies with the *Central Coast Local Environmental Plan 2022* (LEP), (with the exception of the maximum Building Height and Floor Space Ratio (FSR) development standards), the *Central Coast Development Control Plan 2022* (DCP); and remain consistent with the variations approved as part of the original consent.





QUANTITATIVE ASSESSMENT						
Item	Part 1	Part 2	Part 3	Part 4	Part 5	Change from Part 1
Gross Floor Area	1,801.96m <sup>2</sup>	1,588.68m <sup>2</sup>	1,712.63m <sup>2</sup>	No change – amendment to condition only	1,979.43m <sup>2</sup>	+177.47m <sup>2</sup>
Floor Space Ratio	1:1	0.88:1	0.95:1	No change – amendment to condition only	1.09:1	+ 0.9
Building Height	RL14.2m	No change	RL14.9m	No change – amendment to condition only	RL15.145m RL 15.745m (Roof Plant Services Screen and solar panel – minor portion only)	+ 0.94m +1.54m
Car Parking Spaces	14 spaces	No change	No change	No change – amendment to condition only	No change	No change
No. of Cinemas/ Seating	4 cinemas (603 seats) + 10 wheelchair	4 cinemas (603 seats) + 11 wheelchair	4 cinemas (601 seats) + 15 wheelchair	No change – amendment to condition only	4 cinemas (451 seats) + 15 wheelchair	- 152 cinema seats +5 wheelchair seats
Number of Units	5	5	5	No change – amendment to condition only	5	No change
QUALITATIVE ASSESSMENT						
Traffic Impact	The proposed modification will decrease traffic movements below what is currently approved, due to the reduced number of cinema seats (152 less seats).					
Visual Impact / External Appearance	When viewed from outside, the proposed amendments to the built form essentially retain the same general arrangement of living / commercial areas, however these have been amended to enhance the public realm through such design changes as a café presenting to Avoca Drive, and a first floor foyer opening to Hunter Park. The residential units have been amended in the external presentation in a manner more suited to current design themes – mindful of the time since the original consent. The relatively minor increase in height to the roof ridge is addressed within the application report, where an assessment has been carried out based on the previous Council assessment of views for the current (not built) consent. The findings are that due to a range of considerations, the additional height, and the altered roof form will not result in a significant impact on views from the identified potentially affected sites.					



Material and Essential Features	The materials are proposed to be modified to present a more modern appearance – mindful of the time since the original consent. The material palette consists of materials such as stone, light neutral bricks and timber which mimic the local landscape.
Amenity Impact to Surrounding Properties	The proposed amendments are relatively minor in scale, with the proposed building still essentially occupying the same space, with the same general arrangements as those which were initially approved. The minor increase in height, and the amended roof profile have been assessed as not representing a significant loss of view from any of the previously assessed properties. In terms of amenity, the reduced number of seats in the cinemas will reduce traffic below that which was initially approved.

The proposed amendments will not change the overall nature and character of the development that was originally approved.

As demonstrated in the supporting reports and plans, the impacts of the proposed amendments will remain consistent with those of the approved development.

With regard to the question of the additional height, the proposed roof form has changed as follows:

- The roof being extended over the residential unit balconies facing Vine Street to align with the balcony edge;
- The curved roof over Cinema 2 being replaced with a single fall skillion roof, and slightly raised to accommodate the height of the cinema screen;
- The inclusion of roof plant equipment within a services zone on the roof and the proposed screen to conceal the roof plant equipment; and the solar panel. This change increases the building height over a minor portion of the new building to RL 15.745, and as such, will be largely not visible when viewed from the street.

With regard to the additional gross floor area increasing the approved FSR, the proposed changes are as follows:

- The "enclosure" of the approved level 1 deck due to the added terrace screening for weather protection – resulting this area now being counted as GFA;
- The reconfiguration of the residential units and extension of the north east balcony edge;
- The inclusion of the ancillary office space above the existing Theatre into the gross floor area calculation.

These changes have increased the originally approved floor space ratio (FSR) from 1:1 to proposed 1.09:1. However, the approved building footprint over the site has not changed, and the proposal does not seek to amend the overall approved setbacks. Vehicle access to the basement level has been slightly altered from Vine Street, as has the waste area - consistent with development consent conditions – and the carpark layout still remains within the approved built form.

Further to the above, case law has established that modification of applications must be both quantitatively and qualitatively substantially the same development as that originally approved. From a quantitative perspective, the amended proposal is substantially the same development with a minor increase to the approved height and FSR.



From a qualitative perspective, the same level of amenity and facilities will be provided to the residents and visitors/patrons to the Theatre by way of landscaping, open space and solar access, the number of cinemas and ancillary uses such as foyer, café, bar areas; and no additional impact will occur to views from adjoining properties, nor is there any significant impact on the Avoca Beach Theatre. Refer to the Qualitative and Quantitative Table above.

Most importantly, the proposed amendments do not result in the proposal operating differently from how the current approved version would operate. The proposed amendments have not come at the expense of any level of amenity for the future residents, nor to the adjoining property owners; and no loss of communal areas / amenities has been required to accommodate the amendments. The amended design will not result in significant overshadowing, and will not impact on important views as previously assessed by Council.

The amended design proposes a bulk and scale which is compatible with the current context and setting surrounding the site; just as the original design was compatible with the context and setting at the time of its approval. The amended proposal is considered to be 'essentially or materially the same' as the approved development.

In summary; the proposed modified development is considered to be quantitatively and qualitatively substantially the same development as that originally approved.

- b) *It has notified the application in accordance with:*
- (i) *The regulations, if the regulations so require, and*
  - (ii) *A development control plan, if the consent authority is a council that has made a development control plan that requires the notification of the proposed modification of a development consent, and*

**Comment:** It is acknowledged that Council will notify the proposal.

- c) *It has notified, or made reasonable attempts to notify, each person who made a submission in respect of the relevant development application of the proposed modification by sending written notice to the last address known to the consent authority of the objector or other person, and*

**Comment:** It is acknowledged that Council will make a reasonable attempt to notify the proposal to each person who made a submission.

- d) *It has considered any submission made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

**Comment:** It is acknowledged that submissions may be received during the notification of the proposal.

#### 4.2 RELEVANT ISSUES UNDER EP&A REGULATION 2021

Clause 100 of the *Environmental Planning and Assessment Regulation 2021* (Regs) sets out additional requirements that all applications for modifications of consent must comply with, the relevant requirements and how they have been complied with are set out in the following table:



CLAUSE 100 REQUIREMENTS	COMMENT
<b>(1) An application for modification of a development consent under Section 4.55(1), (1A) or (2) or 4.56 of the Act must contain the following information:</b>	
a) The name and address of the applicant,	Johson Projects C/ - ADW Johnson PO Box 3717 Tuggerah NSW 2259
b) A description of the development to be carried out under the development consent,	Described within Section 3.
c) The address, and folio identifier of the land on which the development is to be carried out,	Described within Section 2.
d) A description of the modification to the development consent,	Described within Section 3.
e) A statement that indicates either: i. That the modification is merely intended to correct a minor error, misdescription or miscalculation ii. That the modification is intended to have some other effect, as specified in the statement,	Discussed within Section 4.1.
f) A description of the expected impacts of the modification,	Discussed within Section 4.1.
g) An undertaking to the effect that the development (as to be modified) will remain substantially the same as the development that was originally approved,	Discussed within Section 4.1.
h) for a modification application that is accompanied by a biodiversity development assessment report—the biodiversity credits information	N/A. The original consent did not require removal of native vegetation.
i) If the applicant is not the owner of the land, a statement that the owner consents to the making of the modification application,	Discussed within Section 2.0.
j) A statement as to whether the modification application is being made to: (i) the Court under the Act, section 4.55, or (ii) the consent authority under the Act, section 4.56.	The application is being made to Council as the consent authority, in accordance with Section 4.56.

#### 4.3 RELEVANT ISSUES UNDER SECTION 4.15

Under Section 4.15 of the EP&A Act 1979, the following matters need to be considered as part of the assessment of the modification:

##### a) i. The provisions of any environmental planning instruments,



#### Central Coast Local Environmental Plan 2022

The subject site is zoned R2 Low Density Residential under the provisions of Central Coast Local Environmental Plan 2022 (CCLEP 2022.)

Development consent was granted to DA 42661/2012 under the provisions of the Gosford Local Environmental Plan 2014 (GLEP 2014), being the applicable Instrument at that time.

Overall, the proposed amended development complies with the provisions of the LEP, with the exception of the maximum building height and floor space ratio development standards and those variations previously approved under the original consent.

The main provisions applicable to the amended development are discussed below:

#### **Clause 7.18 – Certain Development at Avoca Drive, Avoca Beach**

Clause 7.18 of CCLEP 2022 specifically applies to the subject site, which is identified as "Avoca Beach Theatre" on the Key Sites Map.

The clause is reproduced below;

- (1) This clause applies to Lot 140, DP 9359 and Lot 651, DP 16791, Avoca Drive, Avoca Beach, identified as "Avoca Beach Theatre" on the [Key Sites Map](#).
- (2) Development for the following purposes is permitted with development consent on land to which this clause applies—
  - (a) entertainment facilities,
  - (b) residential flat buildings,
  - (c) restaurants or cafes.
- (3) Development consent must not be granted to development referred to in subclause (2) unless the design of the development has been reviewed by a design review panel.
- (4) In deciding whether to grant development consent, the consent authority must consider the following—
  - (a) whether the development retains the existing theatre building,
  - (b) whether the design of the development complements the heritage character of the existing theatre building,
  - (c) whether the design of development achieves a high standard of urban design and architectural quality, including in relation to the interface between the development and the adjoining public park,
  - (d) whether the design of the development is appropriate for the location of the land on the coast,
  - (e) whether adequate car parking is provided,
  - (f) whether the development provides measures to conserve water usage and increase water efficiency,
  - (g) if applicable, the outcome of the review by the design review panel.
- (5) Subclause (3) does not apply to development if the Planning Secretary provides a written statement to the consent authority stating that the Planning Secretary considers the development is of a minor nature.



- (6) A building on land to which this clause applies resulting from development for the purposes of entertainment facilities may exceed the maximum height shown on the [Height of Buildings Map](#) if the consent authority is satisfied the part of the building that exceeds the maximum height is an integral part of the design of the building.
- (7) In this clause—  
design review panel means a panel of 2 or more persons established by the consent authority for the purposes of this clause.

It is to be noted that the subject application is a Section 4.56 amendment to the current consent, and is therefore not a “development application”, and as such, a “development consent” is not being sought, merely a modified consent. Accordingly, Sections 3 and 4 are not applicable. Nonetheless, it is noted that the original consent satisfied these similar requirements under the previous GLEP 2014, and none of the proposed amendments alter this.

Based on the above provisions of the CCLEP 2022, the proposed modifications to the approved development under DA/42661/2012 are permissible with the consent of Council.

The proposed modifications retain the approved uses relating to the Avoca Beach Theatre, café, residential flat building and car parking on the subject site.

The approved building height is to be amended as provided for in this clause and as discussed further below.

#### Clause 4.3 – Height of Building

The site is identified as being subject to a maximum building height of 10m.

The originally approved development on site exceeds the 10m height control by approximately 42%. Subsequent amendments permitted an increase of 700mm and a maximum RL 14.9m AHD associated with the roof of Cinema 2, resulting in a further variation to the development standard.

The proposed modifications to roof are described in Part 4.1 of this report and are repeated here for clarity:

- The roof being extended over the residential unit balconies facing Vine Street to align with the balcony edge;
- The curved roof over Cinema 2 being replaced with a single fall skillion roof, and slightly raised to accommodate the height of the cinema screen;
- The inclusion of roof plant equipment within a services zone on the roof and the proposed screen to conceal the roof plant equipment, and a 3Kw solar panel to achieve BASIX requirements. This change increases the building height over the south-west portion of the new building to RL 15.745, and as such, will be largely not visible when viewed from the street.

The overall modified building height is summarised below, and shown within **Figures 3** and **4**. The table overleaf separately considers the actual roof, and the plant services screen.



ITEM	CURRENTLY APPROVED	PROPOSED	EXTENT OF VARIATION
Height of Building	RL 14.9	RL 15.145 (new roof level)	+245mm above approved height
Height of Building	RL 14.9	RL 15.745 (top of roof plant services screen and solar panel)	+845mm above approved height



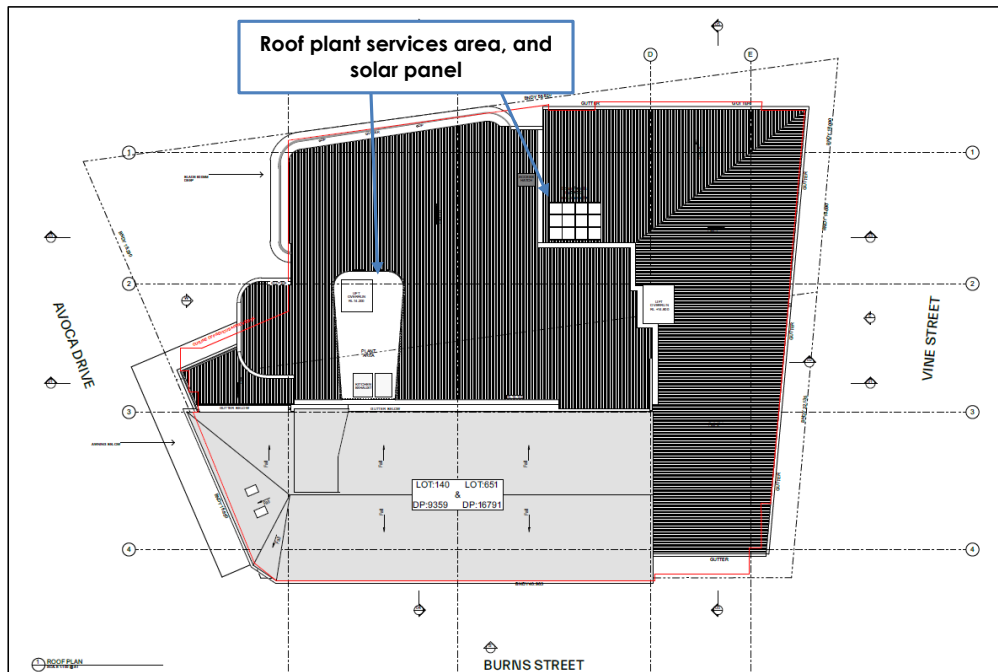
Figure 3: Extract of Amended North and South Elevations





**Figure 4: Extract of Amended East and West Elevations**

As shown on the roof plan (refer to **Figure 5** overleaf), the extent of the modified building height to accommodate the roof plant services screen and the solar panel equates to approximately 59m<sup>2</sup> or 4% of the total proposed roof area, contained within two (2) discrete portions. The additional height from the screen and panel is 5.67% greater than the approved building height and considered minor and inconsequential.



**Figure 5: Extract of Proposed Roof Plan**

The extent of the modified building height to accommodate the roof form changes as described above is 245mm or 5.07% above the currently approved building height (RL 14.9m) which is considered minor and inconsequential.

As the subject application is a Clause 4.56 Modification Application, a Clause 4.6 Variation Report is not required for the proposed height variation. A modification application can be approved even though it would contravene a development standard, and no Clause 4.6 variation is required. The relevant judgments (originating with *North Sydney Council v Michael Standley & Associates Pty Ltd* [1998] NSWSC 163) identify a modification application may be approved notwithstanding the development would be in breach of an applicable development standard were it the subject of an original development application. Sections 4.55 and 4.56 of the EP&A Act has a broad power to approve, subject to its own stand-alone tests (such as the substantially the same test, and a requirement to consider all relevant Section 4.15 matters).

Notwithstanding the above, a merits assessment has been undertaken for the proposed height variation. Strict numerical compliance is considered to be unreasonable and unnecessary, as the varied building height continues to be consistent with the objectives of the building height standard (Clause 4.3), and the objectives of the R2 zone as demonstrated overleaf:



<b>Clause 4.3</b>	
<b>Objectives/Comments</b>	
<b>a) To establish maximum height limits for buildings to enable appropriate development density</b>	<p>This is considered more of an introductory statement within the objectives rather than one which describes a particular aim to be achieved through the application of the development standard. This objective is best considered in conjunction with the others rather than on its own.</p> <p>The previous approval has established a building height above the maximum height limit.</p>
<b>b) To ensure that the height of buildings is compatible with the character of the locality</b>	<p>The proposed height, being only a minor increase beyond the current proposed height, is considered to fit in appropriately with the character of the area. In making this observation, it is worth noting the specific provisions within the CCLEP 2022 (Clause 7.18 discussed above) which allows for height variations on the site. As has been found with the original consent and subsequent amendments, the relevant part of the building is an integral part of the design of the building. The reason for the exceedances relate to the required areas below for cinemas, and in this instance also include roof plant screening – an integral component of the building.</p> <p>The minor variation beyond the current approved height presents no adverse impacts upon adjacent or further afield buildings or public spaces. The site is located at the base of the surrounding hills, and is itself an island, bound by roads and a park, and with additional park areas immediately to the south. This level of separation, and the low nature of the site ensure that the site is able to be read separately within the urban form, and in a manner which does not detract from – and is compatible with – the local character.</p>
<b>R2 Low Density Residential Zone</b>	
<b>Objectives/Comments</b>	
• <b>To provide for the housing needs of the community within a low density residential environment.</b>	<p>The proposed amended development will continue to provide for the housing needs of the community and is permitted in the low density residential zone under Clause 2.5 and Schedule 1 of the LEP.</p>
• <b>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</b>	<p>The proposed amended development will continue to enable other land uses such as the approved entertainment facility which is permitted under Clause 2.5 and Schedule 1 of the LEP to provide services to the residents and visitors of Avoca Beach. The proposed rearrangements will in fact add considerably to the vitality of the street front, with increased interaction.</p>
• <b>To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.</b>	<p>The proposed amendments do not expand on the extent of the non residential uses, and in fact decrease the total number of cinema seats. This reduction therefore would translate to a reduction in any level of disturbance which had previously been assessed and found to be acceptable. Similarly, the café areas, while having a slightly amended layout, are actually intended to provide a far greater level of activation of public spaces than that which is currently approved. None of the proposed amendments represent an increase in overall intensity of use of the site.</p>
• <b>To encourage best practice in the design of low-density residential development.</b>	<p>The re-design of the roof form and façade complements the low-density residential environment where the subject site is flanked by residential development to the west and east including dense native evergreen vegetation. The approved development and proposed modifications will contribute a contemporary form into the composition of the view from surrounding roadways which is not dissimilar in scale or character of the existing theatre and multi – storey residential development within the immediate context.</p>
• <b>To maintain and enhance the residential amenity and character of the surrounding area.</b>	<p>As discussed elsewhere in this report, the proposal simply represents amendments to an already approved development – which has operated on the site for decades – and is subject to a specific clause within the CCLEP 2022 which facilitates the uses.</p>



By providing for a greater level of activation at the street level and in the areas facing the park, it is considered that the amended scheme will contribute significantly to residential amenity and the character – and in doing so will facilitate the retention of an iconic business on the Central Coast.

- **To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing.**

The proposed amended development will retain the approved non-residential land-uses and not cause any adverse amenity impacts on the surrounding residential area to the east and west of the site.

In addition to considerations outlined above, and to provide additional support to some of the assertions made, additional consideration has been given to the question of the potential impact on views from adjacent properties. This consideration has been based largely on the previous assessments carried out, including the assessment by Council as part of the assessment of the most recent amendment to the consent; and the initial assessment undertaken as part of the Court proceedings for the initial approval.

The most recent amendment which was the subject of the Council assessment sought to increase the height of the roof ridge to Cinema 2 by 0.7m. As part of that assessment, and consistent with the initial analysis, Council identified seven properties which required consideration in regard to view impacts. These properties are identified below:



The following assessment consists of analysis of these same views as assessed by Council for the most recent amendment to the consent.

#### 45 Avoca Drive

This view analysis took into account views from Units 7, 8 and 9 within this complex, and noted that these dwellings do not have existing direct view access to the development site, due to either the orientation of the units, or the intervening built form and vegetation.



The previous Council assessment concluded that any view loss from this property as a result of the now approved amendment can be discounted.

This conclusion was arrived at by Council as part of the assessment of an additional 0.7m height to part of the building. For the purpose of that previous assessment; and for the current proposal, it is taken that the southern elevation of the proposal is the relevant presentation. As indicated on the proposed plans, the overall additional height to the highest point of the roof under the current proposal is 0.245m. This takes the highest point on the roof from the currently approved 14.9m to 15.145m.

Separate to the overall roof height, the southern elevation also shows proposed solar panels on part of the roof, and screening for a service zone on another section. The proposed screening has a maximum height of 15.745m, with a width of 5.5m when viewed from the southern elevation. The solar panels are scaled at a similar height, and present a 3.8m long width to the southern elevation. With a width of roof of 43m along the southern elevation, these two (2) elements, with their projecting beyond the roof are considered to be minor in terms of impact on views.

Under the current proposal, the eastern and western ends of the southern elevation show that the height of the roof is also increased at these points from the currently approved level. This increase is at it's greatest at the eastern end, measuring 1.0m, and decreasing to the west. In considering the increase in the height of the roof; additional elements such as the solar panels and roof plant screen; and the additional height at the eastern and western ends of the elevation, the primary point to be considered is that the previous Council assessment concluded that due to a combination of orientation of units, and the intervening built form and vegetation, any view loss from this property can be discounted. The same finding is still relevant to the currently proposed amendments. The extent of vegetation in particular between the subject site and 45 Avoca Drive is such that as with the previously approved amendmts, the current proposal is entirely screened from view. The image below illustrates the extent of this screening in a photograph taken from the upper balcony of 7/45 Avoca Drive.





#### 47 & 49 Avoca Drive

The previous Council assessment concluded that any view loss from these properties as a result of (the now approved) amendment can be discounted. The image below, taken from 2/47 Avoca Drive illustrates that the (now approved) amendments would not block any views to scenic or highly valued items such as Avoca Beach or the water. Once again, the extent and the height of the intervening vegetation is such that no other views exist which would be obstructed.

With regard to the current proposal, the relevant elevation is once again the southern one, and therefore the position put forward in relation to 45 Avoca Drive is applied to 47 and 49 Avoca Drive.



#### 51 Avoca Drive

The previous Council assessment of potential impact on views from this property considered views from a rear terrace at the uppermost level of the building. The images relied upon in that Council assessment detail the extent to which the roof of the current (original) cinema roof is visible, and the extent of wave zone which is visible beyond this. The most recent approval allowed for a 0.70m increase in height to the approved built form. The current proposal seeks an additional 0.245m beyond that, as discussed above in relation to 44 Avoca Drive. the additional height is considered as not having a significant impact on these views. While a small element of the water view may be interrupted, the view to the wave zone and the beach will not be obscured.

The east and western extensions to the roof beyond the most recent approval do not impact on the existing view, as these portions of the roof are already blocked by existing vegetation. The image below illustrates the extent of the existing roof visible from the terrace in question.





Council also considered the view from a lower terrace within the same building, noting that this view is largely obscured by vegetation, and would remain unaffected by the most recent approved amendments. The photograph below illustrates the fact that any existing view to the beach and the wave zone would similarly remain unaffected by the proposed additional 0.245m height, and that the eastern and western alterations to the roof form are not visible from that terrace. Note that existing buildings beyond the cinema exist within the identified view, and exceed the proposed height.

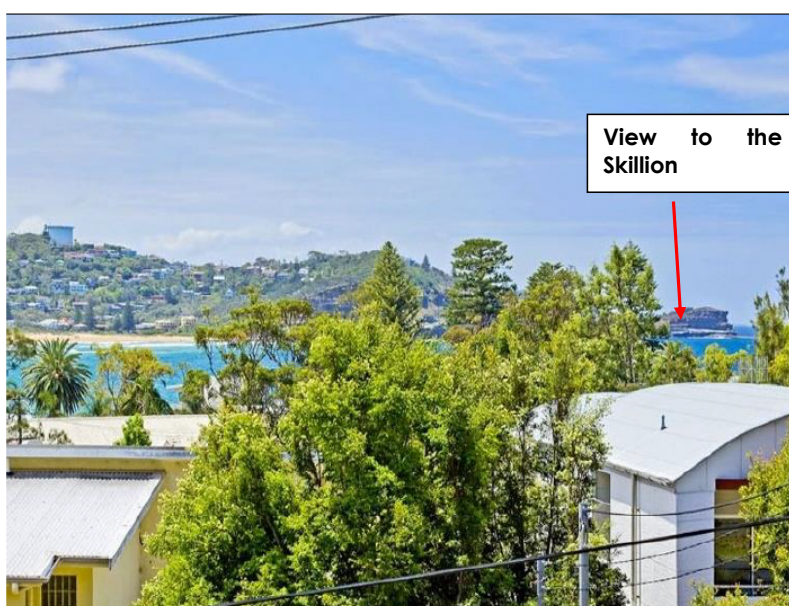
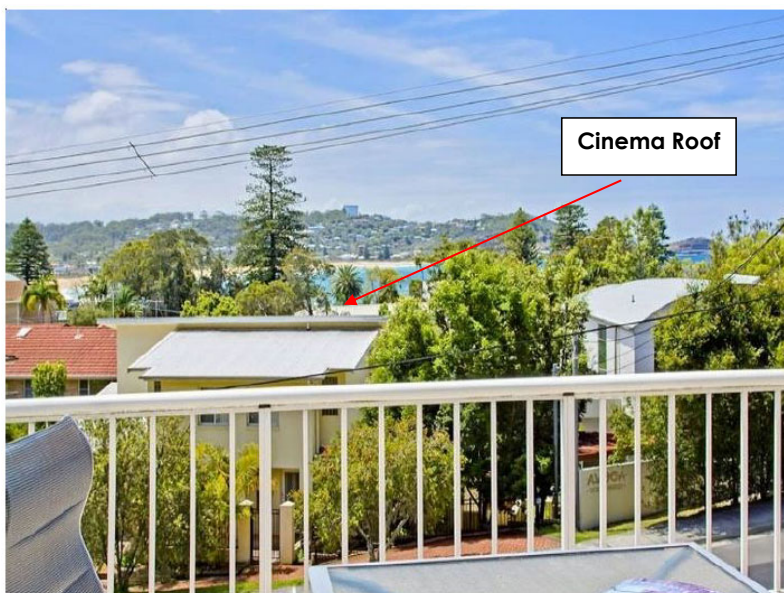




#### 72A Avoca Drive

Council's assessment for the current approval considered the extent of built form and vegetation sited between the cinema and this property. The view from the northern balcony of this building is toward 57A Avoca Drive, with the existing cinema roof beyond this. The Council assessment further found that while part of the view from this property would be impacted by the now approved amendments, this portion of the existing view is heavily filtered by vegetation in Hunter Park. It was further noted that the wave zone of Avoca Beach would still be visible, as would the remainder of the beach between Avoca and North Avoca, and the view to the Skillion at Terrigal – which is not impacted at all.

The same conclusion holds for the proposed additional 0.245m associated with the current proposal. Once again, it is the southern elevation which is the relevant presentation, and as with other views considered, the extensions to the east and west of the roof line will have no impact due to the existing vegetation. The Council assessment refers to the height of the existing Avoca Surf Club building, which is 14.84m AHD, noting that the (now approved) amendments exceeded that height. The currently proposed 0.245m additional height to the roof will not significantly further obstruct the view in question. particularly taking into account the relative elevation of the two (2) sites, with 72A Avoca Drive having a ground level approx. 10m higher than the cinema site (based on SIX Maps LIDAR data), and the approx. 160m distance between the two (2) sites.



### 72 Avoca Drive

The previous Council assessment noted that the (now approved) modifications would result in a partial loss of a view comprising built form and a narrow band of water which is already heavily filtered by vegetation within Hunter Park.

It was further noted however, that the view of the wave zone and the remainder of the beach between Avoca and North Avoca would remain unaffected.

Modification Application of DA 42661/2012 for Avoca Beach Picture Theatre  
69 & 71 Avoca Drive, Avoca Beach  
(Ref: 190768)



The conclusion of Council at that time was that the modifications did not block a significant portion of views to scenic or highly valued items.

Under the current proposal, the same conclusion is able to be reached. The additional height beyond the current approval is minor, and will not obstruct the majority of the main view elements, which comprise the wave zone and the stretch of beach between Avoca and North Avoca. The additional roof length at the eastern and western ends of the building are not visible from this site due to the existing vegetation and built form between the two (2) sites. Once again, the distance between, and the relative height differences at ground level contribute significantly to this finding.



#### 92 Avoca Drive

The previous Council assessment considered three (3) view points, being the upper and lower level balconies in Unit 3; and an upper level balcony in Unit 4. In all cases, Council noted that the principal outlook was in an easterly direction toward South End Park, as distinct from the oblique view corridor to the north east through a narrow opening in vegetation.

As opposed to the other view point assessments contained in this report where the southern elevation is the primary presentation to be considered, this property requires not only consideration of the southern elevation, but also requires consideration of at least a portion of the western elevation. Despite this, the required extent of consideration of the western elevation is limited due to the relatively minor portion which may be visible from this site.

As illustrated in the photograph overleaf, the only component of the western elevation which may be visible from the subject property (Unit 3) is the south western corner, comprising the existing theatre building at the ground level.

Given that this element is not amending the height, no view impact is attributable to this portion of the proposal.

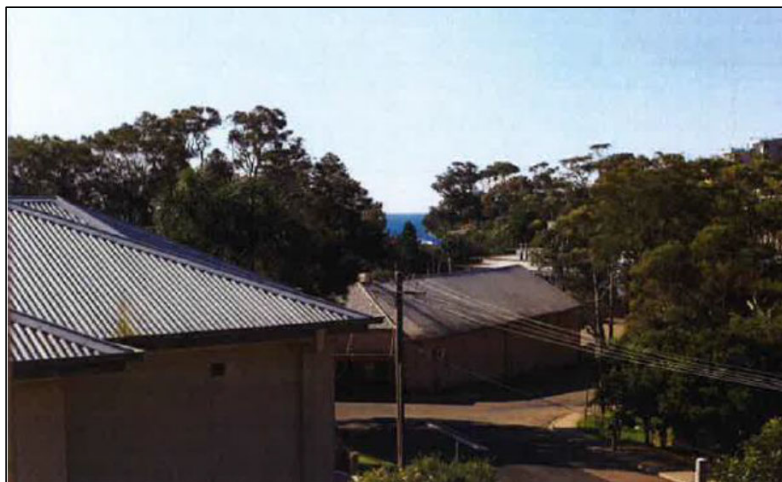




In terms of the southern elevation and any proposed height variations, consideration of this is restricted to the mid portion of the proposal, owing to the extremely narrow nature of the view corridor. The current proposal only involves a 0.245m increase in height at this point beyond the current consent. The additional roof form at the eastern end of the proposal will result in a loss of some vegetation from the affected site, however this is not considered to be significant, and as expressed by Council initially, the primary view is not over the cinema site in any case.



The upper level terrace from Unit 3 obtains a slightly higher view point, but of the same narrow view corridor as the lower terrace (refer phot below). Owing to the higher view point, impacts on the limited water view will be less than for the lower terrace, once again noting that the primary view is to the east, over South End Park – not over the cinema site.



The upper level terrace of Unit 4 was also previously assessed by Council, and at that time, it was found that the (now approved) proposal, while resulting on some loss of vegetation views, would not significantly impact on the narrow water views.



With the current proposal only adding 0.245m in height on the portion of the proposal visible from the subject site, this minor, narrow, and oblique water view will not be significantly impacted.

Given the above, it is considered that sufficient planning grounds exist to support the proposed height variation. It is unnecessary and unreasonable to enforce strict numerical compliance with the height control, which has quite evidently been abandoned.

The proposed additional height is not considered to be significant given the scale of the approved building. Non-compliance with the maximum building height standard will not contribute to adverse environmental, social or economic impacts, and will not raise any matter of State or Regional significance.

Given the above, it is considered that an appropriate degree of flexibility should be applied in regards to the maximum building height standard given the variation being requested, and the fact the proposed amended development continues to achieve the objectives of the building height control and R2 Zone.

#### Clause 4.4 – Floor Space Ratio

The site is identified as being subject to a maximum Floor Space Ratio (FSR) of 1:1.

The currently approved development's FSR is 0.95:1. The proposed modifications increase the FSR to 1.09:1, which is a variation of 9% to the development standard.

As outlined in Part 4.1, the changes resulting in the increased FSR are:

- The "enclosure" of the approved level 1 deck due to the added terrace screening for weather protection – resulting this area now being counted as GFA;
- The reconfiguration of the residential units and extension of the north east balcony edge;
- The inclusion of the ancillary office space above the existing Theatre into the gross floor area calculation.

It is to be noted that none of these changes involve an increase in the approved overall building footprint.

The modified FSR is summarised in the table below.

FLOOR LEVEL	APPROVED	PROPOSED	Extent of Variation
Carpark	0	0	Nil
Ground Residential	235m <sup>2</sup>	263.79m <sup>2</sup>	+28.79m <sup>2</sup>
Ground Commercial	742.98m <sup>2</sup>	783.75m <sup>2</sup>	+40.77m <sup>2</sup>
First Residential	237.04m <sup>2</sup>	247.07m <sup>2</sup>	+10.03m <sup>2</sup>
First Commercial	357.52m <sup>2</sup>	531.34m <sup>2</sup>	+173.82m <sup>2</sup>
Second Residential	140.09m <sup>2</sup>	151.75m <sup>2</sup>	+11.66m <sup>2</sup>
Second Residential	0	0	0
<b>TOTAL</b>	<b>1712.63m<sup>2</sup></b>	<b>1977.7m<sup>2</sup></b>	<b>265.07m<sup>2</sup></b>



As can be seen in the above table, the main extent of the FSR increase is due to the enclosure of the approved level 1 deck with terrace screening for weather protection, and the inclusion of the ancillary office space on level 1 into the GFA calculation. The approved setback of the level 1 deck/terrace area from the northern boundary remains consistent with the approved northern boundary setback.

Figures 6 and 7 below demonstrate a GFA comparison between the approved and proposed modifications. The GFA comparison plans are provided within **Appendix 3**.

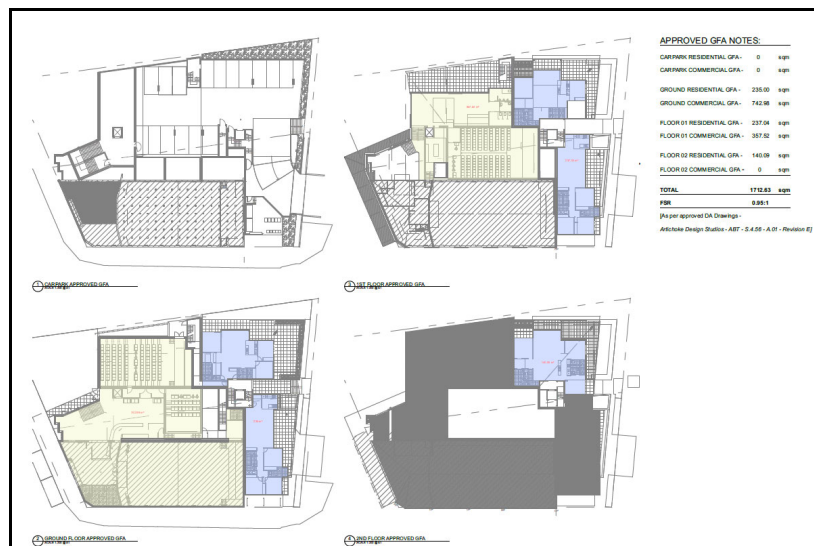


Figure 6: Extract of Approved GFA



Figure 7: Extract of Proposed GFA



As the subject application is a Clause 4.56 Modification Application, a Clause 4.6 Variation Report is not required for the proposed FSR variation. A modification application can be approved even though it would contravene a development standard, and no Clause 4.6 variation is required. The relevant judgments (originating with *North Sydney Council v Michael Standley & Associates Pty Ltd* [1998] NSWSC 163) identify a modification application may be approved notwithstanding the development would be in breach of an applicable development standard were it the subject of an original development application.

Sections 4.55 and 4.56 of the EP&A Act has a broad power to approve, subject to its own stand-alone tests (such as the substantially the same test, and a requirement to consider all relevant Section 4.15 matters).

Notwithstanding the above, a merits assessment has been undertaken for the proposed FSR variation. Strict numerical compliance is considered to be unreasonable and unnecessary, as the varied FSR continues to be consistent with the objectives of the Floor Space Ratio (FSR) development standard (Clause 4.4), and the objectives of the R2 zone as demonstrated below:

<b>Clause 4.4</b>	
<b>Objectives/Comments</b>	
<b>a) To establish standards for the maximum development density and intensity of land use,</b>	
This is considered more of an introductory statement within the objectives rather than one which describes a particular aim to be achieved through the application of the development standard. This objective is best considered in conjunction with the others below rather than on its own.	
<b>b) To control building density and bulk in relation to site area in order to achieve the desired future character for different locations,</b>	
The proposed amended FSR does not increase building density and bulk from that originally approved.	
The approved future desired character of the site also remains unaltered by the FSR increase in that building setbacks and landscaping remain consistent with that approved. The future desired character is expressed through the LEP provisions which facilitate this precise style of development.	
Taking these factors into consideration, it is evident that the proposed additional FSR will in no way impede the ability of the development to achieve this objective.	
<b>c) To minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain,</b>	
The proposed modifications will not cause any adverse environmental effects beyond those that have already been considered and approved under the original consent. As previously mentioned, building setbacks and landscaping remain consistent with that approved. The public domain is retained for enjoyment with the proximity of the development to the open space in adjoining Hunter Park and Avoca Beach will encourage greater use of these facilities which will consequently bring vibrancy to this end of Avoca Beach. The development will increase the opportunity for greater interaction between the public and private domains. Based on the consideration of this objective, compliance with the development standard is unnecessary, as the proposed FSR does not hinder the objective being met.	
<b>d) To maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing, and are not likely to undergo, a substantial transformation,</b>	
The proposed amendments to the approved FSR does not alter the visual relationship of the approved development to that of the existing character of the area and views enjoyed by surrounding developments. As previously mentioned, view loss was acknowledged in the original assessment as minor, and from adjoining roadways, mainly comprising a loss of views to vegetation.	





<p>The minor FSR increase which remains internal to the approved floor plan layout and does not necessarily alter the approved building footprint will have no greater impact on views from adjoining development, than that which was originally assessed and approved. The approved development and proposed modifications will provide a contemporary form into the composition of the view from surrounding roadways which is not dissimilar in scale or character of the existing theatre and multi – storey residential development within the immediate context.</p>
<p><b>e) To provide an appropriate correlation between the size of a site and the extent of any development on that site,</b></p>
<p>The proposed amendments to the FSR remains internal to the approved floor plan layout, thus the size of the site and the extent of development on the site remains the same to that originally approved and it would be unreasonable to require compliance with the development standard to meet this objective.</p>
<p><b>f) To facilitate design excellence by ensuring the extent of floor space in building envelopes leaves generous space for the articulation and modulation of design,</b></p>
<p>The proposed modified development retains its approved building envelope, setbacks, open space and deep soil zones leaving generous space for articulation and modulation of the building design. The building encapsulates significant articulation using a variety of materials. The proposed building is considered to be of a high quality design, and as such, one which will enhance the visual appearance of the area. The roof form comprises various pitches and roof forms to modulate the building ensuring the existing Avoca Beach Theatre building is conserved and 'seen' visually from the public domain within its existing context and setting to that as originally approved. On this basis, the proposed FSR does not hinder or impact upon design excellence and it would be unreasonable to require a compliant FSR to satisfy this objective as the proposed modified development has demonstrated design excellence in its modified form.</p>
<p><b>g) To ensure that the floor space ratio of buildings on land in Zone R1 General Residential reflects Council's desired building envelope,</b></p>
<p>This objective is not applicable as the approved and modified development is located within the R2 Low Density Residential zone.</p>
<p><b>h) To encourage lot amalgamation and new development forms in Zone R1 General Residential with car parking below ground level.</b></p>
<p>This objective is not applicable as the approved and modified development is located within the R2 Low Density Residential zone.</p>
<p><b>R2 Low Density Residential Zone</b></p>
<p><b>Objectives/Comments</b></p>
<p>• <b>To provide for the housing needs of the community within a low density residential environment.</b></p>
<p>The proposed amended development will continue to provide for the housing needs of the community and is permitted in the low density residential zone.</p>
<p>• <b>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</b></p>
<p>The proposed amended development will continue to enable other land uses such as the approved entertainment facility which is permitted under the LEP to provide services to the residents and visitors of Avoca Beach.</p>
<p>• <b>To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.</b></p>
<p>The non residential uses, being the cinemas and café are not significantly increased by the proposal, with the actual number of cinema seats being greatly reduced. While part of the increase in FSR is attributable to the "enclosure" of the café balcony, this is not a full enclosure, and does not involve any additional bulk.</p>
<p>• <b>To encourage best practice in the design of low-density residential development.</b></p>
<p>The modified development compliments the low-density residential environment where the subject site is flanked by residential development to the west and east including dense native evergreen vegetation. The approved development and proposed modifications will provide a contemporary form into the composition of the view from surrounding roadways which is not dissimilar in scale or character of the existing theatre and multi – storey residential development within the immediate context.</p>



• **To maintain and enhance the residential amenity and character of the surrounding area.**

The additional FSR proposed, as discussed above, does not arise from any increase in bulk of the building, and as such, does not represent any detriment to the residential character and amenity.

Given the above; it is considered that sufficient planning grounds exist to support the proposed FSR variation. It is unnecessary and unreasonable to enforce strict numerical compliance with the FSR control.

The proposed additional FSR is not considered to be significant given the scale of the approved building footprint and form. Non-compliance with the maximum FSR development standard will not contribute to adverse environmental, social or economic impacts, and will not raise any matter of State or Regional significance.

Given the above, it is considered that an appropriate degree of flexibility should be applied in regards to the maximum Floor Space Ratio (FSR) development standard given the variation being requested, and the fact that the proposed amended development continues to achieve the objectives of the FSR control and R2 Zone.

#### **Clause 5.21 – Flood Planning**

The subject site is mapped as flood prone land. A flooding report was prepared by Bewsher Consulting in 2016 to address the extent and impact of flooding on the now approved development. The current development consent is based on this report.

The proposed amendments are considered to be consistent with the provisions of Clause 5.21 as follows:

- The proposed amendments are compatible with the flood function and behaviour on the land;
- The proposed amendments will not adversely affect flood behaviour that results in detrimental increases in flood affectation of other developments or properties;
- The proposed amendments will not affect the safe occupation and efficient evacuation of people;
- The proposed amendments incorporates measures to manage risk to life in the event of a flood; and
- The proposed amendments will not affect the environment or cause avoidable erosion, siltation, destruction of or a reduction in the stability of nearby watercourses.

Flooding is further addressed within Section 4.7 of the Stormwater Management Plan prepared by Northrops within **Appendix 10**.

#### SEPP 65 – Design Quality of Residential Apartment Development

The proposed amendments to the development continue to be consistent with SEPP 65. A thorough design process has been undertaken to ensure a high quality product is provided. The proposed amendments maintain the original intent of the development respecting its past and origins whilst providing the community with a building that is responsive to the future, evolving as its needs to meet changing social, economic and cultural factors.

A SEPP 65 Design Verification Statement is provided within **Appendix 5**. A response to the Apartment Design Guide (ADG) is provided within **Appendix 6**.



The proposed modifications to the originally approved development will create a high quality residential environment for future residents, with very good amenity well above the ADG requirements.

#### SEPP BASIX 2004

The proposed amendments to the development continue to be consistent with SEPP BASIX. Compliance with the relevant thermal comfort, greenhouse gas emission and water reduction targets is maintained.

An Amended BASIX Certificate is provided within **Appendix 7**.

#### SEPP (Resilience and Hazards) 2021 – Chapter 2 Coastal Management

On 1<sup>st</sup> March 2022, SEPP Coastal Management was repealed and transferred into *State Environmental Planning Policy (Resilience and Hazards) 2021 - 'Chapter 2 - Coastal management'*.

The proposed amendments to the development continue to be consistent with the aims and requirements of Chapter 2. The proposed amendments will not impact on the coastal the coastal use or coastal environmental area in which the site is located and are suitable for the site and the zoning of the land.

#### **ii. The provision of any draft environmental planning instruments,**

N/A

#### **iii. Any development control plans,**

##### CCDCP 2.3 – Residential Flat Buildings & Shop Top Housing

Overall, the proposed amendments to the development are consistent with the DCP, noting that the original consent and subsequent amendments were assessed under the previous controls which predated the CCLEP and DCP. As illustrated within the submitted plans, the bulk of the proposed amended scheme is sited within the already approved foot print, and in some cases, has increased some of the setbacks already approved. The exceptions to this are the proposed balconies to Units 4 and 5, in particular, the rear (west facing balconies). In both instances, these balconies are less than the required 6.0m.

In considering the proposed variations, it is to be noted that the western boundary of the site faces Vine Street, which is primarily used for car parking associated with the beach and Surf Club. Additionally, these balconies are consistent with the approved setback for the balconies to Units 1, 2 and 3 which also face Vine Street. Given the nature of the use of Vine Street, and the improvements to the built form offered by the consistent line, it is considered that the proposed variations are supportable.

The remainder of the provisions under the DCP are not deemed as relevant to the consideration of the proposal, given the relatively minor proposed alterations to a scheme which already has variations to this DCP.



#### CCDCP Chapter 2.5 – Commercial Development

In the case of the subject proposal, full consideration against the requirements of this DCP is not considered as being required, as the nature of the proposed commercial component is not being significantly altered, and the number of cinema seats is actually being reduced. The proposed amendments are of a nature whereby full assessment against the DCP is not warranted.

#### CCDCP Chapter 2.13 Transport & Parking

The proposed modified development does not generate any additional demand for car parking and does not involve any modification of the car parking layout or vehicle access arrangements previously approved.

#### CCDCP Chapter 2.14 Chapter 7.2 Site Waste Management

The approved waste area within the basement level has been modified to reflect the current Central Coast Council waste management requirements. A Waste Management Plan is provided within **Appendix 11**.

#### ***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 is no planning agreement that has been entered into under Section 7.4 relevant to the application.

#### ***iv. Any matters prescribed by the regulations,***

There are no matters prescribed by the regulations relevant to the application.

#### **b) the likely impacts of the development,**

##### Context and Setting

The proposed amendments will continue to provide a development of a type and form which is consistent with the approved development and with the stated objectives of the R2 zone and the relevant LEP requirements. The amended design will not impact on views. A modern and refreshing built form will continue to be provided, enhancing the streetscape and adding to the revitalisation of the Avoca Beach Theatre site.

##### Access, Transport and Traffic

The scale of the proposed amendments do not trigger any consideration of access, transport and traffic beyond that which was assessed under the original consent.

##### Public Domain

The proposed amendments will continue to have a positive impact on the public domain, by providing an impressive architectural built form to Hunter Park in the north and Avoca Drive, in addition to preserving the sites' existing Avoca Beach Theatre building.



The amended landscape design will continue to provide greater visual access to the site, by maintaining the landscape scheme developed and approved under the original consent. The amended landscape plan is provided within **Appendix 4**.

#### Utilities

The proposed amendments do not trigger any consideration of utilities beyond that which was assessed under the original consent. Minor internal changes to vehicle access and movement in the basement car park is further identified in the amended civil engineering plans prepared by Northrop within **Appendix 9**.

#### Stormwater, Drainage and Water Quality

The proposed amendments will continue to provide an adequate stormwater management system for the management of all stormwater matters for the development. An amended Stormwater Management Plan prepared by Northrop is within **Appendix 10**.

#### Views

The proposed amendments will continue to have no impact on the filtered beach and ocean views enjoyed by surrounding residential developments.

Minor building height increase, which is not necessarily over the entire built form as shown on the proposed amended plans, will have no greater impact on views from adjoining development, than of that which was originally assessed and approved.

#### Flora and Fauna

The proposed amendments will not involve the removal of any additional trees, nor any impact on fauna beyond that already assessed and approved under the original consent.

#### Natural Hazards

The proposed amendments do not represent any increased risk from natural hazards beyond those already assessed and approved under the original consent.

#### Social and Economic Impact

Construction of the amended development will continue to strengthen the revitalisation of the Avoca Beach Theatre, and in turn increase the demand on existing and future local business. Furthermore, the development will continue to ensure the conservation of the sites' original theatre and improve upon tourism and entertainment facilities to the area.

The proposed modifications are also consistent with the relevant Directions under the *Central Coast Regional Plan 2036* in that upon completion of the development the housing will be provided within this promenant areas of Avoca Beach and the housing mix of the locality will be increased. This provides for additional population accommodation within walking distance of the shops, services and public transport, and will not adversely impact residential amenity nor create additional demands upon public infrastructure.



The development will continue to benefit the local economy via the creation of jobs during construction, and to operate the theatre complex, thereby further contributing to the activation of that area.

#### Safety, Security and Crime Prevention

The proposed amendments do not trigger any consideration of safety, security and crime prevention beyond that which was assessed and approved under the original consent.

#### Building Code of Australia

A BCA Report has been prepared by Blackett Maguire + Goldsmith. The proposed modifications have been assessed against the Deemed to Satisfy (DTS) provisions of the Building Code of Australia (BCA) 2019. The assessment confirms that the proposal is capable of complying with the Building Code of Australia 2019 Amendment 1. Refer to **Appendix 14**.

A Section J report has been prepared by Thermal Performance. The proposed modifications have been assessed against the Deemed to Satisfy (DTS) provisions of the Building Code of Australia (BCA) 2019. The assessment confirms that the proposal is capable of complying with Section J of the Building Code of Australia 2019 Amendment 1. Refer to **Appendix 15**.

#### **c) The suitability of the site for the development,**

As originally approved by the Land and Environment Court, the subject site remains suitable for the development. The amended development continues to be consistent with the zoning of the site, the LEP provisions specific to the site, and the intended character of the area.

#### **d) Any submissions made in accordance with the Act or regulations,**

As discussed above, it is noted that Council will notify the proposed amendments.

#### **e) The public interest,**

It is considered that the amended development continues to be in the public's interest in that it will develop an existing underutilised allotment, whilst ensuring the preservation of the existing Avoca Beach Theatre. The construction and occupation of the building will have numerous social benefits in terms of job creation and support for local business as well as providing an additional modern commercial and residential development within walking distance of Avoca Beach. Taking these factors into consideration; the amended development will continue to be in the public's interest.



## 5.0 Conclusion

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Having regard for the provisions of Section 4.56 of the EP&A Act, it is considered that the amended proposal is substantially the same development as that originally approved by the Land and Environment Court.

The proposed amendments comply with all relevant planning provisions of the *Central Coast Local Environmental Plan 2022* (LEP), (with the exception of the maximum Building Height and Floor Space Ratio (FSR) development standards), the *Central Coast Development Control Plan 2022* (DCP); and remain consistent with the variations approved as part of the original consent. In this case the proposed amendments will allow for the delivery of the development, by providing a more efficient, liveable and viable development, whilst ensuring the conservation of the existing Avoca Beach Theatre.

The proposed amendments has been developed in accordance with the heads of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and is considered to warrant approval.

Council is therefore requested to modify development consent DA/42661/2012 in the manner identified within the report.





## **Appendix 1**

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### **DEPOSITED PLANS**



## **Appendix 2**

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### **CERTIFICATE OF TITLE**



## **Appendix 3**

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### **PROPOSED AMENDED ARCHITECTURAL PLANS**



## **Appendix 4**

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### **PROPOSED AMENDED LANDSCAPE PLANS**



## **Appendix 5**

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### **SEPP 65 DESIGN VERIFICATION STATEMENT**



## **Appendix 6**

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### **SEPP 65 APARTMENT DESIGN GUIDE REPORT**



## **Appendix 7**

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### **AMENDED BASIX CERTIFICATE**





## **Appendix 8**

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### **COUNCIL'S RECORD OF PRE-DEVELOPMENT ADVICE**



## **Appendix 9**

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### **CIVIL ENGINEERING PLANS**



## **Appendix 10**

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### **STORMWATER MANAGEMENT PLAN**



## **Appendix 11**

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### **WASTE MANAGEMENT PLAN (AMENDED)**



## **Appendix 12**

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### **INTERPRETATION PLAN HERITAGE SIGNIFICANCE**



## **Appendix 13**

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### **ARCHITECTURAL DESIGN STATEMENT**



## **Appendix 14**

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**BCA REPORT**

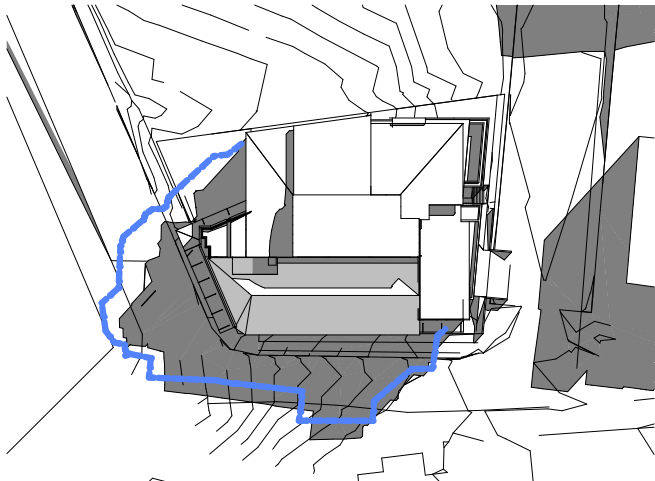




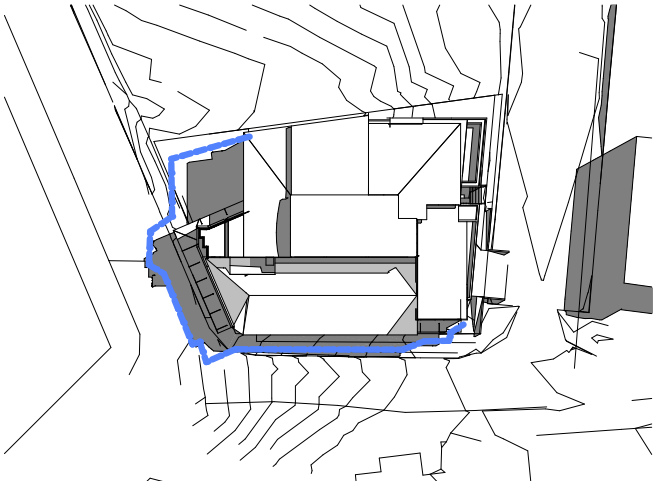
## **Appendix 15**

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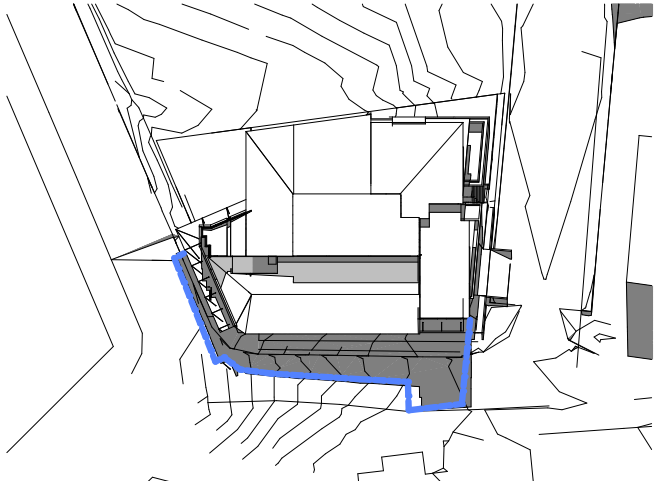
### **SECTION J REPORT**



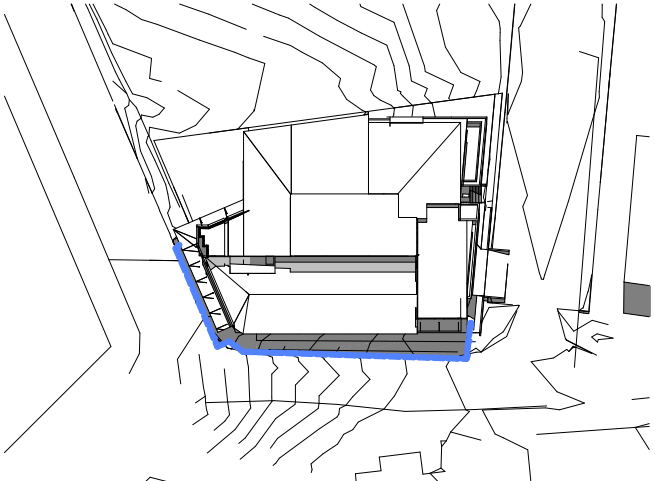
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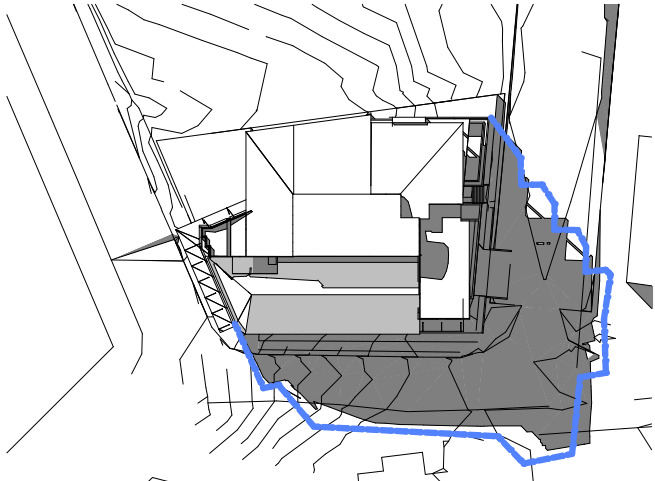
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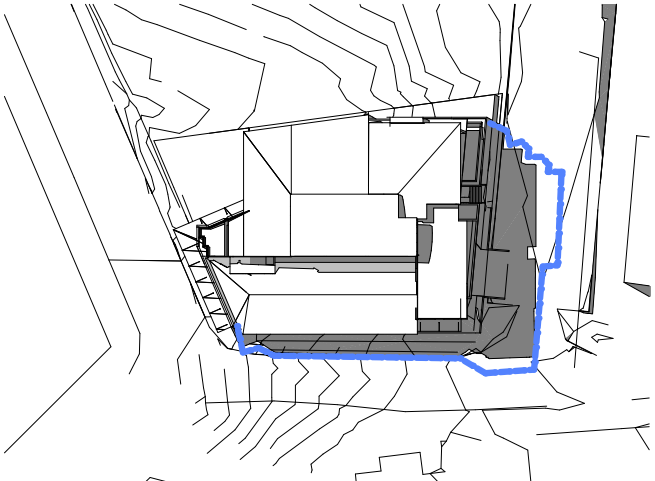
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Scale 1:500



21ST MAR 3pm  
Scale 1:500

Blue line indicates proposal overlaid  
previous approvals shadow diagrams

CKDS

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Avoca Beach Theatre Mixed Use  
project #  
21031

S4.55 Application  
Shadow  
Diagram  
Comparison  
issue  
01  
12/4/2024

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**Item No:** 4.1

**Title:** DA/723/2021 - Temporary use of Land for Outdoor Entertainment Events at Shelly Beach Golf Club - 86 Bonnieview Street, SHELLY BEACH

**Central Coast**  
Local Planning Panel

**Department:** Environment and Planning

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16 May 2024 Local Planning Panel Meeting

Reference: DA/723/2021 - D15819597

Author: Katrina O'Malley, Development Planner, Employment and Urban Release

Manager: Emily Goodworth, Section Manager, Employment and Urban Release

Executive: Luke Sulkowski, Director, Environment and Planning (Acting)

## Summary

An application has been received for Temporary use of land for Outdoor Entertainment Events. The application has been examined having regard to the matters for consideration detailed in section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

The application is referred to the Central Coast Local Planning Panel in accordance with Schedule 2 of the *Local Planning Panels Direction - Development Applications and Applications to Modify Development Consents*, dated 6 March 2024, as council is designated Crown Land Manager of 87CR Oaks Avenue, Shelly Beach.

<b>Applicant</b>	Tuggerah Lakes Golf Club
<b>Owner</b>	Tuggerah Lakes Golf Club
<b>Application No</b>	DA/723/2021
<b>Description of Land</b>	Lot 367 DP 755263, Shelly Beach Golf Club, 86 Bonnieview Street, SHELLY BEACH Lot 7046 DP 1032880, 87CR Oaks Avenue, SHELLY BEACH
<b>Proposed Development</b>	Temporary use of land for Outdoor Entertainment Events at Shelly Beach Golf Club
<b>Site Area</b>	9.2 ha
<b>Zoning</b>	RE1 Public Recreation, RE2 Private Recreation and C2 Environmental Conservation
<b>Existing Use</b>	Recreation Facility (Outdoor) Golf Course
<b>Employment Generation</b>	N/A
<b>Estimated Value</b>	N/A

**Recommendation**

- 1 That the Local Planning Panel grant consent to DA/723/2021 for the Temporary use of land for Outdoor Entertainment Events at Shelly Beach Golf Club at 86 Bonnieview Street and 87CR Oaks Avenue, Shelly Beach, subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.**

**Precis:**

<b>Proposed Development</b>	Temporary use of land for Outdoor Entertainment Events at Shelly Beach Golf Club
<b>Permissibility and Zoning</b>	RE1 Public Recreation RE2 Private Recreation C2 Environmental Conservation Temporary Use of Land Clause 2.8
<b>Relevant Legislation</b>	<i>Environmental Planning and Assessment Act 1979</i> <i>Environmental Planning and Assessment Regulation 2021</i> <i>Crown Land Management Act 2016</i> <i>Crown Land Management Regulations 2018</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>Wyang Local Environmental Plan 2013</i> <i>Central Coast Local Environmental Plan 2022</i> <i>Wyang Development Control Plan 2013, Chapter 2.11 – Parking and Access</i> <i>Central Coast Development Control Plan 2022</i>
<b>Current Use</b>	Golf Course and Registered Club
<b>Integrated Development</b>	No
<b>Submissions</b>	Nil

**Variations to Policies**

There are no variations to report.

**The Site**

The site is located on Bonnieview Street and Oaks Avenue, Shelly Beach. The site also has a frontage to Shelly Beach Road. The site contains an existing golf course and associated golf club known as Shelly Beach Golf Club. The golf club sits on a separate lot to the golf course and contains the club, pro shop, maintenance shed and associated carparking for 186 vehicles.

The golf course is located across a number of crown land lots, which are under the care and control of Council. The golf course is an 18-hole course that runs in a north to south orientation. The golf club and course currently operate seven days a week.



Figure 1. The site as viewed from the south-east.

### **Surrounding Development**

The site is located within an area comprising multiple land uses. The land to the west of the site consists of residential development that is a mixture of single detached residences and dual occupancy developments. Shelly Beach immediately adjoins the golf course to the east whilst existing caravan parks adjoin the golf course to the north and south. A surf club is also located further to the south of the site.





Figure 2. The site (outlined in yellow) within the locality.

### **The Proposed Development**

The proposed development is for the use of an area adjacent to the golf club for outdoor events and entertainment. The proposed events are proposed to be ancillary to the operation of the golf club. The proposal is for the following:

- A maximum of six events per year over the next five years;
- The events include the playing of bands on an outdoor stage during warmer months (September to March) on a Friday, Saturday or Sunday only, finishing before 7pm, and also includes the club's annual Christmas Eve family event which would finish before 9:30pm.

The events are to be held on the grassed area to the south of the golf club. The area will include the provision of a temporary stage, orientated to the east, along with temporary site fencing, waste receptacles and portable toilets. The proposed events will be an alternative to the indoor entertainment already provided within the club. The outdoor activities will not operate at the same time as indoor activities.

The proposed music entertainment is to be low key with seating to be on the existing grassed area. The music entertainment and Christmas event will be similar to those that have previously operated on the site pre-COVID. It is anticipated that the music events will have between 200 and 600 people and the Christmas events would have between 500 and 1500 people. Patrons

**4.1 DA/723/2021 - Temporary use of Land for Outdoor Entertainment Events at Shelly Beach Golf Club - 86 Bonnieview Street, SHELLY BEACH (cont'd)**

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will either park in the existing car park on the site, walk to the site or utilise the existing courtesy bus to get to and from the site.



Figure 3. The location of the proposal on the site.





Site 4. Indicative site plan for entertainment and events.

### History

There is no relevant history to report for the site. The land has been a golf course and registered club for many years.

### Assessment:

Having regard for the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

**Provisions of Relevant Instruments/Plans/Policies:**

**Relevant Legislation**

*Crown Land Management Act 2016 (CLMA)*

The site is currently identified as Crown Land which has been registered as a Reserve. The reserve was gazetted in 1949 and has been initially categorised for the purposes of Preservation of Native Flora, Protection from Sand Drift and Public Recreation. Council has been designated as the Crown Land Manager (CLM) of the reserve.

Section 3.22(1) of the CLMA requires Council as the CLM to manage the site as if it were community land. Under the provision of Section 3.23 sub-sections (6) and (7) of the CLMA, a Plan of Management (POM) is required to be prepared and adopted for the site. The relevant sections of 3.23 state:

**3.23 Management of land as community land**

- (1) **Application** *This section applies to a council manager that is required by this Division to manage dedicated or reserved Crown land as if it were community land under the [Local Government Act 1993](#).*
- (6) **Adoption of plans of management** *Plans of management for the land are to be prepared and adopted in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the [Local Government Act 1993](#), subject to this section.*
- (7) *The following provisions apply during the period of 3 years after the commencement of this section (the **initial period**)—*
- (a) *a council manager must ensure that the first plan of management applicable to the land is adopted as soon as practicable within the initial period,*
  - (b) *the first plan of management may be prepared and adopted under Division 2 of Part 2 of Chapter 6 of the [Local Government Act 1993](#) by—*
    - (i) *amending an existing plan of management so that it applies to the land, or*
    - (ii) *adopting a new plan of management for, or that includes, the land,*

It is important to note the three year period specified under s.3.23(7) has been amended under s.70(2A) of the *Crown Land Management Regulations 2018* to exempt the council manager from the operation of this section of the Act, so as to provide Council's with greater flexibility in the development of Plans of Management for Crown reserves. There is currently no due date for the adoption of Plans of Management, however, councils are still required to submit categorisations and draft Plans of Management as soon as practicable and must continue to manage all dedicated or reserved Crown land as if it were community land under the *Local Government Act 1993*.

As part of the preparation of the POM, the site will be identified for a purpose in accordance with Section 36 of the *Local Government Act 1993* (LGA). There is currently no POM in place for the reserve and as such no purpose under the LGA has been identified for the site. A POM is currently being prepared in accordance with the requirements of the Crown Land Management Regulations which will cover the site.

In the interim, until the adoption of the POM for the site, the initial purpose of the land for Preservation of Native Flora, Protection from Sand Drift and Public Recreation applies. The proposed use of the land for temporary outdoor entertainment events, is in keeping with the current purpose of the reserve for public recreation. Temporary entertainment is considered an ancillary use of the site, and the proposal would not hinder the continued use of the reserve for the identified purposes during and at the completion of each use.

### **Relevant Regulations**

#### *Crown Land Management Regulations 2018 (CLMR)*

Amendments to the *Crown Land Management Regulation 2018*, made under the *Crown Land Management Amendment (Plan of Management) Regulation 2021*, that came into effect on 4 June 2021, remove the requirement for Council's to complete Plans of Management by 1 July 2021. This change provides councils greater flexibility in the development of Plans of Management for Crown reserves.

Section 70(2A) of the CLMR states that Council is exempt from the operation of Section 3.23(7) of the CLMA (as reproduced below).

#### **70 Exemption from operation of Act, sections 3.22 and 3.23(7)**

- (1) *This clause applies to a council manager of dedicated or reserved Crown land until whichever of the following occurs first—*
- (a) the council adopts its first plan of management for the land for the purposes of section 3.23 of the Act,*
  - (b) the land is classified as operational land with Minister's consent under section 3.22 of the Act.*

- (2A) The council manager is exempt from the operation of the Act, section 3.23(7).*

As previously discussed, Council no longer must complete the POM within three years but must complete them as soon as practicable. A POM for Crown Land for which Council is the Crown Land Manager within the Central Coast Local Government Area is currently being prepared and is expected to be in place by the end of 2024.

#### *Environmental Planning and Assessment Regulations 2021 (Regs)*

**4.1 DA/723/2021 - Temporary use of Land for Outdoor Entertainment Events at Shelly Beach Golf Club - 86 Bonnieview Street, SHELLY BEACH (cont'd)**

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The *Environmental Planning and Assessment Regulation 2021* applies to all development applications regarding items such as application type, compulsory contributions, notification of development applications and a range of many other details regarding development application requirements.

Section 66A requires that Council related development applications must not be determined by the consent authority unless:

- a) *The council has adopted a conflict-of-interest policy, and*
- b) *The council considers the policy in determining the application.*

Central Coast Council's Council Related Development Applications Conflict of Interest Protocol, Revision 1, was adopted by Council in 2023 in response to Section 66A of the Regulations.

The Protocol aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development. In this instance, given the nature of the proposed development, there is no management strategy required.

The application was notified for a period of 28 days from 28 March 2024 to 1 May 2014 with no submissions.

The relevant provisions of the Regulations have been satisfied and no further consideration is required in this regard.

**State Environmental Planning Policies (SEPP)**

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

- Chapter 2 – Coastal Management

The site is currently located within a coastal environment area under the above SEPP. Prior to the granting of consent for any development on land identified as a coastal environment area the consent authority is required to consider certain matters and be satisfied of certain things in accordance with s.2.10.

The proposal will not have an adverse impact upon the coastal environment given the nature of the proposal to be undertaken on the site. The structures to be utilised are temporary and works are non-invasive. There is not likely to be any impacts to any objects or items of cultural heritage significance.

A summary of the matters for consideration pursuant to ss.2.10(1) is included below and there have been no matters identified that warrant the refusal of the proposed development.

<b>Matters for Consideration</b>	<b>Compliance</b>
<i>(a) is not likely to cause adverse impacts on the biophysical, hydrological (surface and groundwater) and ecological environment, and</i>	The proposal will not have any significant impact upon the biophysical, hydrological, or ecological environment.
<i>(b) is not likely to significantly impact on coastal environmental values and natural coastal processes, and</i>	The proposal will not impact on the geological and geomorphological coastal processes
<i>(c) is not likely to have an adverse impact on the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, having regard to the cumulative impacts of the proposed development on the marine estate including sensitive coastal lakes, and</i>	The proposal will not result in an adverse impact on the water quality of the marine estate.
<i>(d) is not likely to have an adverse impact on native vegetation and fauna and their habitats, undeveloped headlands and rock platforms, and</i>	The proposal will not result in an adverse impact on native vegetation or fauna.
<i>(e) is not likely to have an adverse impact on existing public space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including person with a disability; and</i>	The site currently adjoins Shelly Beach and the Pacific Ocean. The proposal would not impact upon the use of beach and as such would not impede public access to the area.
<i>(f) will not adversely impact Aboriginal cultural heritage and places, and</i>	There are no identified aboriginal cultural heritage items on the site.
<i>(g) will not adversely impact on the use of the surf zone.</i>	There will be no impact on the use of the surf zone.

With respect of the matters in ss2.10(2), the development is considered to have been designed to minimise any impacts referred to in the table above.

The site is also located within a coastal use area as identified by the SEPP. Prior to the granting of consent for any development on land identified as a coastal use area the consent authority is required to consider certain matters and be satisfied of certain things in accordance with s.2.11.

The proposal will not have an impact upon the coastal environment and is therefore consistent with the requirements of s.2.11.

<b>Matters for Consideration</b>	<b>Compliance</b>
<i>(a) is satisfied that the proposed development:</i>	
<i>(i) if near a foreshore, beach, headland or rock platform—maintains or, where practicable,</i>	The proposal does not impede public access to the beach as the proposal would

<i>improves existing, safe public access to and along the foreshore, beach, headland or rock platform, and</i>	continue to allow the existing public access to the beach to still be available to the public whilst any event is being undertaken.
<i>(ii) minimises overshadowing, wind funnelling and the loss of views from public places to foreshores, and</i>	The proposal does not give rise to any significant overshadowing or view loss to public places.
<i>(iii) will not adversely impact on the visual amenity and scenic qualities of the coast, including coastal headlands, and</i>	The proposal will maintain the visual amenity and scenic quality of the locality as no permanent structures are to be installed as part of the proposal. The location of the use would also not be visible from the existing beach adjoining the site.
<i>(iv) will not adversely impact on Aboriginal cultural heritage and places, and</i>	The site does not contain any aboriginal cultural heritage items on the surface and no excavation is proposed.
<i>(v) will not adversely impact on cultural and built environment heritage; and</i>	There is no cultural heritage on or in the vicinity of the site. There would therefore be no impacts on heritage.
<i>(b) has taken into account the type and location of the proposed development, and the bulk, scale and size of the proposed development.</i>	The proposal does not include any structures that are to be placed permanently.

With respect of the matters in ss2.11(b) the development is considered to have been designed to minimise any impacts referred to in the table above.

Having regard for the assessment above, the Panel can be satisfied the provisions of s.2.10 and s.2.11 have been satisfied and development consent can be granted.

- Chapter 4 -Remediation of Land

In accordance with Section 4.6 of the Chapter, the consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and, if the land is contaminated, is suitable in its contaminated state for the purposes of the development which is proposed. In this regard, the proposed development is for the temporary use of land that will include the erection of temporary structures.

A portion of the Crown Land lot previously formed part of an old tip site which has been remediated previously. The proposal is to be located outside of the bounds of the old tip site. The proposal is also for the temporary use of the site and would not include the provision of any permanent structures or disturbance of ground soils. The proposed development is considered suitable having regard for the provisions of s.4.6(1)(a) and (b). The Panel can be satisfied the provisions of Section 4.6 have been met and that no further information is required.

### **Local Environmental Planning Policies (LEPs)**

#### *Wyang Local Environmental Plan 2013 (WLEP 2013)*

The site is zoned RE1 Public Recreation, RE2 Private Recreation and C2 Environmental Conservation under the Wyong Local Environmental Plan 2013. The proposed development is to undertake temporary events on the site within the RE1 and RE2 zoned land. The proposed development is not to be undertaken within the C2 portion which is located in the northern portion of the site.

- Permissibility

The proposed events are ancillary to the use of the Registered Club (Shelly Beach Golf Club) that is already approved and located on one of the lots that is zoned RE2. Notwithstanding, the proposed development is permissible by virtue of clause 2.8 of WLEP 2013 which allows for the temporary use of land for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months. The proposal is for up to six events within each twelve-month period over five years.

- Clause 2.3 – Zone Objectives and Land Use Table

Subclause 2.3(2) of the WLEP 2013 requires the consent authority to have regard to the objectives for development in a zone when determining a development application. The objectives of the RE1 and RE2 zones are as follows:

#### *RE1 Public Recreation*

- *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 provide linked open space for ecosystem continuity, public access, local community recreation and waterway protection.*
- *To provide space for integrated stormwater treatment devices for flow and water quality management.*
- *To enable ancillary development that complements land zoned for recreational purposes.*

#### *RE2 Private Recreation*

- *To enable land to be used for private 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 offer opportunities for development for community and tourism purposes that is compatible with the natural environment.*



**4.1 DA/723/2021 - Temporary use of Land for Outdoor Entertainment  
Events at Shelly Beach Golf Club - 86 Bonnieview Street, SHELLY BEACH  
(cont'd)**

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The proposed development will be for community events that take advantage of the existing site environment and complement the land for recreational purposes. The proposed development would not have an impact on the ability of the site to be utilised for other recreational uses, including both the golf course and passive recreational uses. The proposal will not impact upon the natural environment and will allow its continued use when the events are not being held. In this regard the proposed development is in keeping with the objectives of the relevant zones.

- Clause 2.8 – Temporary Use of Land

Clause 2.8 enables the temporary use of land if the use does not compromise future development of the land or have detrimental economic, social amenity or environmental effects on the land. The temporary use can only be for a maximum period of 28 days in any 12-month period.

In accordance with Clause 2.8(3), *development consent must not be granted unless the consent authority is satisfied that:*

- (a) *the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and*
- (b) *the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and*
- (c) *the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and*
- (d) *at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.*

It is proposed to hold the events on the site for a maximum of six days in a twelve-month period, for five years. The development will therefore only involve the use of the site for a maximum of six days throughout the year which is consistent with the requirements of the above clause.

The proposal is considered to provide a benefit to the community through the provision of social events and will not prejudice the subsequent carrying out of development on the land under any other environmental planning instrument. The proposed use is unlikely to detrimentally impact upon the amount of public space available to the community and most of the site will remain available whilst an event is being held.

Given the scale, type and frequency of the development proposed it is unlikely to impact upon the amenity of the local area. The location of the temporary stage is orientated towards the ocean to reduce any amenity impacts on adjoining properties which may arise, and the location where attendees will sit is also located on the eastern side of the club adjoining the golf course.

**4.1 DA/723/2021 - Temporary use of Land for Outdoor Entertainment Events at Shelly Beach Golf Club - 86 Bonnieview Street, SHELLY BEACH (cont'd)**

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A noise assessment was undertaken for the proposal by a suitably qualified consultant which assessed any potential acoustic impacts which may arise from the holding of the types of events proposed. The acoustic assessment found the proposed events would create noise that is within the limits of the club's existing entertainment licence.

It concluded noise from patrons at the events would not impact on the amenity of any nearby residential receivers. This conclusion has been supported by Council's Environmental Health Officer in their assessment. To ensure the events do not impact upon the amenity the proposal will be required to comply with a number of conditions of consent which include the requirements of the acoustic report.

The temporary use of land will not have an adverse effect on water catchments, water quality or the like. The land is capable of being restored to the condition before the commencement of use after each event. The Panel can be satisfied the proposed development is consistent with the requirements of clause ((a) –(d)) and development consent can be granted for the temporary use of land for outdoor entertainment events.

- Clause 7.1 Acid Sulfate Soils

The site is identified as containing potential Class 5 acid sulfate soils. The proposal does not involve any disturbance of the soils and as such would not require the preparation of an acid sulfate soils management plan for the proposal. In this regard the Panel can be satisfied that an acid sulfate soils management plan is not required to be prepared and the provisions of the clause are therefore satisfied.

- Clause 7.9 – Essential Services

The clause requires the consent authority to be satisfied that services such as water, sewer, electricity, and stormwater drainage and road access can be adequately provided. The proposal would not require the provision of any new services and there are adequate services already available on the site to cater for the proposal. Portable toilets will be provided in addition to the facilities offered in the club. The Panel can be satisfied the site is adequately serviced for the proposed temporary use of land.

### **Central Coast Local Environmental Plan 2022**

Central Coast Local Environmental Plan 2018 (CCLEP) was gazetted 24 June 2022 and came into effect on 1 August 2022. As the current application was lodged prior to this date the CCLEP does not apply as per the provisions of clause 1.8A of the CCLEP.

Under CCLEP 2022, the site retains its RE1 Public Recreation, RE2 Private Recreation and C2 Environmental Conservation zonings and development for the purpose of temporary use of land will remain permissible under clause 2.8 within the zones. There are no new or amended clauses or provisions warranting further discussion.

**Wyong Development Control Plan 2013 (WDCP)**

- *Chapter 2.11 – Access and Parking*

The above plan does not have specific parking requirements for events however section 3.13 outlines requirements for event organisers to provide details of how the demand for parking will be met for any events. Traffic management plans are required to be prepared where there may be a significant impact on safe traffic movement.

The proposal is to rely on the existing parking that is provided on the site and the existing courtesy bus provided by the club. The applicant has provided an Event Traffic Management Plan prepared by SECA Solution Traffic Engineers. The traffic report states that there are 186 off street parking spaces on the site, as well as capacity for overflow staff parking during time of peak demand.

In terms of parking demand, the report also provides the following:

- the club has unique characteristics over typical registered clubs, given the presence of the golf course and the overlap between golf playing members and users of the club;
- there is a significant number of local members who travel to and from the course via private golf carts that are registered with RMS. In total there are 91 carts privately registered with the club, with cart parking provided on-site, and use of these carts as a mode of travel is anticipated to increase as the population of Shelly Beach continues to grow.
- there is a high number of club members who walk to the Club, with 454 members living within 400 metres of the course; and
- the Club provides a free courtesy bus service to surrounding suburbs including Bateau Bay, The Entrance, Killarney Vale, Long Jetty, Blue Bay and Forresters Beach, with services between 5.00pm and 10.00pm on weekdays (Wed to Fri during off peak times) and weekends and extended services on Fridays and Saturdays until midnight and 12.30am. The courtesy bus service is well patronised, particularly during peak periods, with 301 pickups and 515 drop offs in December 2018 and 259 pickups and 524 drop offs in January 2019.

The report concludes that the parking demands of any large club events would be consistent with other large functions or busy golf days at the course. The movement of vehicles from the site at the conclusion of events would be able to be catered for within the existing road network.

It is considered that the existing parking arrangements and alternative travel methods (courtesy bus, pedestrian, or cart) would be sufficient to cater for any events to be undertaken on the site. The proposal is also unlikely to have any significant impacts on traffic movements within the locality.

## **Central Coast Development Control Plan 2022**

The above plan came into effect 1 August 2022 however as the current application was lodged prior to this date the above DCP is not applicable under Clause 1.1.4 of Chapter 1.1.

### **Likely Impacts of the Development:**

#### **Built Environment**

A thorough assessment of the aspects of the proposed development on the built environment has been undertaken in terms of DCP compliance.

As a result, the proposed development is considered satisfactory in terms of impacts on the built environment.

#### **Access and Transport**

As previously discussed, the existing transport arrangements for the site are suitable to cater for the proposed events. There is also a possibility that those attending the event would also be utilising either the golf course or club on the same day which would further reduce any parking demands on the site during the events. Overall, there is sufficient parking on the site and alternative transport modes available to cater for patrons attending the proposed events.

#### **Context and Setting**

The site provides recreational activities for both residents and visitors to the area. The proposed development would allow the continued activation of the site for the community.

#### **Natural Environment**

There will be no significant impact upon the natural environment as a result of the proposal. Existing trees within the locality are to be maintained and there are no other flora or fauna within the locality that would be impacted by the proposal. The site is not impacted by flooding or bushfire.

All other relevant issues regarding the likely impacts of the development have been discussed throughout this report. In general, it is considered that the property is suitable for an approval subject to conditions.

### **Suitability of the Site for the Development:**

**4.1 DA/723/2021 - Temporary use of Land for Outdoor Entertainment Events at Shelly Beach Golf Club - 86 Bonnieview Street, SHELLY BEACH (cont'd)**

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A review of Council's Land Information mapping has identified no site constraints that would impact upon the proposal. The site is therefore suitable for development. As discussed above the site is mapped as a coastal use area and coastal environment area. The proposed development would not have any impact on either of these areas.

The proposed events are located within the curtilage of the existing golf club. The proposed development is compatible with the existing development in the locality and would likely be utilised predominantly by local residents.

As previously discussed within the report the proposal is not likely to have any impacts on the amenity of the local residents as demonstrated in the submitted noise assessment. Given the topography of the site and location of the proposal on the site it allows the development to be designed to maintain amenity to residents. The location of the site adjacent to the coast also allows for the stage to be suitably positioned facing away from residential development to concentrate noise towards the ocean.

**Any Submission made in Accordance with this Act or Regulations  
The Public Interest: (s4.15(1)(e)):**

*Submissions*

The application was notified from 20<sup>th</sup> August to 10<sup>th</sup> September 2021 and 28 March 2024 to 1 May 2014 in accordance with DCP 2013 – Chapter 1.2 Notification of Development Proposals with no submissions being received.

*Submissions from Public Authorities*

No submissions were received from any public authorities.

**Internal Consultation**

Traffic Engineer	Supported without conditions.
Environmental Health Officer	Supported subject to conditions.
Waste Services	Comments provided to be incorporated into conditions

**External Consultation**

No external consultation was required for the proposal.

**Ecologically Sustainable Principles:**

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

**4.1 DA/723/2021 - Temporary use of Land for Outdoor Entertainment Events at Shelly Beach Golf Club - 86 Bonnieview Street, SHELLY BEACH (cont'd)**

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The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

**Other Matters for Consideration:**

*Contributions*

Given the type of development proposed and the value of works, Section 7.11 and 7.12 Contributions are not applicable to the proposal.

*Conflict of Interest Policy*

The subject site includes Council controlled Crown Land, and no management strategy is required in this instance given the proposed use of the land, to be carried out by other parties, is of a temporary nature.

**Conclusion:**

The proposed development is for the use of the site for temporary outdoor entertainment events in conjunction with Shelly Beach Golf Club. The proposed development is permissible under the Wyong Local Environmental Plan 2013 utilising the provisions of clause 2.8 for the temporary use of land. The proposal is consistent with the relevant sections of SEPP Resilience and Hazards and does not involve any variations to WLEP 2013 or WDCP 2013. The proposal is consistent with the other relevant plans and policies applying to the land.

The Development Application has been assessed against the heads of consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and is considered satisfactory in the context of the site and surrounding locality. Accordingly, Development Application No DA/723/2021 is recommended for approval subject to the imposition of appropriate conditions.

**Reasons for Decision:**





1. The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.
2. The proposed development satisfies the provisions of *State Environmental Planning Policy (Resilience and Hazards) 2021* having regard for Chapter 2 Coastal Management, Section 2.10 – Development on land within the coastal environment area and Section 2.11 – Development on land within the coastal use area and Section 4.6 of Chapter 4 Remediation of Land.

**4.1 DA/723/2021 - Temporary use of Land for Outdoor Entertainment Events at Shelly Beach Golf Club - 86 Bonnieview Street, SHELLY BEACH (cont'd)**

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3. The proposal has been considered against the permitted uses and objectives of the RE1 Public Recreation and RE2 Private Recreation zones. The proposal is permissible with development consent by virtue of the provisions of clause 2.8-Temporary Use of Land and considered satisfactory in terms of the objectives of the zones.
4. The proposal is satisfactory in terms of the precursor requirements of clauses 7.1 and 7.9 of *Wyong Local Environmental Plan 2013*.
5. The proposal is considered satisfactory in relation to the parking requirements of Wyong Development Control Plan 2013, Chapter 2.11 Access, and Parking.
6. There are no significant issues or impacts identified with the proposal under s. 4.15 of *Environmental Planning and Assessment Act 1979*.

**Attachments**

<a href="#"> 1</a>	Updated Site Plan - DA/723/2021 - 86 Bonnieview Street, Shelly Beach	D15621256
<a href="#"> 2</a>	Updated SEE 86 - DA/723/2021 - 86 Bonnieview Street, SHELLY BEACH	D15647300
<a href="#"> 3</a>	Updated Event Management Plan - DA/723/2021 - 86 Bonnieview Street, Shelly Beach	D15621258
<a href="#"> 4</a>	Draft conditions/reasons - Shelly Beach Golf Club, 86 Bonnieview Street, SHELLY BEACH NSW 2261 - DA/723/2021 - Central Coast Council	D15287570





Shelly Beach Golf Club Events

Indicative Site Plan 01

April 2023



**Coastal Planning and Consulting**

Planning and Development Services

ABN 39 655 402 547

## **Updated Statement of Environmental Effects**

Proposed Temporary Use of Land  
(Outdoor Entertainment and Events)  
Shelly Beach Golf Club

86 Bonnieview Street, Shelly Beach  
Pt 87CR Oaks Ave, Shelly Beach

Prepared for Shelly Beach Golf Club

6 April 2023

## 1. INTRODUCTION

This Statement of Environmental Effects has been prepared on behalf of Shelly Beach Golf Club in support of a development application to Central Coast Council for the use of part of the Club grounds and a small part of the adjoining leased crown reserve for occasional and limited outdoor entertainment and events associated with the Golf Club.

The proposal is for a limited number of entertainment events each year (maximum of 6), held during daylight hours over the warmer months, and including the Club's annual Christmas Eve family event which has operated for a number of years, pre-Covid. The outdoor entertainment events would generally be held as an alternative to indoor events, which are otherwise carried out as part of the Club's current approvals.

The site is zoned part RE2 Private Recreation and part RE1 Public Recreation under Wyong LEP 2013, which continues to apply to the application, and the proposal is permissible with the consent of the Council.

This Statement considers the proposal against the provisions of relevant planning controls, including Wyong LEP 2013, Wyong DCP 2013 and relevant state planning controls, as well as the provisions of Central Coast LEP 2022. The Statement also addresses the matters for consideration under Section 4.15 of the *Environmental Planning & Assessment Act, 1979*.

The assessment of the proposal against relevant planning controls and the heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act, 1979* concludes that the proposal is permissible and appropriate for the site and its location, and should be supported.

This Statement should be read in conjunction with the supporting information submitted with the development application, and in particular the acoustic assessment prepared by Spectrum Acoustics, a parking assessment undertaken by SECA Solution Traffic Engineers and an Event Management Plan prepared by Barker Ryan Stewart.

## 2. THE SITE

### 2.1 Site Location & Description

The subject site is 86 Bonnieview Street, Shelly Beach, and part of Pt 87CR Oaks Ave, Shelly Beach, which forms part of the Shelly Beach Golf Course and an adjoining Crown Reserve.

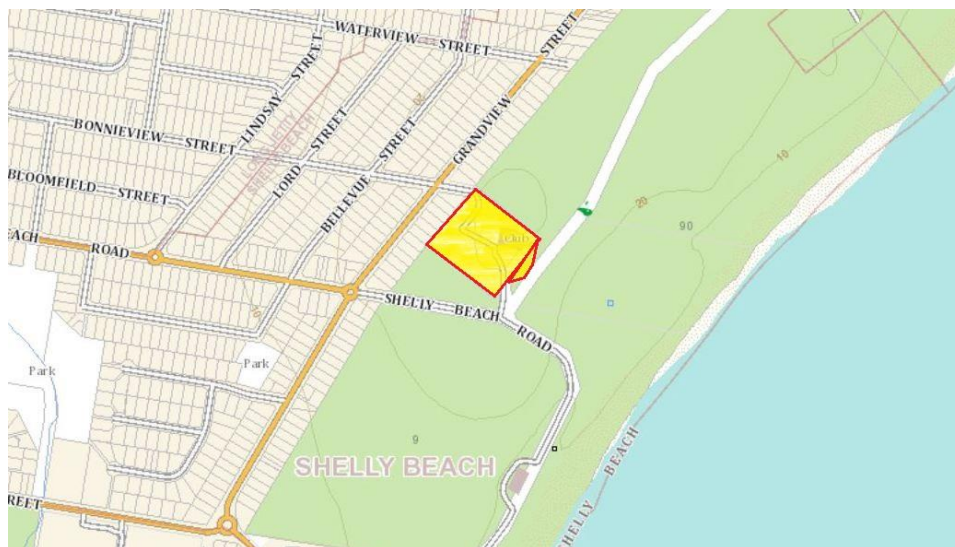


Figure 1 – Locality

Source: NSW SIX Maps 2023



Figure 2 – Site Aerial Photo

Source: NSW SIX Maps 2019



The golf club site has an area of **1.717ha** and the real property description is Lot 367 DP 755263, and the area of the adjoining crown reserve is approximately **490m<sup>2</sup>** and the real property description is Lot 7046 DP 1032880.

## 2.2 Existing and Surrounding Development

The site is part of the wider Shelly Beach Golf Course, which contains the existing Club house building, pro shop building, storage and machinery sheds, car parking, landscaping and parts of the golf course proper, and the area of crown reserve forms a continuous part of the existing club land to the south-west, as shown on Figure 2.

The site has vehicular access via a driveway to the south to Shelly Beach Road, and also to Bonnieview Street to the north-west, which links to Grandview Street.

Surrounding land to the north, east and south contains the golf course, and there are detached dwelling houses which adjoin the western boundary of the site, with frontage to Grandview Street.

The location for the events is the level grassed area to the south of the Club house , as shown in the following photographs:



**Figure 3 – Location of proposed event area**



Figure 4 – Location of proposed event area, looking north-east



Figure 5 – Location of proposed event area, looking north-east

### 3 ZONING AND PLANNING CONTROLS

#### 3.1 Zoning

The land is zoned part RE2 Private Recreation and part RE1 Public Recreation under Wyong Local Environmental Plan 2013, and surrounding land to the north, east and south is zoned RE1 Public Recreation. Land to the west is zoned R2 Low Density Residential.



**Figure 6 – Land Zoning**

#### 3.2 Building Height and Floor Space Ratio

The mapped allowed Building Height for the RE2 zoned land is 12m, and the mapped allowed Floor Space Ratio is 0.55:1.

#### 3.3 Other

The site is mapped as:

- Class 5 for Acid Sulfate Soils
- Having additional permitted uses (Item 14) for the RE2 zoned land - Development for the purposes of hotel or motel accommodation, residential care facilities, seniors housing and serviced apartments is permitted with development consent if the development is associated with a registered club; and
- Being a Key Site (No.22) for the RE2 zoned land

The site is not identified on the following LEP maps: Drinking Water Catchment; Dwelling Density; Flood Planning; Foreshore Building Line; Heritage; Land Reservation Acquisition; Lot Amalgamation; or Urban Release Area.





The land is subject to provisions in both Wyong LEP 2013 and Wyong DCP 2013, which are addressed in Section 5 of this Statement.

Under Central Coast Local Environmental Plan 2022 the site retains its RE2 Private Recreation and RE1 Public Recreation zoning, and registered clubs remain a permitted use in both zones.

The land and the proposal are subject to the following State Environmental Planning Policies: Coastal Management SEPP 2018, SEPP. 55 – Remediation of Land, SEPP (Vegetation in Non-Rural Areas) 2017, and these are addressed in Section 5 of this Statement.

#### **4. THE PROPOSAL**

The proposal is for the occasional use of the land for outdoor entertainment and events associated with, and ancillary to the Golf Club, for a maximum of 6 events per year; for bands and events during warmer months (September to March) on a Friday, Saturday or Sunday only, finishing before 7pm, and the Club's annual Christmas Eve family event, which would finish before 9.30pm.

The proposal is for uses and activities that are ancillary to the operation of a registered club, which are permissible with consent, and would also be permissible as a temporary use of land under Clause 2.8 of Wyong LEP 2013. The proposal is proposed to be carried out as a temporary use of land however (through Clause 2.8 of the LEP) to reinforce the infrequent and limited nature of the activities.

The events will be held on the level grassed area to the south of the Club house, as shown in Figure 3 above, and with the use of a temporary stage oriented to the east, as shown in Figure 2 of the Noise Assessment report prepared by Spectrum Acoustics and submitted with the application. The proposed stage will be oriented away from residential properties to the north-west, and will be enclosed on the northern and western sides, consistent with the recommendations of the acoustic assessment report.

The outdoor entertainment and events will take advantage of warmer weather, and will provide an alternative to the indoor entertainment already provided and approved in the Club house, and the outdoor entertainment and events will not operate at the same time as any indoor entertainment of events.

Music entertainment will be low-key, with people sitting on the grassed area, and will be similar to outdoor events that have been run by the Club in the past, pre-Covid. The annual Christmas Eve event will be a slightly larger event for Club members and surrounding residents, and will be similar to previous Christmas Eve events that have been run by the Club pre-Covid. Based on previous events, the number of patrons at a music event is expected to be between 200 and 600 people, and for the Christmas Eve event between 500 and 1500 people, depending on the style of event.

The operation of outdoor events will be in accordance with the "Shelly Beach Golf Club Event Management Plan", prepared by Barker Ryan Stewart, which is submitted with the application.

The proposal will utilise existing car parking provided on the site, and a supporting assessment from SECA Solution Traffic Engineers has been undertaken, and is submitted with the application.



The application proposes to utilise the existing available on-site carparking on the property, as supported by the parking assessment and analysis provided by SECA Solutions, and patrons will otherwise use the facilities of the existing Club (toilets, sale of food or alcohol).

## 5. PLANNING CONSIDERATIONS

### 5.1 Wyong Local Environmental Plan 2013

Compliance with relevant controls in Wyong LEP 2013 is set out in the following table:

LEP Control/ Standard	Proposed	Complies
<b>Permissibility</b>	The proposal is for ancillary activities to the operations of a <i>registered club</i> , which is a permitted use with consent in the RE2 Private Recreation zone (as well as the RE1 Public Recreation zone), and is proposed to be carried out as a temporary use of land (through Clause 2.8 of the LEP) to reinforce the infrequent and limited nature of the activities.	<b>Yes</b>
<b>RE2 Zone Objectives</b> <ul style="list-style-type: none"> <li>To enable land to be used for private open space or recreational purposes.</li> <li>To provide a range of recreational settings and activities and compatible land uses.</li> <li>To protect and enhance the natural environment for recreational purposes.</li> <li>To offer opportunities for tourism development that is compatible with the natural environment.</li> <li>To allow for alternative uses of open space areas for community purposes that are compatible with surrounding areas.</li> <li>To enable land uses that are compatible with, and complementary to, recreational uses.</li> </ul>	<p>The proposal is for a limited amount of outdoor entertainment and events associated with the Shelly Beach Golf Club.</p> <p>The proposal will increase the range of entertainment options provided on the site, and will also formalise the Club's annual Christmas Eve event, which has operated for a number of years pre-Covid.</p> <p>The proposal will be compatible with the existing development and recreational uses on site, as well as with surrounding development, and supporting assessment is provided on the acoustic and parking implications of the development.</p>	<b>Yes</b>
<b>RE1 Zone Objectives</b> <ul style="list-style-type: none"> <li>To enable land to be used for public open space or recreational purposes.</li> <li>To provide a range of recreational settings and activities and compatible land uses.</li> <li>To protect and enhance the natural environment for recreational purposes.</li> <li>To identify areas suitable for development for recreation and cultural purposes.</li> <li>To provide space for integrated stormwater treatment devices for flow and water quality management.</li> </ul>	<p>The proposal is for temporary uses, which are aligned with the adjoining golf club and which forms a continuous area adjoining the club's land.</p> <p>The temporary events are a short-term and infrequent use, comprising 1.6% of the days of the year, and in any case are open to the public and free of charge, and the club's Christmas Event is a community event.</p> <p>The temporary use as proposed will not alienate the RE1 land, which will continue to be available for public open space or recreational purposes, consistent with the objectives of the zone, and the proposal adds to the range of recreational activities available to the local community.</p>	<b>Yes</b>

	The proposal will promote the site's location and setting, and the use of a small area of RE1 is unlikely to result in the natural environment.	
<b>Clause 2.8 Temporary Use of Land</b>	The requirements of Clause 2.8 are addressed below.	<b>Yes</b>
<b>Clause 4.3 Height of buildings – 12m</b> For RE2 land	The proposed temporary stage will be substantially below the allowed 12m.	<b>Yes</b>
<b>Clause 4.4 Floor space ratio – 0.55:1</b> For RE2 land	The proposal does not include any additional enclosed floor area, and therefore there is no change to the <i>gross floor area</i> of the existing Club, which remains below the allowed 0.55:1.	<b>Yes</b>
<b>Clause 7.1 Acid sulfate soils</b> sets out requirements for managing acid sulfate soils	The site is identified as Class 5 for acid sulfate soils, and there is no excavation proposed that would impact on any acid sulfate soils.	<b>Yes</b>

#### Clause 2.8 – Temporary Use of Land

Clause 2.8 allows the temporary use of land for a maximum period of 28 days in a 12-month period, where that use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.

Relevant requirements of Clause 2.8 are addressed below:

<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>Cl.2.8(2)</b> Maximum period of 28 days (whether or not consecutive days) in any period of 12 months.	The proposal is for a maximum of 6 events in a 12-month period.	<b>Yes</b>
<b>Cl.2.8(3) Development consent must not be granted unless the consent authority is satisfied that -</b>		
(a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and	The temporary use is consistent with the current recreational use of the land and the existing Golf Club, and will involve temporary structures that will not prejudice future development of the land in line with its zoning.	<b>Yes</b>
(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and	The proposal will be well set back from surrounding residential properties, and will not involve the erection of any structures other than a small temporary stage. The proposal is for infrequent events, generally within daylight hours, and is supported by an acoustic impact report which determines that with recommendations the proposal will meet ILGA criterion and will not impact on the amenity of nearby residential receivers. Car parking assessment is also provided, and adequate off-street parking is available for the use of the land as proposed, and the site will remain self-sufficient for car parking so as to not have an adverse impact on surrounding streets or residential properties.	<b>Yes</b>

(c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and	The proposal is located adjacent to the existing Golf Club building and is well removed from coastal or environmentally sensitive features.	<b>Yes</b>
(d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.	The proposal involves temporary structures and use, which when removed will restore the area to its existing state.	<b>Yes</b>

## **5.2 Wyong Development Control Plan 2013**

Relevant controls for the proposal under Wyong DCP 2013 include car parking considerations, waste management and controls applying to the Entrance Peninsula, which are addressed below:

### Chapter 2.11 Car Parking

Chapter 2.11 of the DCP sets out car parking rates and requirements for development, and under requirement (a) of Part 3.2 'Calculation of Carparking Spaces', where a variation to the number of parking spaces required in Table 1 of the DCP is proposed, a TMP is to be provided and the reasons and justification for any variation are to be included in the TMP for Council's consideration.

The proposal relies on the existing car parking provided on the site, and the existing courtesy bus provided by the Club, and an Event Traffic Management Plan has been prepared by SECA Solution Traffic Engineers for larger events, such as the annual Christmas Eve event.

The site currently has available 186 off-street car parking spaces, as detailed in the report from SECA Solution, as well as capacity for overflow staff car parking during times of peak demand. Additionally, and as noted by SECA Solution:

- the club has unique characteristics over typical registered clubs, given the presence of the golf course and the overlap between golf playing members and users of the club;
- there is a significant number of local members who travel to and from the course via private golf carts that are registered with RMS. In total there are 91 carts privately registered with the club, with cart parking provided on-site, and use of these carts as a mode of travel is anticipated to increase as the population of Shelly Beach continues to grow;
- there is a high number of club members who walk to the Club, with 454 members living within 400 metres of the of the course; and
- the Club provides a free courtesy bus service to surrounding suburbs including Bateau Bay, The Entrance, Killarney Vale, Long Jetty, Blue Bay and Forresters Beach, with services between 5.00pm and 10.00pm on weekdays (Wed to Fri during off peak times)

and weekends and extended services on Fridays and Saturdays until midnight and 12.30am. The courtesy bus service is well patronised, particularly during peak periods, with 301 pickups and 515 drop offs in December 2018 and 259 pickups and 524 drop offs in January 2019.

The assessment from SECA Solutions concludes that:

*"A review of the demands associated with large club events indicates that the onsite parking demands are consistent with other large functions or busy golf days at the course however the majority of motorists would be arriving in the lead up to an event or leaving at the end. The peak demand will be at the end when most patrons are wanting to leave the site. During this time queues associated with the carpark will be contained within the site as vehicles exit onto Grandview Street. Traffic flows on Grandview Street on a Sunday afternoon or on Christmas Eve would be expected to be low with exiting vehicles able to turn either left or right to exit the site no different to normal club demands.*

*A Traffic Control Plan is therefore not required to manage these, or other traffic movements associated with large outdoor events at the club."*

On the basis of the previous parking surveys undertaken and the current approved uses on the site, the parking assessment from SECA Solution supports the proposed outdoor entertainment and events using current car parking and non-car travel options, and with the traffic management measures identified by SECA Solution.

#### Chapter 3.1 Site Waste Management

The proposal will utilise the Club's existing waste management and collection arrangements, with additional service provided for the Christmas Eve event, and there will be no construction waste.

#### Chapter 5.3 The Entrance Peninsula

The land falls within The Entrance Peninsula Area, and therefore the provisions of Chapter 5.3 of the DCP.

The proposal does not fall within a particular character statement category under Part 2.0 of Chapter 5.3, however will be consistent with the coastal character of the surrounding area. The proposal is for limited and occasional outdoor entertainment, as an alternative to indoor entertainment as is approved and operating on the site. and will be located. The proposal will utilise an existing cleared area behind the existing Club and away from nearby residents, and with a small temporary stage.



The DCP provisions relating to building envelopes apply to mixed use development in the RE2 zone, and while the proposal is not a 'mixed use' development, the nature of the use and low key stage that would be used will be compatible with the existing Club building, and is appropriate for the site and its landscape setting.

The proposal is consistent with the other requirements of Chapter 5.3, which are largely location-specific or relate to developments taking advantage of the Key Site provisions of Wyong LEP 2013.

#### The Entrance Peninsula Planning Strategy

The site falls forms part of Precinct 16 – Tuggerah Golf Club and Crown Lands under the adopted The Entrance Peninsula Planning Strategy. The Strategy sets out a number of objectives, strategies and recommendations for the precinct, and one of the strategy objectives for the precinct relevant to the proposal is to:

*"Facilitate redevelopment of the Tuggerah Lakes Golf Club facilities to allow the club and golf course to improve and continue as a viable operation, without adverse impact on natural elements and unreasonable impact on the amenity of neighbouring residential and recreational areas"*

The proposal will be consistent with this objective in that it provides ancillary activities to the golf Club's operations, which are largely already carried inside the Club house under existing approvals, and will increase the entertainment options on the site for Club members and visitors. The proposal will not result in an adverse impact on natural elements, and will not result in an unreasonable impact on the amenity of neighbouring residential properties having regard to limited scope of the activities, the parking assessment undertaken by SECA Solution and the noise impact assessment prepared by Spectrum Acoustics. The proposal will utilise an existing grassed area behind the Club, and is well separated from nearby residential properties.

The proposal is also consistent with, and implements the recommended strategies and recommendations for the precinct in that:

- the proposal is of a nature that respects its coastal location and will allow the Club to improve and continue as a viable operation;
- the proposal is consistent with the range of permitted uses Council has allowed for the site, and will complement the existing operations of the Club; and
- the proposal is well set back from the coast, and will not result in coastal impacts or in increased risk from coastal processes or storms.

### 5.3 State Environmental Planning Policies

Relevant State Environmental Planning Policies (SEPPs) applying to the land are the Coastal Management SEPP 2018, SEPP. 55 – Remediation of Land and SEPP (Vegetation in Non-Rural Areas) 2017.

#### Coastal Management SEPP 2018

The site is subject to the Coastal Management SEPP 2018, and is located in the mapped *coastal use* area under the SEPP. The site is not mapped as being in the *coastal environment* area, in an area containing *coastal wetlands* or *littoral rainforests*, or as being within a mapped proximity area.

A table outlining compliance with the SEPP is provided below:

Consideration	Compliance
<b>Clause 14 (1)(a) Development consent must not be granted to development on land that is within the <u>coastal use area</u> unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:</b>	
(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability	The proposal will not impact on public access to the foreshore.
(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores	The proposal will not overshadow the foreshore, result in loss of views from public spaces and will not result in wind tunnelling.
(iii) the visual amenity and scenic qualities of the coast, including coastal headlands	The proposal will utilise an existing cleared area at the rear of the Club and will not result in adverse visual impacts when viewed from waterways and will not impact on the visual amenity and scenic qualities of the coast.
(iv) Aboriginal cultural heritage, practices and places	The proposal will not result in an impact on Aboriginal cultural heritage, practices and places
(v) cultural and built environment heritage	The subject land is not identified as containing any items of heritage, archaeological or historic significance.
<b>Clause 14 (1)(b) Development consent must not be granted to development on land that is within the <u>coastal use area</u> unless the consent authority is satisfied that:</b>	
(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a)	The proposal is appropriately sited on an existing grassed area at the rear of the Club, and away from nearby residential properties, and will be managed in accordance with the submitted Plan of Management and the recommendations of the traffic and acoustic assessment reports. The proposal is well setback from the coast.
(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact	N/A – no adverse impacts

(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact	N/A – no adverse impacts
<b>Clause 14 (1)(c)</b>	
Development consent must not be granted to development on land that is within the coastal use area unless the consent authority has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development:	The proposal does not result in any additional building bulk, and the use of the area will be compatible with the location and visual setting of the site, and the existing Club building.
<b>Clause 15 – Development within the coastal zone generally</b>	
Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.	The site is well setback from the coast, being separated by the golf course and the proposal will not cause increased risk of coastal hazards on the land or other properties.

State Environmental Planning Policy 55 – Remediation of Land

SEPP 55 applies to all development and requires consideration and management of site contamination issues as part of the development assessment process. The current use of the site is for Club purposes and associated landscaped areas, and there are no known previous uses that would result in the grassed area being contaminated or unsuitable for the proposed use.

SEPP (Vegetation in Non-Rural Areas) 2017

The proposal does not involve the removal of any vegetation, and is consistent with the requirements of the SEPP.

#### **5.4 Lease and Plan of Management Considerations**

The part of the application within the crown reserve forms part of a larger area leased by the Golf Club from the Shelly Beach Recreation and Flora Reserve Trust, which is a corporation managed by Central Coast Council.

The lease for the crown reserve is “*for the purpose of playing of the game of golf and for use for other purposes in connection with such game*”, and clause 4.1 of the lease also allows, with the lessor’s written consent, use of the land “*for any purposes other than for the playing of the game of golf and for other purposes in connection with such game*” provided that “*any such other purposes shall be ancillary and secondary to the use of the premises in connection with the game of golf*”. Clause 5.6 of the lease also contemplates, in the context of future asset ownership, that structural improvements including a clubhouse could be constructed during the term of the lease.

The use of part of the crown reserve for occasional and limited outdoor entertainment and events associated with the Golf Club appears to be consistent with the terms of the lease and the uses that can be carried out as part of the lease. In particular, the activities proposed are ancillary to the operations of the Golf Club, and are activities already conducted indoors within the clubhouse building. The activities are ancillary and secondary to the playing of golf on the reserve, being an infrequent use occupying only a very small portion of the leased area, and is ancillary to the playing of golf in the same way a clubhouse and associated activities are.

The lease also contains provisions in Clauses 4.3 and 4.4.5 relating to offensive noise and the broadcasting of music. Matters relating to noise and the broadcasting of music are addressed in the submitted Noise Impact Report, which concludes that subject to recommendations the proposal will achieve the ILGA noise criterion as contained in the venue's entertainment licence and noise from patrons in the proposed outdoor area would not impact on the amenity of nearby residential receivers. Clause 4.48 of the lease restricts the sale of alcohol unless in licensed areas, and the Club will ensure the appropriate license is in place for that part of the reserve and this can also be enforced by way of a condition of consent.

Council has confirmed there is no Plan of Management applying to the crown reserve, and the proposal will therefore not be contrary or inconsistent with any Plan of Management.

## 6. ENVIRONMENTAL IMPACTS

The proposal will result in minimal environmental impacts, being for the occasional and limited use of an outdoor area for entertainment and events, and which will largely be in lieu of holding the entertainment or events indoors, as is currently approved and occurs.

Consideration has been given to impacts on surrounding residential properties, including visual impacts, impacts on car parking and any acoustic impacts of the use on surrounding residential properties.

The proposal will be well set back from surrounding residential properties, and will not involve the erection of any structures other than a small temporary stage.

Car parking demand for the site has previously been addressed in the parking assessment prepared by SECA solution for the approved outdoor terrace (DA/575/2019), which assessed the *actual* parking demand for the uses on the site having regard to the characteristics of the Club's operations (including the large number of members within walking distance of the Club/ or with cart access and the courtesy bus provided by the Club) and based on parking surveys undertaken. Following on from the previous parking assessment, SECA Solution has provided additional traffic advice and an Event Traffic Management Plan for larger outdoor events.

On the basis of the parking assessment previously undertaken, adequate off-street parking is available for the use of the property as proposed, and the site will remain self-sufficient for car parking so as to not have an adverse impact on surrounding streets or residential properties.

The application is accompanied by a noise impact report prepared by Spectrum Acoustics which assesses the noise impact arising from the proposed outdoor entertainment on nearby residential properties. The report considers noise impacts having regard to the use of the area as licensed premises under the Liquor Act 2007, and the requirements of the NSW Independent Liquor and Gaming Authority that the L10 noise level is not to result in an increase of more than 5dB between 7.00am and 12.00 midnight at the boundary of any affected residence.

Spectrum Acoustics has undertaken testing of background noise levels for nearby residential development, and assessed the predicted noise levels from the outdoor entertainment (from both bands and patrons), and found that with the stage oriented to the east with marine ply or similar walls to the northern and western sides the ILGA noise criterion as contained in the venue's entertainment licence will be achieved and noise from patrons in the proposed outdoor area would not impact on the amenity of nearby residential receivers

## 7. SECTION 4.15 CONSIDERATIONS

The following assessment addresses the matters required to be considered under Section 4.15 of the *Environmental Planning & Assessment Act 1979*.

### (1) *Matters for consideration—general*

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

(a) *the provisions of:*

(i) *any environmental planning instrument*

Comment: the proposal has been assessed against both the Wyong LEP 2013 and relevant State Environmental Planning Policies. The proposal is permissible in the zone and complies with the zone objectives.

(ii) *any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved)*

Comment: The site is subject to the Planning Proposal for the draft Central Coast Local Environmental Plan which applies to the entire LGA and has been publicly exhibited and is expected to be finalised soon. Under the draft LEP the subject land retains its RE2 Private Recreation zoning, and registered clubs remain a permitted use in the zone.

(iii) *any development control plan*

Comment: the proposal has been assessed against relevant requirements under Wyong DCP 2013, and is consistent with DCP requirements.

(iiia) *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F*

Comment: There is no planning agreement relevant to the subject land or the proposal.

(iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates*

Comment: There are no matters prescribed in the regulations that impact on the proposal.

(b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Comment: The proposal is for outdoor entertainment, which will be limited in terms of the frequency and hours of operation of events, and if carried out in accordance with the submitted Plan of Management and the recommendations of the submitted Event Traffic

Management Plan and Noise Assessment, would not result in adverse environmental impacts on surrounding residential properties.

The social and economic impacts of the proposal are positive in terms of providing improved entertainment options for Club members and guests, which will take advantage of the Club's setting and outlook, and will assist the ongoing viability of the Club, consistent with the objectives of The Entrance Peninsula Planning Strategy.

(c) *the suitability of the site for the development*

Comment: The proposal is consistent with the zoning of the land and the zone objectives, and will complement the existing use of the land as a Club and adjoining golf course.

(d) *any submissions made in accordance with this Act or the regulations*

Comment: This is a matter Council will consider once the application has been notified.

(e) *the public interest*

Comment: the proposal will improve the amenities provided by the Club to members and guests, in a manner that will not adversely impact on surrounding properties, and will be consistent with Council's objectives for the area, and therefore is in the public interest.



## **8. CONCLUSION**

In conclusion, the proposal is for occasional and limited use of an outdoor area for outdoor entertainment and events, which is ancillary to the existing Golf Club, and the proposal is submitted as a Temporary Use of Land, to reinforce the infrequent number of events proposed. The proposal is consistent with the objectives of the RE2 Private Recreation and RE1 Public Recreation zones, is consistent with the current approved use of the golf club, and will be consistent with the objectives of the Council's strategic direction for the area as set out in The Entrance Peninsula Planning Strategy.

The proposal does not require any new structures, other than the use of a small temporary stage in place while entertainment is being set up and held, and will be well setback from surrounding residential properties. An acoustic assessment has been undertaken which concludes the outdoor entertainment will not result in adverse noise impacts on surrounding residential properties.

The proposal will largely provide an outdoor location for entertainment and events that could be held indoors under the Club's existing operations and approvals, and within the existing car parking provision on the site. For larger events such as the Club's Christmas Eve event, an Event Traffic Management Plan has been prepared by SECA Solution Traffic Engineers.

An assessment of the proposal has been carried out pursuant to Section 4.15 of the *Environmental Planning & Assessment Act 1979*, which supports the proposal, and it is recommended that Council approve the development.



## Shelly Beach Golf Club

# Event Management Plan

Shelly Beach Golf Club, Shelly Beach

29 March 2023



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Author	DF
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## 1 Introduction

This Event Management Plan has been prepared by Barker Ryan Stewart on behalf of Shelly Beach Golf Club.

### 1.1 Mission Statement

It is our intention to provide outdoor entertainment events for Shelly Beach Golf Club members and the broader community.

We aim to provide a range of outdoor entertainment events to be enjoyed by all age groups.

### 1.2 Objectives

This plan aims to provide a complete event document in order that everyone participating in the event clearly understands both their own roles and how those roles interact with other contributors.

The Plans main objectives are:

- to provide successful, safe and enjoyable events,
- to consider and plan for possible problems,
- to consider and manage potential noise and acoustic impacts, and
- to identify trigger points for implementation of emergency procedures.

The Shelly Beach Golf Club operations are governed by its Constitution, the Registered Clubs Act and the Department of Liquor and Gaming.

The Club and the licensee are active members of the Tuggerah Lakes Liquor Accord.

## 210795 - Shelly Beach Golf Club

## Event Management Plan

## 2 Event Location

### 2.1 Site Description

Shelly Beach Golf Club (Tuggerah Lakes Golf Club) is located at 86 Bonnieview Street, Shelly Beach. The site is located adjacent to Crown Land at Pt 87CR Oaks Avenue (Lot 7046 DP 1032880), Shelly Beach which is being included as part of the site as shown in Figure 1 below.



Figure 1: Location of proposed event area

In addition to the golf course, existing infrastructure includes:

- A two-storey clubhouse,
- Golf pro shop,
- Greenkeepers shed, and
- A 186 space car park, comprising 176 marked spaces and 10 unmarked spaces. There is also with some capacity for overflow parking.

The clubhouse is located in the middle of the golf course. On the first floor of the clubhouse, at the eastern end, is Aqua Restaurant with a seating capacity of approximately 120 patrons. The middle section consists of a bar and TAB, and at the Western end is the members lounge, gaming area and reception area. The ground floor bar has a TAB, snooker tables and an outdoor area.

The outdoor events are to be held on a grassed area, known operationally as the "Wedding" area, located to the south of the clubhouse building and overlooking Shelly Beach as shown in Figures 2 and 3. This area provides a natural amphitheatre and is an ideal setting to stage small-scale outdoor events.



**210795 - Shelly Beach Golf Club****Event Management Plan**

Figure 2: Location of proposed event area, looking north-east



Figure 3: Location of proposed event area, looking north



**210795 - Shelly Beach Golf Club****Event Management Plan****2.2 Site History**

The Golf Club was established to foster the game of golf. The Club also provides a facility to its patrons to socialise, enjoy entertainment and encourage friendships. The Club supports the local community through its various charity requests and has an affiliation with the North Shelly Board Riders, The Shelly Beach Malibu Club and various sporting organisations through holding their functions and meetings throughout the year.

The Club provides significant support to the local Surf Life Saving Community through an annual charity event.

**2.3 Locality**

The golf course is bounded by Shelly Beach and the Pacific Ocean to the east and a mix of residential and tourist development to the north, south and west as shown in Figure 4.

- North - Toowoona Bay Holiday Park
- South - Shelly Beach Holiday Park
- West - residential development

Shelly Beach surf club and the Balcony restaurant and bar are located on the beachfront to the southeast of the clubhouse.

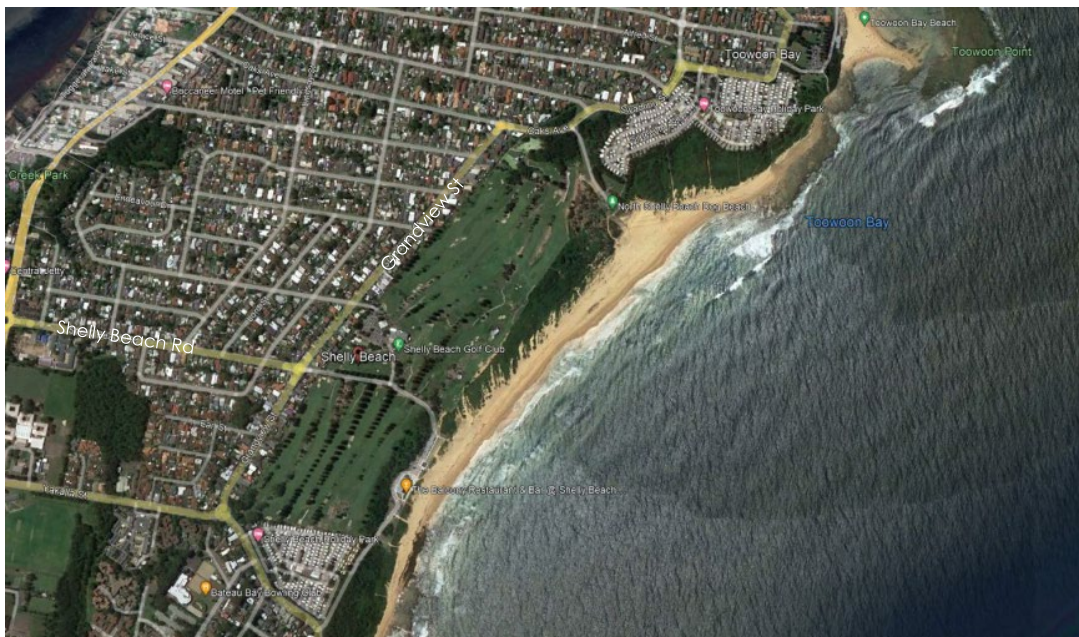


Figure 4: Aerial photo of the locality

The main road through the locality is Shelly Beach Road to the south/south-west of the site. Shelly Beach Road connects to both Wyong Road and the Entrance Road to the west of the site and continues through the golf course and down to the beach.

The primary access to the golf club is from Bonnieview Street via Grandview Street. Bonnieview Street terminates at the club entry with access provided to only one of the two dwellings along its length. There is also a secondary access to the golf club off Shelly Beach Road.

## 210795 - Shelly Beach Golf Club

## Event Management Plan

### 3 Event Details

#### 3.1 Event Description

The outdoor events are to be held on the grassed area (the "Wedding" area) located to the south of the clubhouse building, as shown in Figures 1, 2 and 3.

A maximum of six (6) events will be held annually consisting of:

- Five (5) entertainment/music events, and
- The Shelly Beach Golf Club annual Christmas Carols for members and their families

All events will be held:

- During daylight hours,
- On a Friday, Saturday or Sunday or Christmas Eve, and
- between 1<sup>st</sup> September and 31<sup>st</sup> March.

##### 3.1.1 Stage / Acoustic Management

A temporary stage is used for all events. The stage is located and oriented to the east, as shown in Figure 3 of the Noise Assessment report prepared by Spectrum Acoustics and dated December 2021 and reproduced below in Figure 5.

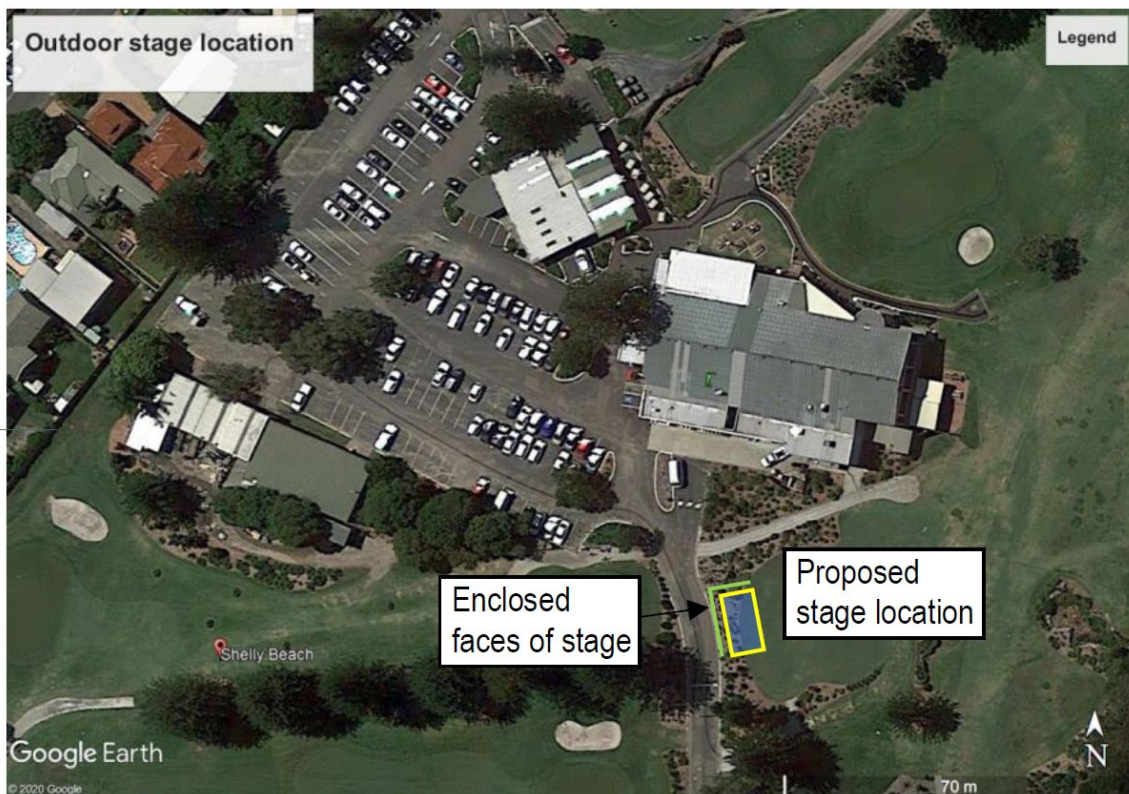


Figure 5: Extract of Spectrum Acoustics Report (Figure 2 as referenced above)

**210795 - Shelly Beach Golf Club****Event Management Plan**

To assist with noise management for the events, barriers of a minimum of 2.5m high and made from marine grade plywood or other material with a minimum mass of 15kg/m<sup>2</sup> are to be erected along the northern and western sides of the stage as shown above.

**3.1.2 Entertainment/music Events**

The outdoor entertainment/music events are to be held as an alternative to the indoor entertainment/music events that are held by the club. Outdoor events will not operate at the same time as any indoor events.

The entertainment/music events can be characterised as "low-key" events, with people sitting on the grassed area. The style of band engaged to play at events organised by Shelly Beach Golf Club are primarily 80's and 90's tribute bands.

The target audience are people in the 40-60 year age bracket.

The number of patrons at an entertainment/music event will range between 200 to 600 people.

**3.1.3 Christmas Eve Party**

The Club's annual Christmas Eve Party for members and the local community will attract up to 1,500 attendees.

The event is characterised by a large number of attendees either walking to the clubhouse or utilising the clubhouse shuttle bus to travel to and from the site.

Entertainment consists of Christmas Carol Singers and jumping castles for the children.

**3.2 Event Start and Finish Times**

All events will be held during daylight hours.

Entertainment/music events                      2:00pm - 6:00pm

Christmas Eve Party                                      6:00pm - 8:30pm

The set-up and removal of temporary structures and equipment will occur between 9:00am to 5:00pm on Monday-Thursday preceding and after each event. All vehicles associated with set-up and removal will access the event area via the Shelley Beach Road driveway and then utilise the concrete path located on the southern side of the clubhouse.

**3.3 Event Management Structure**

Table 1 provides details of the event management structure.

*Table 1: Event Management Structure*

Activity	Organisation	Key Contact	Mobile No
Event Manager (general)	Shelly Beach Golf Club	Club General Manager	TBC

## 210795 - Shelly Beach Golf Club

## Event Management Plan

Activity	Organisation	Key Contact	Mobile No
Deputy Event Manager / Stewarding Coordinator	Shelly Beach Golf Club	Subject to Rosters	
Stewarding Team	Shelly Beach Golf Club	Subject to Rosters	
Event Safety Officer	Shelly Beach Golf Club	Subject to Rosters	
Medical and First Aid Provision	Shelly Beach Golf Club		
Security Team	All Point Security		

### 3.4 Insurance

Table 2 includes details of the insurance provided.

Table 2: Insurance Details

Insurer	To be confirmed
Policy Number	
Public Liability	

## 210795 - Shelly Beach Golf Club

## Event Management Plan

## 4 Event Requirements

### 4.1 Communication procedures

The event management team stewards, first aid and event staff will have access to either hand-held radios or mobile phones.

The stage public address (PA) will be used for safety announcements and may be used for emergency announcements if needed. A back-up system utilising a battery powered megaphone will be used if the main PA system fails.

### 4.2 Incident / Accident Procedures

If the Event Management Team, consider that an emergency is to be declared instructions will be given to the attendees by the Event Manager using the PA system or a megaphone.

If the Event Management Team decide that a controlled evacuation of the event area is required, then the following procedure will apply:

- Stewards take positions,
- On stage announcement made by the event manager, and
- Power shut down.

In relation to fire safety, two water type extinguishers, one dry powder extinguisher will be provided on each side of the stage, as well as one light duty fire blanket.

The Event management team will ensure that the stewards are fully conversant with the relevant fire and safety procedures for any events that may occur across the site.

### 4.3 Event Management Contacts

Table 3 includes details of the contacts for the event management team. These will be updated as required for each event.

Table 3: Event Management Contact Details

Position	Name	Contact
Event Manager	Club General Manager	TBC
Deputy Event Manager	Subject to Rosters	
Safety Officer	Subject to Rosters	



210795 - Shelly Beach Golf ClubEvent Management Plan**4.4 Incident Reports**

All incidents are to be reported to the Event manager or Deputy Event Manager/Stewarding Coordinator.

Incidents are to be recorded in the following format as Table 4.

*Table 4: Event Incident Report Format*

Date & Time of Incident	Description of Incident	Persons Involved (Name, address, phone)	Action taken

## 210795 - Shelly Beach Golf Club

## Event Management Plan

## 5 Public Health

Patrons of the events will utilise the existing facilities within the clubhouse in relation to the sale of food and alcohol, and access to toilets.

### 5.1 Food

Patrons of the events will be able to purchase food from the Aqua Restaurant located in the clubhouse building. The restaurant menu will be available in take-away packaging for consumption within the event area.

Table 5 provides a list of the food vendors and type of food provided. There will be no temporary food stalls.

Table 5: Business / Vendor Details for Food Provision

Name	Contact Phone	Type of Food
Shelly Beach Golf Club	02 4332 3400	Restaurant menu in take-away packaging

### 5.2 Alcohol

Patrons of the events will be able to purchase alcohol, for consumption within the event area, from the bars located within the clubhouse building.

BYO alcohol will not be permitted.

All staff involved in the sale and service of alcohol at the event shall have completed an approved course of instruction in the Responsible Service of Alcohol and will be required to carry their RSA Competency Card at all times when working to allow the card's production to a Police Officer or Special Inspector if requested. All staff will receive induction in relation to the essential requirements of the operation of the licensed premises (Golf Club), including intoxication rules and policies and acceptable identification.

Bar attendants are required to check identification of an individual that does not appear to be of legal age (Guide is under the age of 25):

- A valid driver's licence with a photograph,
- Membership Card,
- A valid passport with a photograph, or
- A valid proof of age card/photo card with a photograph.

Bar Attendants are required to check identification thoroughly to ensure the photograph corresponds to the person producing the document and also check for signs of damage and manipulation as well as distinguishing legitimate features such as a watermark hologram.

All staff will constantly monitor patrons for signs of intoxication. Any person who exhibits signs of intoxication will be refused service of further liquor and will require that person to leave the licensed premises immediately.

All staff are instructed to ensure full and strict compliance with all conditions of the licence and statutory requirements of the Liquor Act and Regulations.



**210795 - Shelly Beach Golf Club****Event Management Plan****5.2.1 Barring of Certain Persons**

The Club is a member of and complies with the "Barred from one, barred from all" initiative currently implemented by the Tuggerah Lakes Liquor Accord.

The Club adheres strictly to its constitution and by Laws which governs the behaviours and expectations of its members. A register of individuals is kept for record.

**5.2.2 Drink Restrictions**

No doubles or shots are sold.

**5.3 Toilets**

Patrons of the events will have access to the existing toilet amenities within the clubhouse building, comprising:

Male - 8  
Female - 8  
Accessible - 1

Additional portable toilets will be provided in accordance with Tables 6 and 7 below in relation to alcohol and non-alcohol events.

Table 6: Facilities for events where Alcohol is not available

Patron Nos	Males			Females	
	Toilets	Urinals	Hand Basin	Toilets	Hand Basin
<500	1	2	2	6	2
<1,000	2	4	4	9	4

Table 7: Facilities for events where Alcohol is available

Patron Nos	Males			Females	
	Toilets	Urinals	Hand Basin	Toilets	Hand Basin
<500	3	9	2	13	2
<1,000	5	10	4	16	4

The cleaning and restocking of toilets during events will be undertaken by the Shelly Beach Golf Club duty staff.

Cleaning of toilets will nominally be undertaken three times over the course of each event.

**5.4 Water**

The Club shall ensure that free drinking water is made available as well as non-alcoholic beverages (for sale or complimentary) to patrons at all times the Club is open for trade.

**210795 - Shelly Beach Golf Club****Event Management Plan****5.5 Waste Management**

The Club utilises the services of Veolia waste contractors for the provision of additional waste bins and the removal of waste.

The operational hours of the events have been structured to cover one meal period. Additional waste bins will be provided for events based on an expected minimum of one litre of waste per person per meal as detailed in Table 8.

*Table 8: Event Waste Management Generation Details*

Event	Number of People	Waste Generation	Bin Calculation	Waste Bin Provision
Music events	200 – 600 people	600 x 1 litre/person = 600 litres of waste	600 / 240 litres = 2.5 (3 std bins)	2 bin stations (1 waste & 1 recycle bin each)
Christmas Eve Event	Up to 1,500 people	1,500 x 1 litre/person = 1,500 litres of waste	1,500 / 240 litres = 6.25 (7 std bins)	4 bin stations (1 waste and 1 recycle bin each)

Main bin stations will be located within the event area and smaller stations at entry/exit points.

A recycling bin to be located next to a waste bin. All bins to be clearly labelled. The Club will utilise reusable or recyclable items for food and beverages wherever possible.

During the course of events, Shelly Beach Golf Club duty staff will be responsible for:

- Monitoring bins and ensuring they are emptied or replaced before they are full.
- Maintaining bin area in a clean and tidy manner at all times, all waste and general rubbish is to be cleared on a regular basis.

The event area will be inspected before and after the event and large litter items will be removed. This will be carried out by the Shelly Beach Golf Club greenkeeping staff, who are responsible for ensuring that the grounds of the Club are kept in a clean and tidy manner, regularly cleared of rubbish.

**5.6 Traffic Management**

Traffic management to be carried out in accordance with the Traffic Management Plan prepared by SECAsolution Pty Ltd and dated 3<sup>rd</sup> November 2020.

During such events all visitors are directed to the main clubhouse entry off Bonnieview Street. This ensures all visitors are able to access directly the car park.

The rear entry to the club, off Shelly Beach Road is to be closed to the general public during the holding of all outdoor events. This driveway will be utilised by the club shuttle bus to enter and exit the site, and avoid any conflict with attendee vehicles movements in the club's car park. Access will also be provided for event staff and club staff only, to park their vehicles in overflow parking provided along the driveway.

The Club's courtesy bus service operates to the surrounding suburbs including Bateau Bay, The Entrance, Killarney Vale, Long Jetty, Blue Bay and Forresters Beach.

**210795 - Shelly Beach Golf Club****Event Management Plan****5.7 Noise Management**

Noise management to be carried out in accordance with the Acoustic Report prepared by Spectrum Acoustics and dated December 2021 and Section 3.1.1 above.

To manage any potential noise complaints from the temporary events, a register will be established by the Club. All complaints are to be registered in the Club acoustic / noise complaints register which should be made available to Council on request. The register should be in the format as shown in Table 9 below.

Table 9: Event Incident Report Format

Date & Time of Complaint	Description of Complaint and Type of Noise	Complainant Name and Address (Name, address, phone)	Action taken

In the event of multiple complaints from the same person / residence or complaints from at least three (3) different neighbours, noise testing will be commissioned for the next planned event to be undertaken by appropriately qualified acoustic consultants.

The noise testing will either:

1. Confirm compliance with noise limits; or
2. Recommend further noise mitigation measures.

Any recommendations from the noise testing as detailed in point 2 above should be included for any subsequent events.

**210795 - Shelly Beach Golf Club**

**Event Management Plan**

## **6 Public Safety**

### **6.1 Lighting and Power**

All events will be held during daylight hours.

The areas around the clubhouse have lighting to ensure the safety and security of patrons. The lighting which is managed by a timer to come on as dusk approaches and can be activated in the event of an emergency, if lighting is required.

Three phase power has been installed by qualified electricians to avoid the use of noise producing generators and negate potential trip hazards and the need to move large mechanical generators in and out of the area pre and post event.

### **6.2 Temporary Structures**

List of temporary structures is detailed below, (refer to Indicative site layout for locations):

- Stage & Platform (including noise attenuation measures),
- Break-away stage skirts, and
- Marquees/ Tent.

Note: temporary seating is not used.

### **6.3 Security and Crowd Control**

Security and crowd control for each event shall be conducted by a combination of external security contractors and Shelly Beach Golf club duty staff. The minimum number of security/crowd control personnel in attendance at each event shall not be less than 1 per one hundred expected event attendees.

Security is provided by All Point security. The number of licensed security guards to be in attendance at each event shall be calculated at the rate of 1 per two hundred expected event attendees.

The Guards will work closely with the Clubs management staff to ensure a safe and enjoyable environment for the patrons.

The security personnel are required to perform the following duties:

- Ensure that event patrons are behaving in an appropriate and orderly manner,
- Advise event patrons when leaving to do so in a quiet and orderly manner,
- Refuse entry to any person who is acting inappropriately or in an anti-social manner,
- Monitor patrons for intoxication, any person who is intoxicated will be requested to leave the event and its vicinity,
- To identify and act on any potential anti-social behaviour in a pro-active manner, and
- Record all incidents in accordance with section 4.4.

Security personnel will be identifiable by a uniform that will be worn at all times.

The Club has in place Closed Circuit Television (CCTV) to assist in providing a safe environment for both staff and patrons. The CCTV monitors all public areas of the Club and is maintained by an external contracted service provider to ensure the system is in constant working order.

A risk assessment shall be conducted for each event.

**210795 - Shelly Beach Golf Club****Event Management Plan****6.4 Public Assembly**

A temporary metal fence is set up around the perimeter to ensure patrons are aware of the area they should be congregating to enjoy the event.

To assist security staff and Club staff in ushering patrons into the controlled area the following measures will be implemented:

- A pedestrian pathway delineated from the Bonnieview Rd entrance and around the course side of the club house to the event entry point. The pathway will be delineated using bunting (or similar).
- Temporary pedestrian directional signage to be installed.
- From the car park directional signage will direct attendees to either the Bonnieview Rd entrance pathway or to the concrete pathway located in the southeast corner of the car park

Refer to Figure 3: pedestrian pathways, Traffic Management plan, SECA solutions, 03/11/2020.

**6.5 Lost Property / Children****6.5.1 Lost Property**

Any lost property will be managed by the existing Shelly Beach Golf Club policy.

**6.5.2 Lost Children Policy**

There will be a Lost Children Point Located with the First Aid Point which will be well sign posted. Any lost children will be cared for at this location by the Event Manager or a steward, who is working with children cleared.

Personal details of any lost child will not be given out over the PA system.

**6.6 First Aid**

An easily identified "First Aid Point" will be set up (refer indicative site layout) and be manned by a steward at all times. All first aiders and the Event Management Team will be contactable by mobile phone. A private treatment area will be set up inside the First Aid Point.

'First Aid' will be provided by Shelly Beach Golf Club staff with first aid training accreditation.

**6.7 Accessibility**

There is a concrete path from the sealed driveway and car park which provides access to the event area for persons with a disability.

## **7 Event Promotion**

### **7.1 Ticketing**

Tickets for events are available for purchase from the Shelly Beach Golf Club.

The availability of tickets are promoted through the Golf Club's web site and Facebook page.

### **7.2 Signage**

The following temporary signage be installed:

- No smoking
- Entry/ exit
- Rules relating to alcohol consumption
- Information/communication/ incident area
- Toilets
- Water
- First aid

Temporary directional signage for parking will be placed at the with the clubhouse sign at the Shelly Beach Road/Grandview Rd intersection. Parking arrangements and directions will also be promoted on the golf club's web site and Facebook page.

### **7.3 Promotion**

Events will be promoted on the Golf Club's web site and Facebook page.

## 8 Site Plan

Figure 5 includes details of an indicative site plan for each event.



- Stage
- First Aid Station
- Waste Receptacles
- S Security
- Temporary Event Fencing
- Portable Toilets

Figure 6: Indicative Event Site Plan



**Date:** 4 April 2024  
**Responsible Officer:** Katrina O'Malley  
**Location:** Shelly Beach Golf Club, 86 Bonnieview Street, SHELLY BEACH NSW 2261, Shelly Beach Golf Course, 87CR Oaks Avenue, SHELLY BEACH NSW 2261  
 Lot 367 DP 755263, Lot 7046 DP 1032880  
**Owner:** Tuggerah Lakes Golf Club Ltd and Shelly Beach Rec & Flora (R73287) Reserve Trust  
**Applicant:** Tuggerah Lakes Golf Club Ltd  
**Date of Application:** 22 June 2021  
**Application No:** DA/723/2021  
**Proposed Development:** Temporary Events at Shelly Beach Golf Club  
**Land Area:** 17170.00  
**Existing Use:** XXXX

#### PROPOSED CONDITIONS

#### 1.PARAMETERS OF THIS CONSENT

- 1.1 Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan Title	Drawn By	Dated
Shelly Beach Golf Club Events Indicative Site Plan 01	Coastal Planning and Consulting	-

Document Title	Version No.	Prepared by	Dated
Shelly Beach Golf Club Event Management Plan	3	Barker Ryan Stewart	26/05/2022
Noise Assessment Proposed Outdoor Entertainment Area Shelly Beach Golf Club Shelly Beach, NSW	-	Spectrum Acoustics	December 2021
Noise Assessment - Addendum Proposed Outdoor Entertainment Area Shelly Beach Golf Club Shelly Beach, NSW	-	Spectrum Acoustics	May 2022

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

**Note:** an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

## 2.ONGOING

- 2.1. This consent provides for the carrying out of approved events a maximum of six times per twelve month period from 2024 to 2028 inclusive.
- 2.2. The activity is to be completed by 7pm for all events, except the Christmas Eve family event which is to be completed by 9:30pm.
- 2.3. All temporary structures are to be wholly located within Lot 367 DP 755263.
- 2.4. In order to address any potential concerns from event patrons, residents, Council or emergency service personnel, a designated event contact person is to be provided prior to the event commencing. This designated contact person is to be readily identifiable and available at all times during the events hours of operation.
- 2.5. This development application does not grant consent to the erection of permanent signage in relation to the approved development. No advertising sign/s shall be erected on or in conjunction with the use without prior development consent unless the advertisement is an 'approved sign' under Development Control Plan 2013, Chapter 2.6 – Signage.
- 2.6. All temporary signs must be removed at the completion of the event.
- 2.7. Appropriate waste receptacles are to be located onsite at all times during the operation of each event. at the completion of each event all wastes are to be collected and disposed of appropriately or arrangements made for satisfactory disposals.
- 2.8. Prior to the commencement of each event, all sound amplification equipment must comply with the following:
  - All sound amplification equipment and associated noise limiters shall be approved by a suitably qualified acoustic consultant\* in accordance with the manufacturer's specification to ensure that resultant amplified sound complies with the criteria identified in the approved acoustic report.
  - The limiter and all post-limiter equipment including power amplifiers must be tamper proof and only operable by the acoustic consultant, licensee and business owner.

\*Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.  
(Reason: To protect residential amenity)
- 2.9. Do not give rise to water pollution as defined in the *Protection of the Environment Operation Act 1997*.

- 2.10. Construct, operate and manage the site in accordance with the Acoustic Assessment Report 202013-9104, prepared by Spectrum Acoustics Pty Limited, dated December 2021, and the Acoustic Assessment – Addendum Report number 202013-9104B, prepared by Spectrum Acoustics Pty Limited, dated May 2022.
- 2.11. Do not give rise to offensive noise as defined in the *Protection of the Environment Operations Act 1997*.
- 2.12. Do not give rise to offensive odour as defined in the *Protection of the Environment Operations Act 1997*.
- 2.13. Do not give rise to air pollution as defined in the *Protection of the Environment Operations Act 1997*.
- 2.14. Manage any incidences of anti-social behaviour or nuisance on the site by implementing appropriate responses to such incidences if they occur. The owner / operator(s) must also take appropriate measures after any such incident to reduce the likelihood of such incidences reoccurring on the site.
- 2.15. Amusement rides including jumping castles that may generate accumulative noise are permitted at one event per year.

### 3.PENALTIES

Failure to comply with this development consent and any condition of this consent may be a **criminal offence**. Failure to comply with other environmental laws may also be a **criminal offence**.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

#### Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

The staff responsible for the preparation of the report, recommendation or advice to any person with delegated authority to deal with the application have no pecuniary interest to disclose in respect of the application.

Katrina O'Malley  
Reporting Officer

XXXXX  
Reviewing Officer

The staff authorised to determine the application have no pecuniary interest to disclose in respect of the application. The report is endorsed and the recommendation contained therein.

Approved/Refused:

Date:

**Item No:** 4.2  
**Title:** DA/31/2024 - 8 Rankens Court, Wyong -  
Demolition of Heritage Structure  
**Department:** Environment and Planning

**Central Coast**  
Local Planning Panel

16 May 2024 Local Planning Panel Meeting

Reference: DA/31/2024 - D16147713  
Author: Jenny Tattam, Senior Development Planner. Employment and Urban Release  
Section Manager: Emily Goodworth, Section Manager Employment and Urban Release  
Unit Manager: Ailsa Prendergast, Unit Manager Development Assessment (Acting)  
Executive: Luke Sulkowski, Director Environment and Planning (Acting)

### Summary

An application has been received for **Demolition of a Heritage Building**. The application has been examined having regard to the matters for consideration detailed in section 4.15 of the Environmental Planning and Assessment Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

The application is required to be referred to the Local Planning Panel for determination as development involving the demolition of a heritage item is listed as 'sensitive development' in Schedule 2 (point 4(c)) of the *Local Planning Panels Ministerial Direction* (dated 6 September 2023).

<b>Applicant</b>	Beveridge Williams
<b>Owner</b>	Central Coast Council
<b>Application No</b>	DA/31/2024
<b>Description of Land</b>	Lot 1 DP 940960, Lot 11 DP 838107 and Lot 172 DP 727765 - 8 Rankens Court, Wyong
<b>Proposed Development</b>	Demolition of Heritage Structure
<b>Site Area</b>	6,978.3m <sup>2</sup>
<b>Zoning</b>	RE1 Public Recreation
<b>Existing Use</b>	Wyong Community Centre
<b>Employment Generation</b>	Yes
<b>Estimated Value</b>	\$20,000.00

### Recommendation

- That the Local Planning Panel grant consent to DA/3/2024 – 8 Rankens Court, Wyong subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***
- That Council advise those who made written submissions of the Panel's decision.***

### Key Issues

- The subject building is listed as an item (1394) of local significance in Schedule 5 part 1 and within a heritage conservation area in Schedule 5 part 2 of the *Central Coast Local Environmental Plan 2022* (CCLEP 2022)
- Whether the complete item should be demolished, or floor/piers should be retained.
- Community submission and matters raised therein.

### Precis:

<b>Proposed Development</b>	Demolition of a heritage item.
<b>Permissibility and Zoning</b>	The subject site is zoned RE1 Public Recreation and R3 Medium Density Residential under CCLEP 2022. The proposal is permissible by virtue of Clause 2.7 (demolition requires development consent).
<b>Relevant Legislation</b>	The following planning policies and control documents are relevant to the development and were considered as part of the assessment: <ul style="list-style-type: none"> <li>• <i>Environmental Planning and Assessment Act 1979 (EP&amp;A Act)</i></li> <li>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li>• <i>Central Coast Local Environmental Plan 2022 (CCLEP 2022)</i></li> <li>• <i>Central Coast Development Control Plan 2022 (CCDCP 2022)</i></li> </ul>
<b>Current Use</b>	Community building – part of the Wyong Community Centre complex
<b>Integrated Development</b>	No
<b>Submissions</b>	One submission received.

### Variations to Policies

There are no variations to any policies.

### The Site

The site is legally described as Lot 1 DP 940960, Lot 11 DP 838107 and Lot 172 DP 727765 and it is commonly known as 8 Rankens Court, Wyong.

The site is located within the Wyong Town Centre Heritage Conservation Area and contains an item of environmental heritage identified as the 'Former Wyong Public School'. The site is located on the western side of Rankens Court and it has an overall area of 6,978.3m<sup>2</sup>. The site has frontage to Rankens Court of approximately 65 metres and frontages



to both Church Street and Margaret Street, Wyong of approximately 17 metres and 15 metres respectively.

Situated on the site is a complex of former school buildings, including the main building located at the centre of the site, which is a single storey masonry school building with a weatherboard clad addition. Around the perimeter of the building are numerous detached classroom buildings, typically of timber frame construction with external weatherboard cladding. The site is no longer operational as a public school and instead is utilised as a community hub - Wyong Community Centre and other buildings including a Youth Centre – with various community groups leasing and occupying the buildings for meeting spaces and storage.

In May 2023 two buildings on the site (Buildings 5 and 6) sustained significant damage from fire. Building 5 was more severely damaged and it is the subject of this application.

The landscape setting is largely dominated by the remnant bushland with numerous Eucalyptus trees sporadically dispersed around the site. There is a hardstand parking area towards the southern boundary accessible from Ranken Court.

The land is not flood affected, bushfire prone or within a mine subsidence district.





*Figure 1: Aerial view of the site and surrounds*

### **Surrounding Development**

Wyong Town Park is located to the north of the site and sits upon a formal terraced landscape which includes the community War Memorial and stairs that lead to the Wyong shopping precinct. A medium density residential development is located to the south of the site.

### **The Proposed Development**

The development application seeks consent for the demolition of existing Building Five which is identified as an item of local heritage significance (CCLEP 2022, Schedule 5, Item No. I394). Building Five is located within the western portion of the site and was subject to significant fire damage in April/May 2023.

Building Five has a simple rectangular footprint and steeply pitched gable roof, which is clad in corrugated sheet metal.

Building Six which sits directly adjacent to Building Five was also impacted by fire, however to a lesser degree whereby further investigation into possible remediation options will be considered by Council to avoid complete demolition and reconstruction, if possible.

The proposal does not include the removal of any trees or vegetation.



*Figure 2: Aerial photo showing Building Five to be demolished*

The following pictures show the current state of Building Five.



*Figure 3: Western elevation of Building Five shown bowing outwards*



*Figure 4: Internal view of east end showing roof and wall framing severely burnt*





*Figure 5: Internal view of west end*



*Figure 6: Underside of floor blackened*

## **History**

No previous applications in relation to Building Five.

## **Assessment:**

Having regard for the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

## **Provisions of Relevant Instruments/Plans/Policies:**

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

#### *Chapter 2: Coastal Management*

The provisions of *State Environmental Planning Policy (Resilience and Hazards) 2021* require Council consider the aims and objectives of the SEPP when determining an application within the Coastal Management Area. The Coastal Management Area is an area defined on maps issued by the NSW Department of Planning and Environment. The subject property falls within the 'Coastal Environment Area' and 'Coastal Use Area' identified on these maps.

In considering the impact of any development application, the consent authority must have regard to matters within clause 2.10 of the SEPP (for the coastal environment area) and clause 2.11 (for the coastal use area).

The relevant matters have been considered in the assessment of this application. The proposed development is not likely to cause undue impact on the biophysical, hydrological, or ecological environment. The values of the natural coastal processes are not likely to be impacted, marine vegetation and fauna habitats will not be disturbed by the proposal and the proposal does not impact on known Aboriginal cultural heritage, the surf zone, or existing public spaces. The proposed development will not result in adverse impact on rock shelves, overshadowing, loss of views from public places nor visual amenity.

The impact in terms of cultural and built environment heritage (clause 2.11(1)(v) of the SEPP) are dealt with later in this report.

Subject to the implementation of appropriate mitigation measures during demolitions works, the proposal is found to be satisfactory and will not cause any adverse impact upon the coastal environment. The proposal is consistent with the relevant requirements of Chapter 2.

*Chapter 4: Remediation of Land*

Clause 4.6 of Chapter 4 requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

The site is developed and located within a well-established commercial centre and there are no known previous uses that would lead to the site being contaminated or unsuitable for the proposed development. Given the proposal involves demolition of an existing building which will be undertaken by a suitably qualified and licenced asbestos removal contractor, the site is considered suitable, and a preliminary site investigation report is not required.

Conditions of consent have been applied in relation the safe removal of any asbestos from the site.

### Central Coast Local Environmental Plan 2022 – Zoning and Permissibility

Under the provisions of the Central Coast Local Environmental Plan 2022 (CCLEP 2022) the site has a split zoning comprising RE1 Public Recreation and R3 Medium Density Residential.

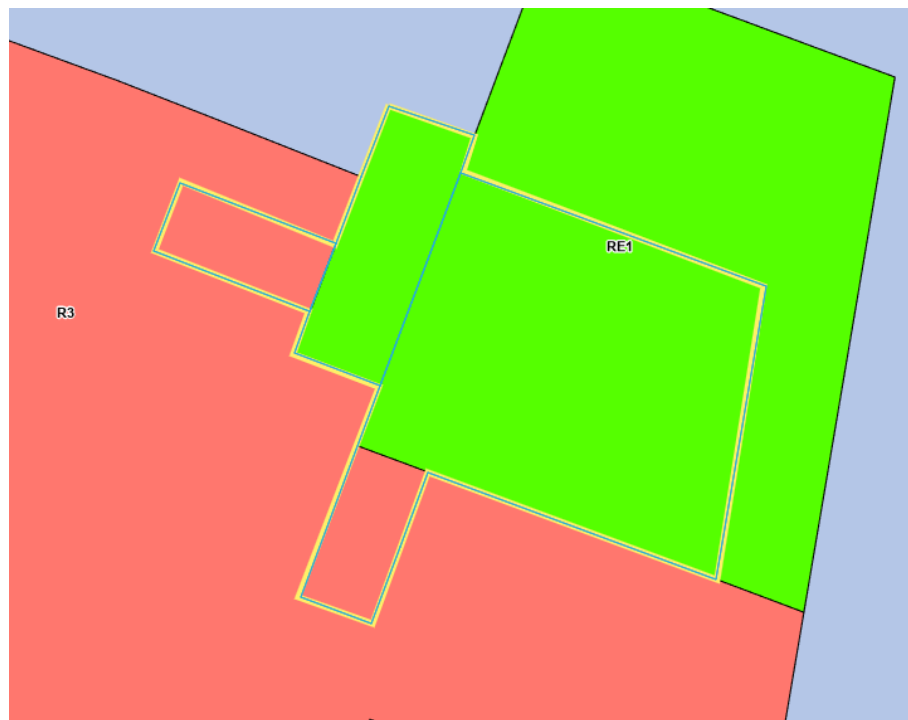


Figure 7: Excerpt from zoning map CCLEP 2022

The proposed development is defined as *demolition* of a *Heritage Item* under the provisions of CCLEP 2022, which means:

***demolish***, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly

*destroy, dismantle, or deface the heritage item, Aboriginal object or building, work, relic or tree.*

**heritage item** means a building, work, place, relic, tree, object, or archaeological site the location and nature of which is described in Schedule 5.

The development satisfies the above definition, as the development comprises the demolition of a local heritage item (Item No. I394 in Schedule 5).

Pursuant to clause 2.7 of CCLEP 2022, the demolition of a building or work may be carried out only with development consent.

#### **Central Coast Local Environmental Plan 2022 – Zone objectives**

Subclause 2.3(2) of the CCLEP 2022 requires the consent authority to have regard to the objectives for development in a zone when determining a development application. The proposed demolition takes place wholly within the RE1 Public Recreation zone. The objectives of the RE1 Public Recreation 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 identify areas suitable for development for recreation and cultural purposes.*
- *To provide space for integrated stormwater treatment devices for flow and water quality management.*

The current state of the dilapidated building does provide a suitable location for recreational activities and in the interests of public safety it should be removed. Its removal will still allow for the land to be used for public open space or recreational purposes. The proposal is consistent with the above objectives.

#### **Central Coast Local Environmental Plan 2022 - Clause 2.7 – Demolition requires development consent.**

Under this clause the demolition of a building or work may be carried out but only with development consent. The application proposes demolition of an existing building and therefore complies with the provisions of this clause.

GHD was commissioned by Central Coast Council to undertake a visual only structural inspection of fire damaged buildings (Buildings Five and Six) at the site. The report has assessed the extent of fire damage to the buildings from the event and concludes the following in regard to Building Five:



*The fire has spread through the whole of Building 5, severe damage is predominantly contained to within the wall and roof structure.*

*The floor structure, while blackened in parts, did not have extensive damage. Note however that the inspection was only from the external boundaries of the building. Safe access below the floor structure was not possible.*

*The whole of Building 5 structure above the floor has been severely damaged. This building will need to be demolished to floor level. After the demolition works have been complete a structural assessment of the floor framing would be required.*

The report recommends that:

*The structure above the floor of Building 5 will need to be demolished. There was minimal structure unaffected by the fire. The floor system may be able to be salvaged. A reinspection to the sub floor area will be required once the building is made safe.*

The heritage assessment submitted with the application concurs with the findings of the structural report and recommends that Building Five is demolished (refer to comments below under 'clause 5.10 – heritage conservation').

The dilapidated state of the building means it is not currently safe for occupation and demolition of the building is considered to be in the public interest. There are no land constraints or issues that will impact on the proposed demolition works.

#### **Central Coast Local Environmental Plan – Clause 5.10 – Heritage conservation**

The site is identified as an item of local heritage significance, listed as 'Former Wyong Public School' (Item No. I394) on Schedule 5 of the CCLEP 2022.

The site is also situated within the Wyong Town Centre Heritage Conservation Area, listed as Conservation Area C3 on Schedule 5 of the CCLEP 2022.



Figure 8: Except from Heritage Map CCLEP 2022

Clause 5.10 of CCLEP 2022 establishes the statutory framework for the protection and management of heritage items and heritage conservation areas and stipulates that development consent is required for the demolition or altering of a building that is a heritage item or is within a heritage conservation area.

The provisions of clause 5.10 require, amongst other things, consideration to be given to the impact of the proposed development on the heritage significance of the item or area concerned.

The Applicant has submitted *Heritage Advice – Remediation and Management Options for Fire Damaged Structures at 8 Rankens Court, Wyong* prepared by Edwards Heritage Consultants (EHC) which provides an impact assessment of the proposed demolition works. The advice includes:

*Based upon the extensive damages to Building 5, retention and remediation does not appear feasible as the extent of damage requires aggressive intervention of remaining fabric to remove and replace structurally failed fabric including external cladding and internal linings.*

*In our opinion, the extent of damage to Building 5 has irreversibly compromised its significance and the percentage of required fabric replacement to the building would further diminish and obscure any remaining integrity and authenticity of fabric,*

*effectively constituting a near entirely new building. We consider the loss of design integrity, authenticity of fabric and adverse impact on the significance of the building, to justify demolition.*

The heritage report also states that EHC were requested to consider whether reconstruction of a 'like-for-like' replacement building is warranted. They concluded that:

*the reconstruction would be effectively an entirely new and facsimile structure, comprised of near entirely new fabric, lacking any authenticity and value. We do not consider the significance of the building to warrant the faithful wholesale reconstruction.*

*Rather than reconstruction of Building 5, we recommend undertaking an archival recording of the building prior to demolition and considering interpreting the building footprint through some form of suitable delineation treatment to the ground (i.e., tactile pavements).*

The application was referred to Council's Heritage Officer for review. They have confirmed that Building 5 is part of the Former Wyong Public School which is significant because:

*Historically and aesthetically significant. 1889 school is the earliest surviving building in the town centre. An intact representative example of 19<sup>th</sup> Century Public Works Department design with social significance for its community links.*

Council's Heritage Officer concurs with the findings of the structural inspection by GHD and the applicant's heritage consultant and states:

*It is considered the extent of damage sustained by Building 5 indicates that the structure is so badly damaged that retention is not feasible.*

*It would be possible to rebuild the entire building based on photographic references and knowledge of materials retrieved during demolition. The Burra Charter does consider reconstruction may be appropriate if there is sufficient evidence to inform the reconstruction work.*

*It is acknowledged that the replacement building would be a completely new reproduction and would have lost its original fabric, however it is part of the entire group of school buildings and has significance as both an individual item and for its contribution to the group.*

Council's Heritage Officer has recommended that the demolition is supported subject to the following conditions –

- The demolition process is undertaken in consultation with Council's Heritage Officer.

- While the engineer's report indicated the building could be demolished to floor level, it is considered complete demolition of the building including the floor structure is preferable to ensure the site is completely safe.
- Prior to any demolition work, the buildings must be archivally recorded and documented.
- Any salvageable materials (e.g., floor and windows) must be retained as part of the archival recording process and to inform the possible reconstruction of the building.
- Any proposal for reconstruction would be subject to a future development application.

It is therefore recommended that the building is demolished, with building materials salvaged where possible.

**Note:** Council's Heritage Officer did consider retention of the piers and/or floor of the building, as per the comments in the building inspection report, however, to ensure the site is completely safe complete demolition was recommended. It is noted that the piers are most likely constructed with lime mortar which is very weak and easy for the bricks to be removed. A pile of loose bricks easily available in the public domain could constitute a risk.

#### **Central Coast Local Environmental Plan – Clause 7.1 - Acid sulfate soils**

The site has been identified as being affected by the Acid Sulfate Soils Map and the matters contained in Clause 7.1 of WLEP 2013 have been considered. The site potentially contains Class 5 Acid Sulfate Soils (ASS). There are no excavation works proposed. Further consideration of this matter is not considered necessary, and the proposal is satisfactory with regard to clause 7.1.

#### **Central Coast Local Environmental Plan – Clause 7.6 – Essential services**

Development consent must not be granted to development unless the consent authority is satisfied that all the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable vehicular access,
- (f) the collection and management of waste.

The application does not require the connection to essential services for the proposed demolition of Building 5, however, it is noted that conditions have been applied to require the safe disconnection of essential services prior to demolition works occurring.

**Central Coast Development Control Plan 2022 (CCDCP 2022)**

The following Chapters of CCDCP 2022 are applicable to the proposed development.

***CCDCP 2022 Chapter 2.14 – Site Waste Management***

A Waste Management Plan has been submitted with the application demonstrating the amount of waste to be generated during the demolition phase.

The proposal has demonstrated compliance with this chapter of the CCDCP 2022 and associated Waste Control Guidelines. Appropriate conditions are included in the proposed conditions of consent.

***CCDCP 2022 Chapter 3.5 – Tree and Vegetation Management***

Council's Tree Assessment Officer visited the site and advised that there is one x *Eucalyptus pilularis* (blackbutt) tree located in very close proximity to the side wall of Building 5, approximately 500mm. This tree is approximately 15m in height and was found to be generally in good condition and will need to remain viable during the demolition of the building.

Building 5 is on piers and as the piers are to remain there shall be no excavation required within the tree protection zone/structural root zone of the tree.

To ensure that the tree remains viable Council's Tree Assessment Officer has recommended conditions of consent relating to tree protection measures.

***CCDCP 2022 Chapter 3.6 – Heritage Conservation***

The proposed development has been assessed against the requirements of Clause 2.7 and 5.10 of CCLEP 2022 and is supported by Council's Heritage Assessment Officer. The requirements of Chapter 3.6 of CCDCP 2013 have been satisfied.

***CCDCP 2022 Chapter 4.5 – Wyong Town Centre***

The proposed development is located within Precinct 1 - Wyong Hill Community Area as described in Chapter 4.5, Clause 4.5.2.2.4 "Heritage Character Areas" of CCDCP 2022.

The Wyong Hill Community Area is centred on Wyong Town Park. Within its area is the former Wyong Public School (the oldest surviving building in Wyong Town Centre), the former court house, and the WW1 and WW2 Memorial. The area is of social, historical and aesthetic significance.

The proposed development has been considered against the requirements of the Wyong Hill Community Area which does not include any specific requirements in regard to demolition.

The proposal is satisfactory with regard to the Wyong Hill Community Area precinct and CCDCP 2022 Chapter 4.5.

**Likely Impacts of the Development:**

The impacts associated with the demolition of a fire damaged heritage item (Building Five) are considered minimal and overcome by way of appropriate mitigation and management measures.

**Built Environment, Context and Setting**

Building Five is part of the former Wyong Public School which is an identified local heritage item. The building has been impacted by fire and due to its poor, damaged state it is recommended for demolition.

An assessment of the impacts of the proposed development on the built environment has been undertaken in terms of the CCLEP 2022 and CCDCP 2022. Demolition is recommended which would remove the structure from the built environment. Any future application over the land would be required to address the built environment, context and setting.

**Natural Environment**

The subject site does not contain any threatened species or habitat. The proposal is satisfactory in relation to impacts on the natural environment as identified throughout this report. There will be no significant impact upon the natural environment because of the proposal.

**Economic and Social Impacts**

Existing building five is significantly fire damaged and beyond repair with demolition adequately justified as the most feasible management option. There would be no adverse economic impacts.

Social impacts are negligible. Demolition of an uninhabited and fire damaged building to make way for future site redevelopment will have positive social benefits.

**Suitability of the Site for the Development**

The application is supported by an inspection report prepared by GHD and dated 6 June 2023, which confirms that Building 5 has suffered extensive damage from fire. The report recommends that the structure above the floor will need to be demolished.

Given the findings of the building report, and the recommendations of both the applicant's heritage consultant and Council's Heritage Officer, it is considered that the demolition is acceptable and suitable for the site.

### Submissions

Section 4.15 (1)(d) of the *Environmental Planning and Assessment Act 1979* requires consideration of any submissions received during notification of the proposal.

The proposal was notified, in accordance with CCDCP 2022 Chapter 1.2 Notification of Development Proposals, between 1 March 2024 and 3 April 2024. One submission was received. A summary of the submission is detailed below.

- *We no longer have vehicular access to our cottage ... and the current access route does not allow for the use of mobility aids.*

**Comment:** The security fencing currently around Building 5 prohibits use of the access driveway to Building 9. The only current access to Building 9 is via stairs. Once Building 5 has been demolished the security fencing will be removed which will reinstate use of the driveway for vehicle access to Building 9 and ease of access for community members that require mobility aids.

- *Current fence signage indicates the presence of asbestos. What measures are planned for the safe removal of such materials during the demolition phase? Are we going to be given forewarning of this activity?*

**Comment:** Recommended conditions of approval require that asbestos is removed in accordance with the requirements of the *Work Health and Safety Act 2011*. A further condition shall require that notice is provided to all users of the Wyong Community Centre a minimum of 10 days prior to works commencing on the site.

- *Our facilities include an extensive library and two rooms full of computers. Our members expect to be able to use these facilities in a quiet environment ... Are we to be given a timetable of any demolition works that may be excessively noisy or interrupt our power supply?*
- *We agree that the demolition works and potential rebuilding works need to happen to restore this important cultural and historical site. What we need however, is recognition of our existence and clear, prompt communication of any activities that may adversely affect our group.*

**Comment:** It is recommended that a condition of approval requires that notice is given to all users of the Wyong Community Centre a minimum of 10 days prior to works commencing on the site.



### **Internal Consultation**

Heritage Officer	Supported, subject to conditions.
Tree Assessment Officer	Supported, subject to conditions.
Waste Services	Supported subject to conditions.
Water and Sewer	Supported, without conditions.

### **Ecologically Sustainable Principles:**

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

### **Climate Change**

The potential impacts of climate change on the proposed development have been considered by Council as part of the assessment of the application.

This assessment has included consideration of such matters as potential rise in sea level, potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood, and coastal erosion; as well as how the proposed development may cope, combat, withstand these potential impacts. The existing building will only be further impacted by extreme weather events should it remain standing. Demolition of the development is appropriate in relation to climate change.

### **Planning Agreements**

The proposed development is not subject to a Planning Agreement or Draft Planning Agreement.

### **Other Matters for Consideration**

The subject site (8 Rankens Court, Wyong) is classified as '*Operational Land*' under the provisions of the *Local Government Act 1993*. Section 36 of the *Local Government Act 1993* requires that *Plans of Management* for Council does not apply to '*Operational Land*' as defined within the Act.

As a result, there is no requirement from the *Local Government Act 1993* for the provision of a *Plan of Management* over the land.

***Environmental Planning and Assessment Regulation 2021 (Regs)***

The *Environmental Planning and Assessment Regulation 2021* applies to all development applications regarding items such as application type, compulsory contributions, notification of development applications and a range of other details regarding development application requirements.

Clause 66A requires that council related development applications must not be determined by the consent authority unless:

1. *The council has adopted a conflict-of-interest policy, and*
2. The council considers the policy in determining the application.

Central Coast Council's Council Related Development Applications Conflict of Interest Protocol, Revision 1, was adopted by Council in 2023 in response to Clause 66A of the Regulations.

The Protocol aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development. This application is considered under the Protocol as the awning extends over council owned land.

In accordance with the Protocol:

- Appropriate and correct owners' consent was obtained from Council in relation to the proposed development.
- The application was notified for a period of 28 days from 1 March 2024 to 3 April 2024 with one submission received and given that the works are minor there is no adopted management strategy.
- The relevant provisions of the Regulations have been satisfied and no further consideration is required in this regard.

**The Public Interest:**

Approval of the application is considered to be in the public interest. Building 5 is currently in an unsafe state and it needs to be removed. The proposal will not have any unreasonable adverse impact on the natural environment and will not unreasonably impact the amenity of neighbouring properties.

**Conclusion:**

This application has been assessed under the heads of consideration of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and all relevant instruments and

policies. The potential constraints of the site have been assessed and it is considered that the demolition of Building 5 is appropriate given its damaged state.






Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse social or economic impacts. Conditions of consent include that building materials are salvaged so that they may be reused in the future if Building Five is to be rebuilt.

The application is recommended for approval pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.

### **Reasons for Decision**

1. The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.
2. There are no significant issues or impacts identified with the proposal under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.
3. The proposal satisfies the provisions of Chapter 2 and Chapter 4 of *SEPP (Resilience and Hazards) 2021*.
4. The proposal is satisfactory with regard to Clause 2.7, 5.10, 7.1 and 7.6 of the *Central Coast Local Environmental Plan 2022*.

### **Attachments**

<a href="#"> 1</a>	Draft Notice Of Determination - DA/31/2024 - 8 Rankens Court, Wyong	D16153285
<a href="#"> 2</a>	PUBLIC - Demolition Plan - 8 RANKENS COURT WYONG - PAN-400652 - DA/31/2024	D16022983
<a href="#"> 3</a>	Fire Assessment Report - 8 RANKENS COURT WYONG - PAN-400652 - DA/31/2024	D16022985
<a href="#"> 4</a>	PUBLIC - Heritage Report - 8 RANKENS COURT WYONG - PAN-400652 - DA/31/2024	D16022961
<a href="#"> 5</a>	FINAL Heritage Referral Comments - 8 Rankens Court, Wyong - DA/31/2024	D16152994



## NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA/31/2024 PAN-400652
Applicant	Natasha Moring 4, 5 Colony Close, Tuggerah NSW 2259
Description of development	Demolition of existing building
Property	8 RANKENS COURT WYONG 2259 1/-/DP940960 11/-/DP838107 172/-/DP727765
Determination	Approved Consent Authority -
Date of determination	
Date from which the consent operates	

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

### Right of appeal / review of determination

If you are dissatisfied with this determination:

**Request a review**

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

**Rights to appeal**

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Person on behalf of the consent authority

### Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

### General Conditions

1

## Approved Plans and Supporting Documents

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Revision No.	Plan Title	Drawn By	Dated
1	-	Plan of Proposed Demolition	Central Coast Council	Undated

Document Title	Version No.	Prepared by	Dated
Structural Inspection & Report	0	GHD Pty Ltd	06/06/2023
Heritage Advice – Remediation and management options for fire damaged structures at 8 Rankens Court, Wyong		Edwards Heritage Consultants	26/10/2023
Waste Management Plan	0	Robbie Lee Developments	14/06/2023

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

*Note: An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.*

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

### Demolition Work

**Before demolition work commences**

2	<p><b>Hoarding or fence</b></p> <p>Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before any works begin and must be kept in place until after the completion of the works, if the works:</p> <p>(a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic; or</p> <p>(b) could cause damage to adjoining lands by falling objects; or</p> <p>(c) involve the enclosure of a public place or part of a public place.</p> <p><i>Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the Local Government Act 1993 or the Roads Act 1993, respectively.</i></p> <p><i>Note 2: The Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011 contain provisions relating to scaffolds, hoardings and other temporary structures.</i></p> <p><b>Condition reason:</b> To ensure public safety.</p>
3	<p><b>Prior to the demolition</b></p> <p>All works including (where relevant) the handling and disposal of materials containing asbestos, are to be undertaken in accordance with the relevant requirements of Workcover NSW, the <i>Work Health and Safety Act 2011</i> and Australian Standard AS 2601-2001 "The Demolition of Structures".</p> <p>Prior to any demolition all services are to be disconnected and capped off. Sewer and water services must be disconnected to prevent ingress of water and debris into the sewerage system by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.</p> <p><b>Condition reason:</b> To ensure demolition is undertaken in accordance with relevant standards and requirements.</p>
4	<p><b>Applicant responsibility</b></p> <p>Ensure that all parties / trades working on the site are fully aware of their responsibilities with respect to tree protection conditions.</p> <p><b>Condition reason:</b> To facilitate orderly development.</p>
5	<p><b>Trunk armour</b></p>



	<p>Install trunk armour around the trunks of trees to protect them from damage during construction. Trunk armour can consist of palings at least 1.5m high and spaced a minimum 100mm apart around each trunk. The palings are to be secured by wire around the outside of the palings (not nailed) in a way which does not harm the trees.</p> <p><b>Condition reason:</b> To protect trees during demolition.</p>
6	<p><b>Waste management</b></p> <p>A site plan shall be submitted to Council showing bin location and HRV access to the site.</p> <p><b>Condition reason:</b> To facilitate orderly development.</p>
7	<p><b>Heritage archive</b></p> <p>Prior to any demolition work, Building Five must be archivally recorded and documented. As demolition work proceeds, and the building is made safe, measurement and photographic recording of the interior must be undertaken. Scaled drawings must be included in the archival recording as best as possible as safety allows.</p> <p><b>Condition reason:</b> To ensure an archival recording of the building.</p>

#### During demolition work

8	<p><b>All conditions under this section to be met</b></p> <p>All conditions under this section must be met during works.</p> <p><b>Condition reason:</b> Compliance with requirements is necessary during any construction works.</p>
9	<p><b>Approved Plans to be On-Site:</b></p> <p>A copy of the approved and certified plans, specifications and documents incorporating the conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of Council or the Principal Certifier.</p> <p><b>Condition reason:</b> To ensure compliance with tree protection commitments.</p>
10	<p><b>Asbestos removal work</b></p> <p>Undertake any demolition involving asbestos in accordance with the <i>Work Health and Safety Act 2011</i>. While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:</p> <p>(a) only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling, and disposal of any asbestos material;</p> <p>(b) asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and</p>

	<p>(c) any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m<sup>2</sup> or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.</p> <p>The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the <i>Work Health and Safety Regulation 2011</i>.</p> <p><b>Condition reason:</b> To ensure that the removal of asbestos is undertaken safely and professionally.</p>
11	<p><b>Construction works times</b></p> <p>The Principal Certifier must ensure that construction work, building work, demolition or vegetation removal is only carried out between:</p> <p>7.00 am and 5.00 pm on Monday to Saturday</p> <p>The Principal Certifier must ensure construction work, building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.</p> <p>Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.</p> <p><i>Note: Any variation to the hours of work requires Council's approval.</i></p> <p><b>Condition reason:</b> To protect the amenity of the local area.</p>
12	<p><b>Demolition</b></p> <p>To protect the surrounding environment, all demolition work must be carried out in accordance with Australian Standard AS2601-2001 Demolition of structures and the following requirements:</p> <p>(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;</p> <p>(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; and</p> <p>(c) on construction sites where any building contains asbestos material, before any demolition work commences a standard commercially manufactured sign containing the words 'DANGER Asbestos Removal In Progress' and measuring not less than 400mm x 300mm must be displayed at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.</p>

	<b>Condition reason:</b> To ensure demolition is undertaken in accordance with relevant standards and requirements, and the removal of asbestos is undertaken safely and professionally.
13	<b>Implementation of erosion and sediment controls</b>  All erosion and sediment control measures and devices are to be implemented and maintained for the duration of any construction works in accordance with the approved plans and the requirements of Managing Urban Stormwater: Soils and Construction, 4th Edition, Landcom, 2004 ("The Blue Book"), until such time as all ground disturbance by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.  <b>Condition reason:</b> To minimise impacts on the water quality of the downstream environment.
14	<b>Storage of building material work within road reserve</b>  Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure.  No construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the <i>Roads Act 1993</i> .  <b>Condition reason:</b> To protect the public and the surrounding environment.
15	<b>Uncovering relics or Aboriginal objects</b>  While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.  <i>Note: In this condition:</i>  <i>"relic" means any deposit, artefact, object or material evidence that:</i> a) <i>relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and</i> b) <i>is of State or local heritage significance; and</i>  <i>"Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South</i>

	<p><i>Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. To ensure the protection of objects of potential significance.</i></p> <p><b>Condition reason:</b> To protect and manage heritage objects and relics</p>
16	<p><b>Restrictions within the tree protection zone</b></p> <p>Activities generally excluded from the Tree Protection Zone, but not limited to:</p> <ul style="list-style-type: none"> <li>Machine excavation, trenching, material storage, prepare chemicals or cement, park, refuel, dump waste, wash down, fill or change soil level.</li> </ul> <p><b>Condition reason:</b> To protect adjoining trees.</p>
17	<p><b>Heritage Officer</b></p> <p>The demolition shall be undertaken in consultation with Council's Heritage Officer.</p> <p><b>Condition reason:</b> To facilitate orderly development.</p>
18	<p><b>Salvageable material</b></p> <p>Any salvageable material must be retained as part of the archival recording process and to inform the possible reconstruction of the building.</p> <p><b>Condition reason:</b> To protect heritage values of the building.</p>
19	<p><b>Waste management</b></p> <p>Re-use, recycle or dispose of all building materials in accordance with the Waste Management Plan submitted with the application.</p> <p><b>Condition reason:</b> To facilitate orderly development.</p>

#### On completion of demolition work

20	<p><b>Clearance certificate</b></p> <p>Submit to Council a Clearance Certificate issued by a suitably qualified independent Occupational Hygienist or Licensed Asbestos Assessor certifying that the site has been made free of asbestos material following completion of demolition works.</p> <p><b>Condition reason:</b> To facilitate orderly development.</p>
----	--

#### General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

DRAFT

## Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means CENTRAL COAST COUNCIL.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Local planning panel** means Central Coast Local Planning Panel

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Sydney district or regional planning panel** means Hunter and Central Coast Regional Planning Panel.



**PLAN OF PROPOSED DEMOLITION:**



**NOTES:**

- Existing building five to be demolished and materials salvaged/disposed of as per Waste Management Plan (**Appendix E**)
- Install erosion and sediment control fencing/temporary construction security fencing as indicated
- Provide temporary waste/skip bins as required
- All works to be carried out in accordance with applicable Council requirements, relevant Australian Standards and specialist Heritage Advice recommendations (**Appendix C**)
- Install tree protection measures where required

Prepared by: Central Coast Council



# Fire Damaged Buildings 5 and 6 - Wyong Old School

## Structural Inspection and Report

Central Coast Council (NSW)

06 June 2023

→ The Power of Commitment


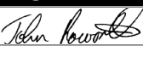


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<b>Project name</b>		Structural assessment Fire damaged buildings Wyong					
<b>Document title</b>		Fire Damaged Buildings 5 and 6 - Wyong Old School   Structural Inspection and Report					
<b>Project number</b>		12611860					
<b>File name</b>		12611860-REP_Wyong old school buildings - fire damage.docx					
<b>Status Code</b>	<b>Revision</b>	<b>Author</b>	<b>Reviewer</b>		<b>Approved for issue</b>		
			<b>Name</b>	<b>Signature</b>	<b>Name</b>	<b>Signature</b>	<b>Date</b>
S4	0	D Sparkes	M Fraser		J Roworth		06/06/23

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## 1. Introduction

GHD was commissioned by Central Coast Council (CCC) to undertake a visual only structural inspection of fire damaged buildings at the Old School Wyong site. The buildings form part of the community centre and the fire damaged buildings are Building 5 and Building 6 as shown in the Figure and Figure below.



Figure 1.1 Site plan



Figure 1.2 Building 5 and 6 before the fire

## 1.1 Purpose of this report

The purpose of this assessment and report is as follows:

- Carry out site a visual only structural inspection including sub floor area (if access is viable).
- Assess the extent of fire damage to the buildings from the event.
- Provide an assessment of the structural integrity of the remaining structural framing (i.e. not fire damaged).

## 1.2 Scope and limitations

This report has been prepared by GHD for Central Coast Council (NSW) and may only be used and relied on by Central Coast Council (NSW) for the purpose agreed between GHD and Central Coast Council (NSW) as set out in Section 1.1 of this report.

GHD otherwise disclaims responsibility to any person other than Central Coast Council (NSW) arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on information obtained from, and testing undertaken at or in connection with, specific sample points. Site conditions at other parts of the site may be different from the site conditions found at the specific sample points. Investigations undertaken in respect of this report are constrained by the particular site conditions, such as the location of infrastructure, services and vegetation. As a result, not all relevant site features and conditions may have been identified in this report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report. GHD disclaims liability arising from any of the assumptions being incorrect.

## 2. Observations

GHD carried out a visual inspection of the fire damaged buildings on 4 May 2023. The inspection was carried out by GHD's Technical Director – Structures, David Sparkes, and consisted of a visual only inspection to the building exterior, interior and sub floor area.

The inspection was limited to the areas that were deemed to be safe to access. The interior of Building 5 and 6 was inspected by viewing through the windows from the veranda. The internal area was deemed to be dangerous to enter due to the condition of the roof and floor framing.

At the time of our inspections, both buildings were cordoned off.

During GHD's site inspection we observed the damage as shown in the following photographs.



## Building 5



End wall shown bowing outwards.



Underside of floor. Bearers and joists unaffected. Floor boards blackened.



Internal view at east end showing roof and wall framing severely burnt.



Internal view looking south.



Internal view on west end wall.



External veranda.



View of interior. Extensive damage throughout.



Verandah roof beams.



## Building 6



Verandah roof beams.



Fire damage to east end wall.



Extensive damage to east wall.



Fire damage to floor at east end.





South wall at east end.



Underside of floor blackened.



West end of building appears to be unaffected. Some smoke marks present.



Floor at east end severely damaged.



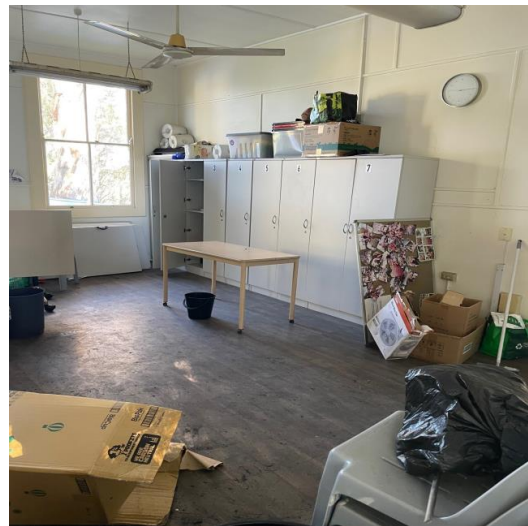
Ceiling at east end



Ceiling at west end



Inside view of east wall



Inside view of west wall

### 3. Conclusion

We understand the fire began between the two buildings.

#### **Building 5**

The fire has spread throughout the whole of Building 5, severe damage is predominately contained to within the wall and roof structure.

The floor structure, while blackened in parts, did not have extensive damage. Note however that the inspection was only from the external boundaries of the building. Safe access below the floor structure was not possible.

The whole of Building 5 structure above the floor has been severely damaged. This building will need to be demolished to floor level. After the demolition works have been complete a structural assessment of the floor framing would be required.

#### **Building 6**

The fire spread to Building 6 was predominately to the east wall and approximately 30% of the building and the roof cavity to the east of end wall has been damaged. Fire/smoke appears to have spread throughout the roof cavity; however, the ceiling has remained in place. Further investigation of this area would be required.

The building is of simple timber framing where the end walls provide lateral bracing to the structure. As the east wall of Building 6 has been severely damaged, the stability of the structure has been compromised. If any part of that building is to be salvaged, temporary bracing of the structure would be required before demolition takes place.

### 3.1 Condition summary

A summary of the damage is as follows:

#### **Building 5**

- Building 5 has suffered extensive damage from the fire.
- The roof and wall framing are severely damaged which includes the main bracing elements to the structure.
- The floor system does not appear to have been significantly affected but requires further inspection when the building is safe.
- It is likely that this building will need to be demolished to floor level.
- The floor may be able to be salvaged to allow rebuild of walls and roof, subject to further inspection.

A visual summary of damage is shown in Figure 3.1 below.

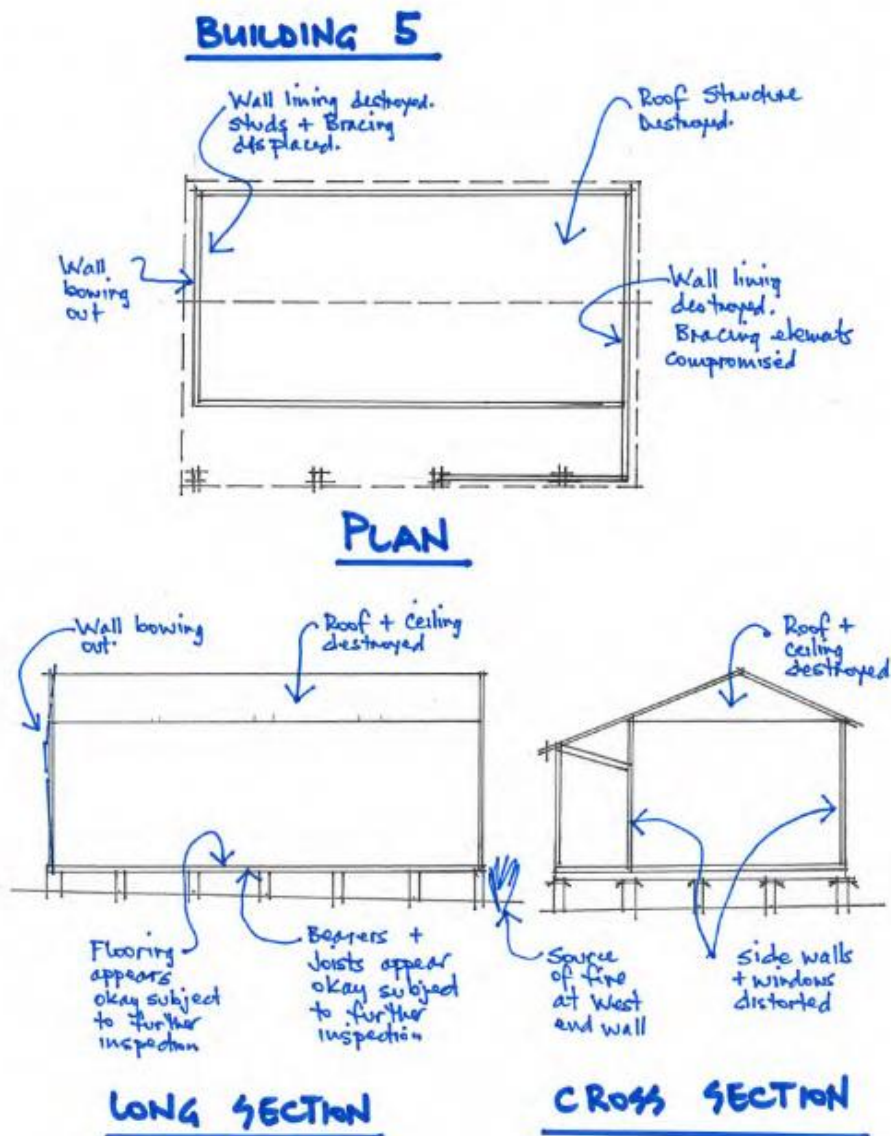


Figure 3.1 Building 5 damage



**Building 6**

- Building 6 has suffered damage to the east end from the fire.
- The east wall and roof framing are severely damaged for approximately 30% of the length of the building.
- The timber decking to the veranda is damaged, extending from the east wall to the entry door.
- Flooring framing bearers and joists and flooring at the east end is also affected and will need replacing.
- Extent of damage indicates at least 30% of the building structure will need to be rebuilt.

A visual summary of damage is shown in Figure 3.2 below.

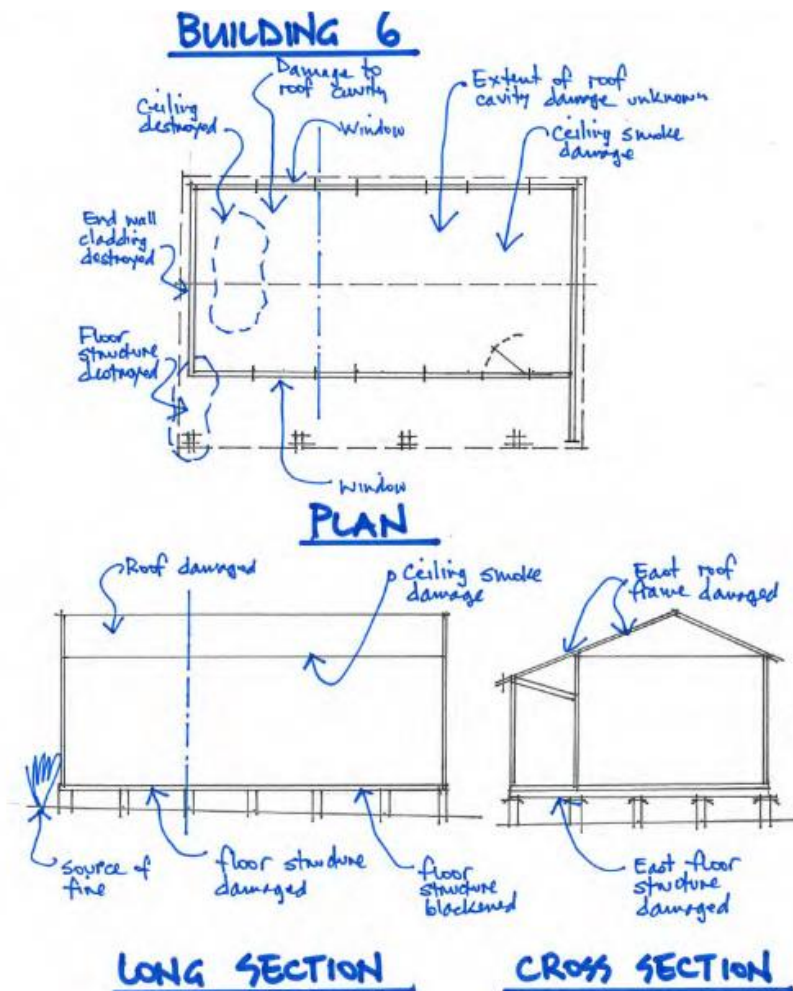


Figure 3.2 Building 6 damage

## 3.2 Recommendations

### Building 5

The structure above the floor of Building 5 will need to be demolished. There was minimal structure unaffected by the fire. The floor system may be able to be salvaged. A reinspection to the sub floor area will be required once the building is made safe.

A visual summary of the recommendations is shown below in Figure 3.3.

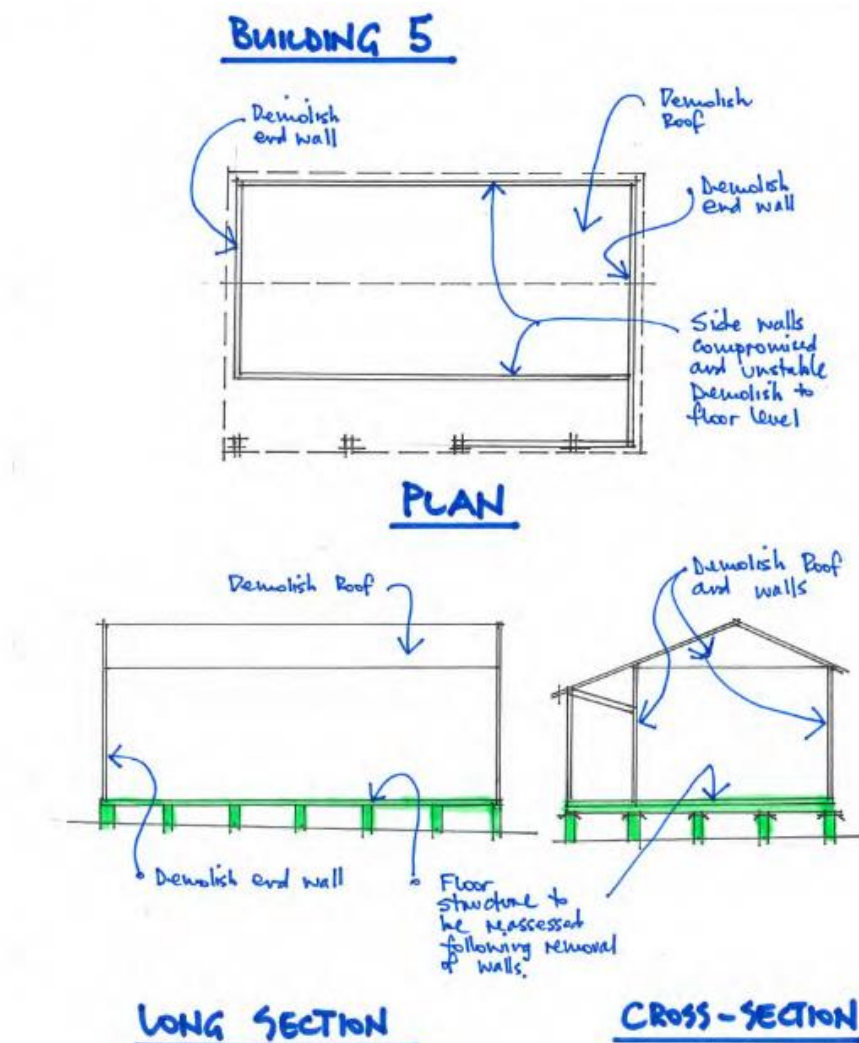


Figure 3.3 Building 5 recommendations

**Building 6**

The east end of Building 6 will need up to 30% to be demolished. The veranda structure will need the floorboards removed the replacement of charred timber elements.

The remaining structure may be salvageable but will need reinspection once the building is made safe.

Note that the east wall forms part of the main bracing to the building. Temporary bracing to the north and south wall will be required prior to removing the east wall.

A visual summary of the recommendations is shown below in Figure 3.4.

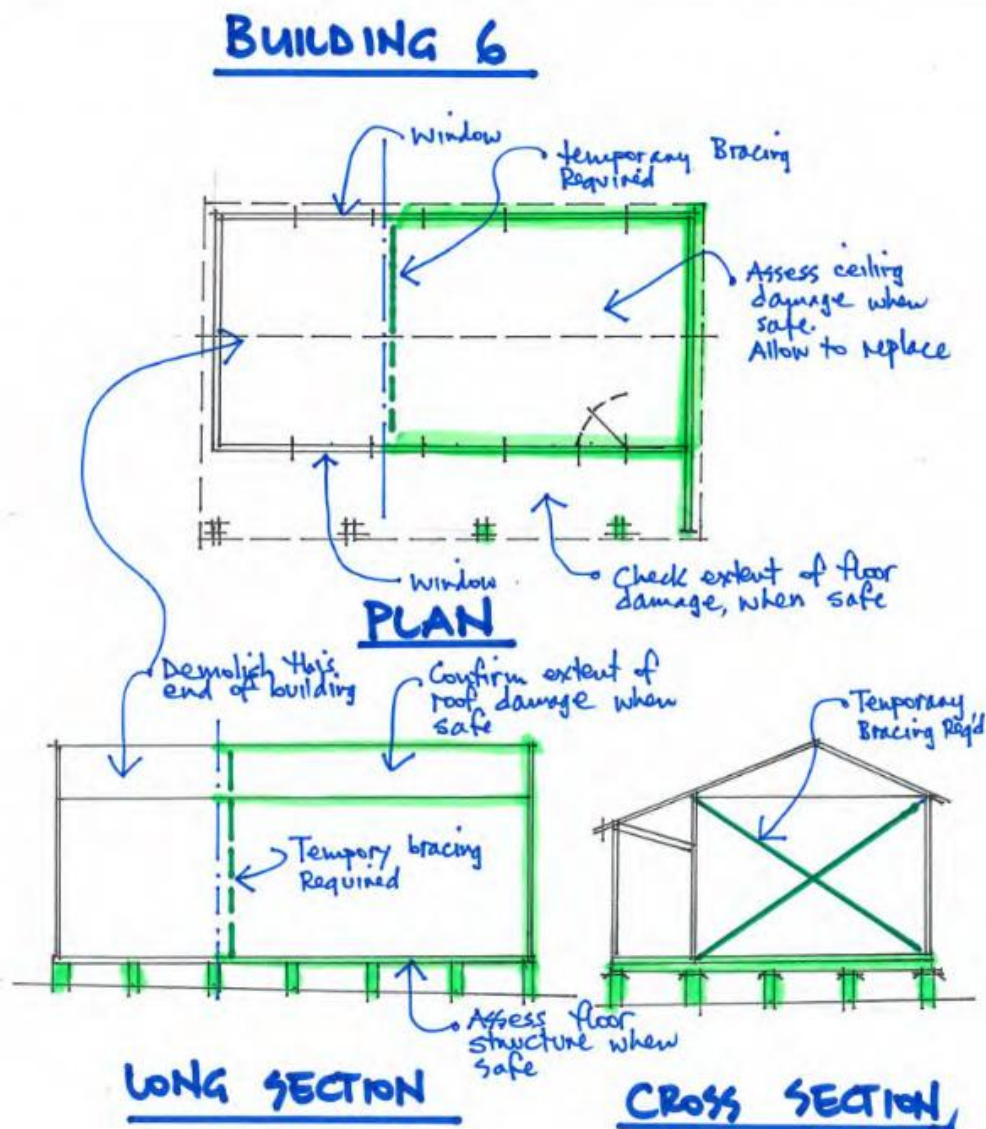


Figure 3.4 Building 6 recommendations





Central Coast Council  
c/o Graham Thomas  
Section Manager  
Asset Management and Maintenance

By email: [Graham.Thomas@centralcoast.nsw.gov.au](mailto:Graham.Thomas@centralcoast.nsw.gov.au)

Our reference: EHC2023/0197

26 October 2023

Dear Mr Thomas,

Heritage Advice – Remediation and management options for fire damaged structures at 8 Rankens Court, Wyong (Former Wyong Public School).

---

Edwards Heritage Consultants Pty Ltd (EHC) has been engaged by Central Coast Council to provide specialist heritage advice on the remediation and management options of fire damaged structures at 8 Rankens Court, Wyong (former Wyong Public School).

The site is identified as an item of local heritage significance and is owned by Central Coast Council. We understand that in May 2023, a building fire occurred at the site, causing substantial damage to buildings. Central Coast Council subsequently commissioned a structural assessment of the fire-damaged buildings and specialist advice is sought regarding suitable options and recommended actions regarding the ongoing management of the site.

A visual examination of the fire damaged buildings and site was undertaken on 30 August 2023, where we were able to observe the inherent site conditions and the present condition of the buildings to enable diagnosis of the issues and inform our advice.

We set out our advice as follows.

1. The site
  - 1.1 The site is known as Lot 1 in Deposited Plan 940960, Lot 11 in Deposited Plan 838107 and Lot 172 in Deposited Plan 727765 and is commonly known as 8 Rankens Court, Wyong ('the site'). The site is also more commonly referred to as the former Wyong Public School.
  - 1.2 Situated on the site is a complex of former school buildings, including the main building located at the centre of the site, which is a single storey masonry school building with a weatherboard clad addition. Around the perimeter of the building are numerous detached classroom buildings, typically of timber frame construction with external weatherboard cladding. The buildings vary in their construction date, ranging from the late 19<sup>th</sup> century to the early 21<sup>st</sup> century.

Heritage Advice – Former Wyong Public School

EHC2023/0197

- 1.3 This heritage advice relates specifically to the buildings identified as 'Building 5' and 'Building 6' which are located towards the west of the site and sit adjacent to one another. Both Building 5 and 6 have simple rectangular footprints and a steeply pitched gable roof, which is clad in corrugated sheet metal. The buildings are considered to have a form, language, detailing and materiality typical of the early 20<sup>th</sup> century school building class and style.
- 1.4 The site is no longer operational as a public school and instead is utilised as a community hub, with various community groups leasing and occupying the various buildings for storage and a meeting space.
- 1.5 The landscape setting is largely dominated by the remnant bushland with numerous Eucalyptus trees sporadically dispersed around the site. There is a hardstand parking area towards the southern boundary and is accessible from Ranken Court. Towards the north of the site is a formal terraced landscape which includes the community War Memorial and steps that lead to the Wyong neighbourhood shopping precinct.

## 2. Heritage listing

- 2.1 The site is identified as an item of local heritage significance, listed as 'Former Wyong Public School' (Item No.1394) on Schedule 5 of the *Central Coast Local Environmental Plan 2022*.
- 2.2 The site is also situated within the Wyong Town Centre Heritage Conservation Area, listed as Conservation Area C3 on Schedule 5 of the *Central Coast Local Environmental Plan 2022*.
- 2.3 The significance of the site is embodied in its historical and architectural values, together with the importance of the building in its contribution to the established Wyong Town Centre.
- 2.4 The Statement of Significance for 'Former Wyong Public School' (Item No.1394), inclusive of the subject buildings, is reproduced from the citation on the NSW State Heritage Inventory (SHI) Database as follows:

*'Historically and aesthetically significant. 1889 school is the earliest surviving building in the town centre. An intact representative example of 19th Century Public Works Department design with social significance for its community links.'*

## 3. Limitations

- 3.1 This advice:
- i) Considers the cultural significance of the building and fabric, providing advice on the implications of the existing heritage listing and recommendations on future management of the site.
  - ii) Is informed by the existing heritage listing of the site, together with the present condition and integrity of the buildings and the structural report (Fire Damaged Buildings 5 and 6 – Wyong Old School, GHD, June 2023).  
Does not constitute a structural assessment of the building.
  - iii) Is limited to the areas that were accessible and visible to EHC at the time of inspection.
  - iv) Is based upon a non-invasive visual examination of the building and has not involved the removal of fabric, finishes or furnishings, (i.e.: fixed floor coverings, surface finishes to reveal the condition of fabric beneath, furniture and other fixtures).

## 4. Observations

- 4.1 The site was inspected by Bethany Robinson, Senior Heritage Consultant for EHC on 30 August 2023.
- 4.2 All contemporary photography used in this report was captured during the site inspection and we report our observations made during the site inspection as follows.
- 4.3 EHC was requested to attend the site to provide specialist heritage advice on the future management of Buildings 5 and 6 at the former Wyong Public School. We understand that Buildings 5 and 6 were severely



impacted by a building fire that occurred at the site in May 2023. The fire resulted in substantial damage to both buildings.

- 4.4 Safe internal access to the buildings was limited owing to the poor structural instability and damage. As such, the interior of both buildings was not closely inspected. The extent of fire damage was evident from the exterior of both buildings.
- 4.5 It would appear that the fire began in Building 5 which then spread to Building 6. Building 5 evidences more substantial damage than Building 6. Whilst the buildings both have retained their general footprint and exterior fabric, the fabric of the interiors have been substantially destroyed, with the majority of plaster linings, timber linings and structural framing timbers having been extensively damaged by the fire.
- 4.6 The buildings generally retain a moderate degree of design integrity in their overall external form and silhouette, though there is evidence both buildings having been previously modified.
- 4.7 The GHD Structural Report concludes that the extent of damage to Building 5 cannot be safely nor appropriately repaired to conform to current building code and standards, whereby recommending wholesale demolition and potential reconstruction. For Building 6, the GHD Structural Report recommends that approximately 30% of the structure and its fabric will need to be demolished and reconstructed.
- 4.8 The extent of material damage to Building 5 has meant that there is minimal opportunity for retention and remediation, as much of the structural elements of the building have been impacted. The report does conclude that there may be opportunity for retention of the subfloor structure, however this would not be able to be confirmed until the building has been made structurally sound again.
- 4.9 The report concludes that the reconstruction of Building 6 will involve replacement of approximately 30% of the existing building fabric as well as the need to replace the verandah timbers and other charred timber elements that are beyond repair. The actual extent of fabric that requires replacement may be reduced or increased, dependent upon integrity and condition as assessed during any rectification works.
- 4.10 The GHD Structural Report identifies limitations to the existing analysis and recommends further investigative works both prior and during works. It is therefore recommended these further investigations are carried out by a suitably qualified structural engineer with demonstrated experience in dealing with heritage sites and will provide a consideration of potential remediation works for both buildings where feasible.

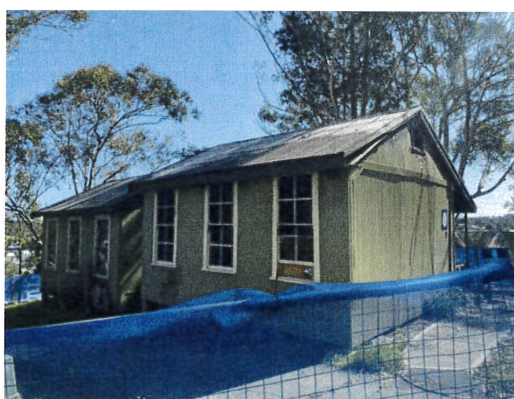


Figure 1: View of Building 5 and 6 facing northwest.

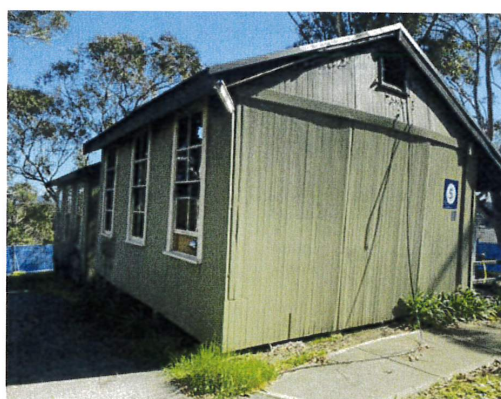


Figure 2: View of Building 5, note the bowing in the external wall.





Figure 3: View of the interior of Building 5.



Figure 4: View of fire damage to Building 6.



Figure 5: View of the space between Building 5 (left) and 6 (right).



Figure 6: View of western wall of Building 5.



Figure 7: View of the northern and eastern wall of Building 5.



Figure 8: View of the northern and eastern wall of Building 6.

## 5. Recommendations

- 5.1 We set out our recommendations for future management of the site as follows. The recommendations are set out generally in order of priority and process.
- 5.2 At the outset, as a listed item of local heritage significance, the provisions of clause 5.10 of the *Central Coast Local Environmental Plan 2022* apply. Clause 5.10(2) of the LEP establishes that development consent is required for any works to a heritage item or within a conservation area which involve 'making changes to its detail, fabric, finish or appearance' (clause 5.10(2)(a)) and any works involving structural changes or changes to specifically nominated interior fabric (clause 5.10(2)(b)).
- 5.3 Clause 5.10(3) of the LEP however, provides for a 'heritage exemption', where Council has the ability to exempt certain works from the need for development consent. The threshold test for a 'heritage exemption' issued under clause 5.10(3) is that development must be of a minor nature or involve the maintenance of the heritage item (clause 5.10(3)(a)(i)), and that such works must not adversely affect the heritage significance of the heritage item (clause 5.10(3)(a)(ii)).
- 5.4 The intention and application of clause 5.10(3) is to permit minor maintenance works and restorative works, typically limited to more superficial and cosmetic works rather than extensive restorative works. It is evident from the site inspection that that Building 5 exhibits the more extensive damage to fabric, with the GHD Structural Report recommending wholesale demolition and reconstruction. It is evident from the extent of damage to fabric that remedial repairs would far exceed the 'minor' threshold envisaged by clause 5.10(3), in which case, development consent by way of a Development Application would be required for remediation and restorative works.
- 5.5 Based upon the extensive damages to Building 5, retention and remediation does not appear feasible as the extent of damage requires aggressive intervention of remaining fabric to remove and replace structurally failed fabric including external cladding and internal linings.
- 5.6 In our opinion, the extent of damage to Building 5 has irreversibly compromised its significance and the percentage of required fabric replacement to the building would further diminish and obscure any remaining integrity and authenticity of fabric, effectively constituting a near entirely new building. We consider the loss of design integrity, authenticity of fabric and adverse impact on the significance of the building, to justify demolition.
- 5.7 EHC has been requested to consider whether reconstruction of a 'like-for-like' replacement building is warranted. Article 20 of the Australia ICOMOS *Burra Charter* (2013) advocates that reconstruction is appropriate only where a place is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the fabric. In some cases, reconstruction may also be appropriate as part of a use or practice that retains the cultural significance of the place.
- 5.8 In practice, Article 20 of the *Burra Charter* advocates that reconstruction should be based on documentary and / or physical evidence and not conjecture. It is accepted that there is a reasonable portion of remaining fabric to inform evidence-based reconstruction works. Whilst Building 5 does contribute to the understanding and appreciation of the significance of the site, the extensive damage means that retention in-situ and remediation is not feasible and that wholesale deconstruction and reconstruction would be necessary. This in turn means that the reconstruction would be effectively an entirely new and facsimile structure, comprised of near entirely new fabric, lacking any authenticity and value. We do not consider the significance of the building to warrant the faithful wholesale reconstruction.
- 5.9 Rather than reconstruction of Building 5, we recommend undertaking an archival recording of the building prior to demolition and considering interpreting the building footprint through some form of suitable delineation treatment to the ground (i.e.: tactile pavements).
- 5.10 Building 5 exhibits less extensive damage to the structure and while the GHD Structural Report opinions that the damage was concentrated to the eastern wall and that 30% of the building and roof cavity has been

Heritage Advice – Former Wyong Public School

EHC2023/0197

damaged. Fire and smoke appear to have spread throughout the roof cavity despite the ceiling remaining intact. Further investigations are recommended, however, it appears remedial works could be undertaken without requiring wholesale demolition and reconstruction.

5.11 In terms of the ongoing management of the site, we set out our recommendations as follows:

- i) It is recommended that a thorough Heritage Significance Assessment or Conservation Management Plan be commissioned for the site. Presently, there is limited information to inform decisions regarding the significance of the fabric and evolution of the site, creating challenges for informed decision making regarding management of the site.
- ii) Consider commissioning a Heritage Interpretation Strategy to establish a framework for the interpretation of the site. Successful heritage interpretation could involve such actions as delineating the silhouette and footprint of the building as an alternative to a facsimile reconstruction.
- iii) Prior to any works being undertaken on the site, the buildings should be archivally recorded and documented. Any work that is to be carried out, whether it is a reconstruction or rebuild will require accurate archival records to drawn upon. Additionally, if the removal of Building 5 is approved, a detailed Photographic Archival Recording would ensure any future interpretation of the site would be carried out appropriately and be based on sound historical record.

We trust this advice assists in presenting Central Coast Council with options regarding the ongoing management of Buildings 5 and 6.

Please do not hesitate to contact the undersigned should you have any further questions in relation to this matter.

Yours faithfully,

EDWARDS HERITAGE CONSULTANTS PTY LTD  
per

Bethany Robinson B.A., M.Mus&Herit  
Senior Heritage Consultant

**DA/31/2024 PROPOSED DEMOLITION OF BUILDINGS 5  
WYONG OLD SCHOOL  
8 RANKENS COURT WYONG**

**AMENDED HERITAGE IMPACT ASSESSMENT. M T WASSON. ARCHITECT. NSW ARB 6911  
11 APRIL 2024.**

The application proposes the demolition of building 5 within the Wyong Old School site because of damage resulting from a fire in May 2023.

Building 5 is part of the Former Wyong Public School which is listed as an item of environmental heritage in schedule 5 of the Central Coast Local Environmental Plan 2022 (LEP) being item 1394. It is significant because:

*"Historically and aesthetically significant. 1889 school is the earliest surviving building in the town centre. An intact representative example of 19th Century Public Works Department design with social significance for its community links."*

**HERITAGE ASSESSMENT**

This application has been assessed in accordance with 'Guidelines for preparing statements of heritage impact' published by the NSW Department of Planning and Environment, 2023.

It lists the following matters for consideration involving Demolition of a heritage item.

- **If demolition is proposed, why is it necessary?**

The application is accompanied by an inspection report prepared by GHD Engineers dated 06/06/23.

The condition report and recommendations for building 5 is attached below:

**Building 5. Condition Report**

*The has spread throughout the whole of Building 5, severe damage is predominately contained to within the wall and roof structure.*

*The floor structure, while blackened in parts, did not have extensive damage. Note however that the inspection was only from the external boundaries of the building. Safe access below the floor structure was not possible.*

*The whole of Building 5 structure above the floor has been severely damaged. This building will need to be demolished to floor level. After the demolition works have been complete a structural assessment of the floor framing would be required.*

**Building 5 Recommendations**

*The structure above the floor of Building 5 will need to be demolished. There was minimal structure unaffected by the fire. The floor system may be able to be salvaged. A reinspection to the sub floor area will be required once the building is made safe.*

- **Have options for retention and adaptive re-use been explored? If yes, set out why these options have been discarded?**

**Building 5.**

It is considered the extent of damage sustained by building 5 indicate that the structure is so badly damaged that retention is not feasible.

It would be possible to rebuild the entire building based on photographic references and knowledge of materials retrieved during demolition. The Burra Charter does consider reconstruction may be appropriate if there is sufficient evidence to inform the reconstruction work.

It is acknowledged that the replacement building would be a completely new reproduction and would have lost its original fabric, however it is part of the entire group of school buildings and has significance as both an individual item and for its contribution to the group.

- **Has technical advice for demolition been obtained?**

The application is accompanied by an inspection report prepared by GHD Engineers dated 06/06/23 and a report on Remediation and management options for fire damaged structures at 8 Rankens Court Wyong by Edwards Heritage Consultants dated 26 October 2023.

- **Identify and include advice about how significant elements, if removed by the proposal, will be salvaged and reused.**

A full assessment of salvageable material has not been undertaken. It may be possible to salvage some material from building 5 such as some exterior cladding and timber window frames.

**CONCLUSION**

The demolition of building 5 is supported subject to the following conditions:

1. The demolition process must be done in consultation with council's heritage officer.

The engineer's report indicated the building could be demolished to floor level.

Despite this, it is considered complete demolition of the building including the floor structure is preferable to ensure the site is completely safe.

2. Prior to any demolition work, the buildings must be archivally recorded and documented.

It is understood that the building is in structurally unsound but it is considered detailed measurements of the exterior including all window and door openings and details may be feasible.

As demolition work proceeds, and the building is made safe, measurement and photographic recording of the interior must be undertaken. Scaled drawings must be included in the archival recording as best as possible as safety allows.

3. Any salvageable material must be retained as part of the archival recording process and to inform the possible reconstruction of the building. Any proposal for reconstruction would be subject to a future development application.

**Item No:** 5.1

**Title:** DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney

**Central Coast**  
Local Planning Panel

**Department:** Environment and Planning

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16 May 2024 Local Planning Panel Meeting

Reference: DA/982/2023 - D16137762

Author: Alexandra Hafner, Development Planner Consultant

Manager: Emily Goodworth, Section Manager Employment and Urban Release

Executive: Luke Sulkowski, Director Environment and Planning (Acting)

### Recommendation

- 1 That the Local Planning Panel grant consent to DA/982/2023 for various demolition, remediation and repair works including the replacement of a retaining wall be APPROVED subject to the attached conditions having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.**
- 2 That the Local Planning Panel note the proposed draft conditions and staff refer the draft conditions to the applicant for their approval in accordance with Section 4.33(1) of the EP&A Act.**

### Summary

The subject application seeks consent for the various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney (Lot 10 DP 1157280), 60 Pacific Highway, Mooney Mooney (Lot 21 DP 836628), Peat Island Road, Mooney Mooney (Lot 7 DP 1180499) and Pacific Highway, Mooney Mooney (Lot 14 DP 1158746). The application has been examined having regard to the matters for consideration detailed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements with the issues requiring attention and consideration being addressed in this report.

The application is referred to the Central Coast Local Planning Panel for determination as the proposed demolition to identified heritage items constitute sensitive development in accordance with the *Local Planning Panels Direction – Development Applications and Applications to Modify Development Consents*, issued by the Minister for Planning and Public Spaces and dated 6 March 2024.

The application is recommended for approval, subject to conditions.



**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

<b>Applicant</b>	Mr C Farrugia
<b>Owner</b>	Property NSW
<b>Application No</b>	DA/982/2023
<b>Description of Land</b>	Peat Island, Mooney Mooney (Lot 10 DP 1157280) 60 Pacific Highway, Mooney Mooney (Lot 21 DP 836628) Peat Island Road, Mooney Mooney (Lot 7 DP 1180499) and Pacific Highway, Mooney Mooney (Lot 14 DP 1158746)
<b>Proposed Development</b>	Various demolition, remediation and repair works including the replacement of a retaining wall
<b>Site Area</b>	5.446 hectares (approximately)
<b>Zoning</b>	SP2 Hospital
<b>Employment Generation</b>	No
<b>Estimated Value</b>	\$210,000.00 (excluding GST)

**Key Issues**

1. Land use zoning and permissibility
2. Heritage conservation
3. Demolition of nominated heritage items

**Precis**

<b>Proposed Development</b>	Various demolition, remediation and repair works including the replacement of a retaining wall
<b>Permissibility and Zoning</b>	SP2 Hospital pursuant to the Central Coast Local Environmental Plan 2022.
<b>Current use</b>	Former Peat Island Centre (access restricted and culturally administered by the Darkinjung Local Aboriginal Land Council).
<b>Integrated Development</b>	Yes
<b>Submissions</b>	One

**Variations to Policies**

<b>Clause</b>	Land Use Table
<b>Standard</b>	Central Coast Local Environmental Plan, 2022
<b>Departure basis</b>	Consent is sought for repair, demolition and maintenance works to the existing buildings and structures, which is not specifically defined. While the subject site is not operational and the proposed works are not specified as being permitted with consent, the development is required

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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	to restore the site to a safe condition. The works are wholly consistent with the zone objectives as it would enable future land uses intended for the zone.
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**The Site and surrounds**

The subject site is identified as Peat Island, Mooney Mooney, containing the following land holdings:

<b>Site Address</b>	<b>Legal Descriptions</b>	<b>Land Area (approx.)</b>
Peat Island, Mooney Mooney	Lot 10 DP1157280	2.340 hectares
60 Pacific Highway, Mooney Mooney	Lot 21 DP836628	2.735 hectares
Peat Island Road, Mooney Mooney	Lot 7 DP1180499	371sqm
Pacific Highway, Mooney Mooney	Lot 14 DP1158746	-

The subject site is known as the former Peat Island Centre at Mooney Mooney. The Site is located approximately 50 kilometres north of the Sydney Central Business District and 30 kilometres south-west of Gosford. The Site is culturally administered by the Darkinjung Local Aboriginal Land Council (DLALC).

The subject site comprises the former Rabbit Island (Peat Island), causeway and land parcels along the northern banks of the Hawkesbury River. The subject site is accessible from both the Pacific Motorway and the Pacific Highway. Peat Island is also accessible via the Hawkesbury River, with a wharf located on the north-western side of the island. Access to the island is currently restricted.



**Figure 1.** Subject sites as outlined in red.

The island comprises approximately 100 metres of reclaimed land at the southern end of the island, approximately 70 metres of reclaimed land to the north and some reclaimed land to the east and west. The reclaimed level land to the south is turfed and used for recreation.

Areas to the east and north has been utilised for parking and access ways. A rocky causeway connects the island to the mainland.

A total of 22 buildings have been constructed within this precinct as part of the former asylum site. The buildings are located along the central ridge of the island and provided residential accommodation to the early occupants. In addition, the precinct contains a number of recreational areas, including a swimming pool and concrete shell shelter. The northern end of the island contains established trees, shrubs, and lawns.



**Figure 2.** Aerial map with subject sites as outlined in red.



**Figure 3.** View from Mooney Mooney, looking southwest.

5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)

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**Figure 4.** View from causeway, looking north.



**Figure 5.** General overview of structures on southern portion of Island, looking south.



**Figure 6.** General overview of structures on northern portion of Island, looking north.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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**The Proposed Development**

The subject application seeks consent for various demolition, remediation and repair works including the replacement of a retaining wall. The applicant has nominated the demolition of four buildings/structures within the overall subject site. The structures have been assessed by Woolacotts Consulting Engineers as being in poor condition and are unsafe for occupation. Hazardous materials have been identified within some structures and there is evidence of mould in the dwellings nominated for demolition.

The structural issues and health risks are extensive for the subject structures and would require extensive remediation works to repair and maintain the structures. Alternatively, remediation works would incur high costs and extensive works that would remove much of the original building fabric. The repair and remediation of the structures is not deemed feasible in this instance, rather demolition is the most suitable process.

Specifically, the following works are proposed:

Bindaree Building (Building 1) Demolition (Figure 22 Item A)

- The building is dated from the mid-twentieth century as an addition to the Peat Island site. It is in poor condition containing substantial amounts of hazardous materials (including asbestos) and having extensive damage from a termite infestation. The Bindaree Building is identified as having moderate heritage significance (as detailed within the Conservation Management Plan (CMP) dated 20 October 2020) and contributions to the collective site value. The restoration of the building is not considered feasible due to the minimal heritage contribution and unsafe state of the building.
- Proposed works include the safe disposal of HAZMAT from the building and immediate surrounds, demolition of the actual structure with consideration to the CMP and HIS and disposal of the waste.



**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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**Figure 7.** View of north-eastern elevation.



**Figure 8.** View of north-eastern elevation.



**Figure 9.** View of northern elevation.



**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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**Figures 10 and 11.** View within bathroom and timber framed windows in typical room.

Former Volunteer Rescue Building (Building 18) Demolition (Figure 22 Item B)

- Proposed demolition of the post 1960s timber extension of the Former Volunteer Rescue Building. The existing building comprises a brick veneer structure dating to 1910, of high heritage significance, and a post-1960s timber extension to the west of the brick structure.
- The timber structure is identified as an intrusive structure that does not contribute to the overall significance of the site within the submitted CMP, prepared by Urbis and dated 20/10/2020. The Heritage & Archaeological Impact Assessment, prepared by Urbis and dated 3/10/2023, recommends that the removal of the timber extension and restoration of original 1910 form will provide a positive heritage outcome.
- Minimal repair and maintenance works will be enacted as required to meet construction standards.
- Proposed works include the safe disposal of HAZMAT from the building and immediate surrounds, demolition of the weatherboard part of the actual structure in accordance with the CMP and HIS and disposal of waste.



**Figures 12 and 13.** View of Former Volunteer Rescue Building and extension looking south- west.



**Figures 14 and 15.** View and details of south-western elevation of the building.



**Figures 16 and 17.** View of the south-eastern and north-eastern elevations, respectively.



**Figures 18 and 19.** Internals of the original building.

#### Music Bowl Restoration (Figure 22 Item C)

- Repair works are proposed to restore the Music Bowl structure. The music bowl dates to the 1950s and is representative of therapeutic activities associated with the former Centre on the island. The bowl is identified by Urbis in the CMP as having 'neutral' heritage significance and its restoration is considered acceptable from a heritage perspective.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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- Proposed works include the safe disposal of HAZMAT and the repair/remediation works in accordance with the CMP and HIS.



**Figures 20 and 21.** View north and north east of the music bowl.

Decommission an electrical switchboard (Figure 22 Item D).

Dwelling at Lot 14 DP 1158746, Pacific Highway Mooney Mooney (Figure 22 Item G)

- A dwelling at 2 Possum Close is proposed to be demolished. The building identified for demolition poses safety and health concerns as the building is in a dilapidated state of disrepair and internal access is currently unavailable due to health and safety risks.
- The building and its two neighbouring were constructed as staff living quarters and provide little significance to contribute to the broader heritage significance of the site (Urbis HIS). The subject dwelling to be demolished is one of three dwellings and the retention of the other two buildings will provide for future understanding of that phase of development.

Dwelling at 60 Pacific Highway Demolition (Figure 22 Item H)

- A dwelling at 60 Pacific Highway is proposed to be demolished. The building identified for demolition poses safety and health concerns as the building is in a dilapidated state of disrepair and internal access is currently unavailable due to health and safety risks.
- There are a number of other dwellings on lot 21 which will allow the continued identification of this phase of development. The demolition of a singular dwelling is not considered a detriment to the overall heritage significance of the larger site (Urbis, 2020).
- These dwellings are categorised as affordable housing. The loss of the one dwelling on the site is not expected to result in any adverse impacts to the availability of affordable housing for the public as the current building has been vacant for a number of years and as such has not contributed to the housing availability of the area.



**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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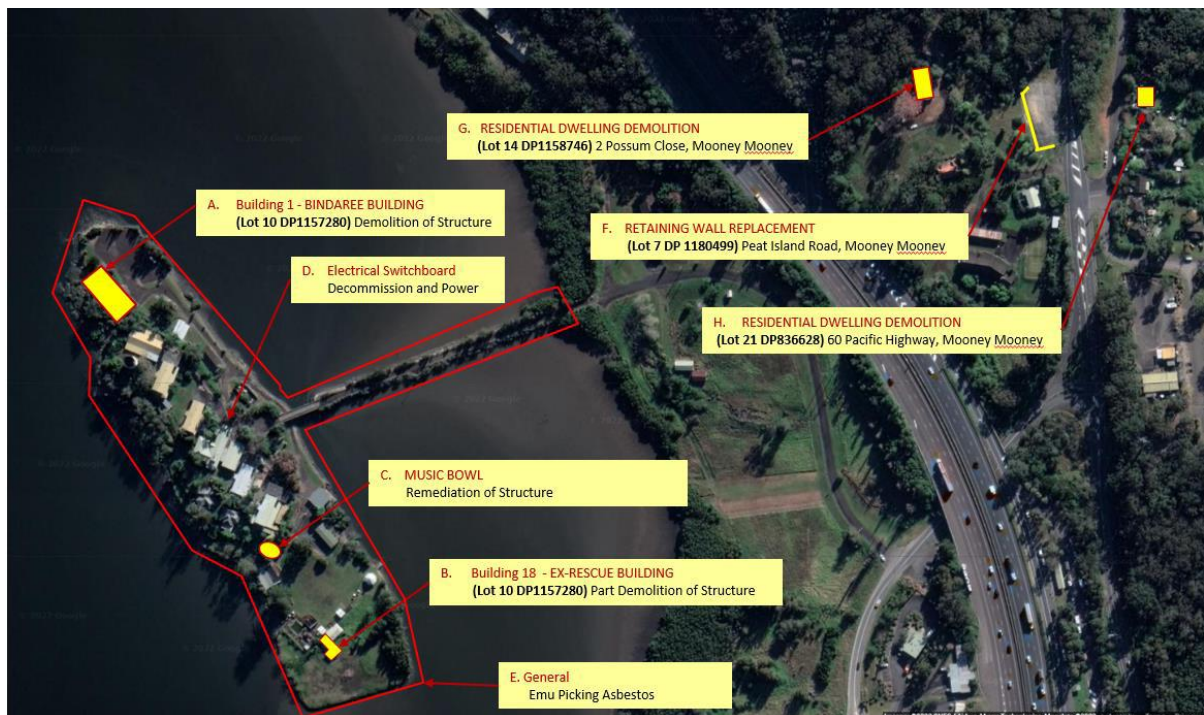
Notwithstanding, the house is uninhabitable due to evidence of black mould and structural instability.

Replace an existing retaining wall at Lot 7 DP 1180499, known as Peat Island Road, Mooney Mooney (Figure 22 Item F).

General works include the following:

- Repair structures in accordance with the CMP relating to all buildings within the Scope of Works.
- Remove debris from the perimeter of the island caused by recent flooding.
- Clear overgrown vegetation and shrubbery around the road network.
- Clear overgrown vegetation and shrubbery from 2m of the building perimeter from all buildings identified within the Statement of Environmental Effects.
- Clear vegetation following demolition works including adjacent buildings.
- Emu pick asbestos throughout the island.

During the demolition and restoration works, no excavation is proposed lower than 1m below NGL.



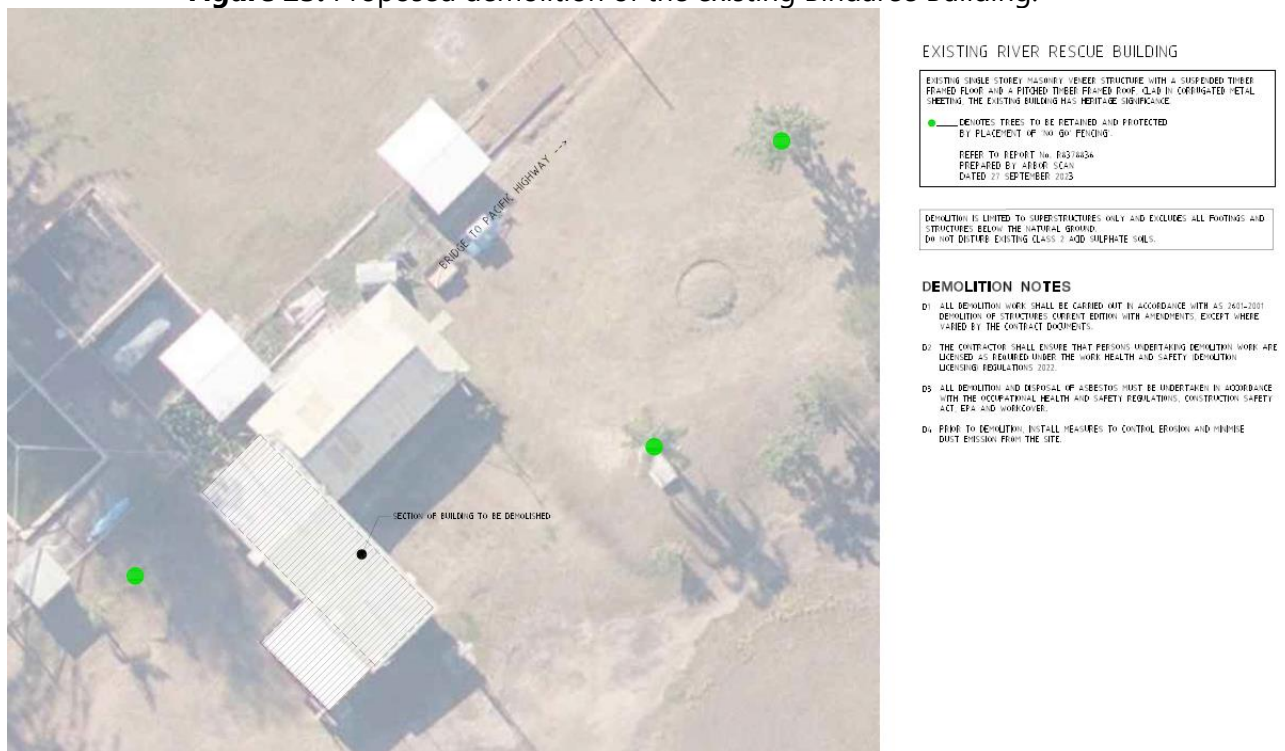
**Figure 22.** Aerial and location of proposed works

The application is accompanied by the following demolition plans:

**DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**



**Figure 23.** Proposed demolition of the existing Bindaree Building.



**Figure 24.** Proposed demolition of the existing River Rescue Building.



**DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**



**Figure 25.** Proposed demolition of dwelling at Lot 14 DP 1158746, Pacific Highway Mooney Mooney.



**Figure 26.** Proposed demolition of dwelling at 60 Pacific Highway, Mooney Mooney.

The application is accompanied by the accompanying technical reports attached to this Report and were subject to review:

- Demolition Plans, prepared by Woolacotts Consulting Engineers, Revision B and dated 13 October 2023.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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- Updated Structural and Building Fabric Condition Audit for the Music Bowl Structure, Peat Island, prepared by Woolacotts Consulting Engineers, Revision A and dated 11 August 2022.
- Updated Structural and Building Fabric Condition Audit for the Ex-River Rescue Building, Peat Island, prepared by Woolacotts Consulting Engineers, Revision C and dated 16 September 2022.
- Updated Structural and Building Fabric Condition Audit for the Bindaree Building, Peat Island, prepared by Woolacotts Consulting Engineers, Revision B and dated 16 September 2022.
- Preliminary Aboriginal Archaeology Advice, prepared by Urbis and dated 8 December 2022.
- Heritage and Archaeological Impact Statement, Former Peat Island Centre, Peat Island, prepared by Urbis and dated 3 October 2023.
- Scope of works to repair the Music Bowl, prepared by SCIS Property Group.
- Scope of works for the retaining wall upgrade, prepared by SCIS Property Group.
- Mould Inspection Report for Lot 14 DP 1158746, Pacific Highway Mooney Mooney, prepared by The Mould Doctor and dated 7 October 2020.
- Photo Report for Lot 14 DP 1158746, Pacific Highway Mooney Mooney and surveyed 11 June 2022.
- Photo Report for 60 Pacific Highway, Mooney Mooney and surveyed 13 June 2022.
- Engineering Plans of proposed retaining wall upgrade at Lot 7 DP 1180499, known as Peat Island Road, Mooney Mooney, prepared by ADW Johnson and dated 29 June 2022.
- Acid Sulfate Soil Investigation Report, prepared by Raw Earth Environmental and dated 30 August 2023.
- Tree Protection Plan, prepared by ArborScan, Revision 1 and dated 27 September 2023.
- Conservation Management Plan, prepared by Urbis and dated 20 October 2020.



**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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**Relevant Background**

For the Panel's benefit, there is no active Planning Proposal, nor is Council aware of any imminent plans to submit a revised proposal.

Planning Proposal PP-2021-595 was withdrawn in May 2022. The Applicant was encouraged to submit a new Planning Proposal that responds to both government and community submissions received during the exhibition of the previous Planning Proposal. Council's Strategic Planning staff continue to meet with Property NSW and Darkinjung Local Aboriginal Land Council on a regular basis.

The subject development application was lodged on 4 May 2023.

Following a preliminary assessment, a request for an amended Statement of Environmental Effects with details of the full scope of works and the site was made to the Applicant on 31 May 2023.

A refund of a duplicate of the GST component for the Development Application to the value of \$30.27 was made to the Applicant on 20 June 2023.

An amended Statement of Environmental Effects prepared by Willowtree Planning was received on 28 June 2023.

Comments were received by Heritage NSW on 4 July 2023 in relation to the proposed development.

The application was notified and exhibited as Nominated Integrated development between 7 July 2023 and 4 August 2023 inclusive.

A further request for information was made on 16 August 2023 in relation to an amended Statement of Environmental Effects addressing relevant clauses of the *Central Coast Local Environmental Plan 2022*, heritage, demolition particulars, specifics pertaining to the retaining wall and potential impacts to vegetation.

A response was received by Council on 1 November 2023 addressing the abovementioned issues.

**ASSESSMENT:**

Having regard for the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for the Panel's information.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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**SECTION 4.15(1)(a)(i) – PROVISIONS OF ENVIRONMENTAL PLANNING INSTRUMENTS**

The following pieces of legislation are relevant to this application:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Water Management Act 2000*
- *Heritage Act 1977*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Central Coast Local Environmental Plan 2022*
- *Central Coast Development Control Plan 2022.*

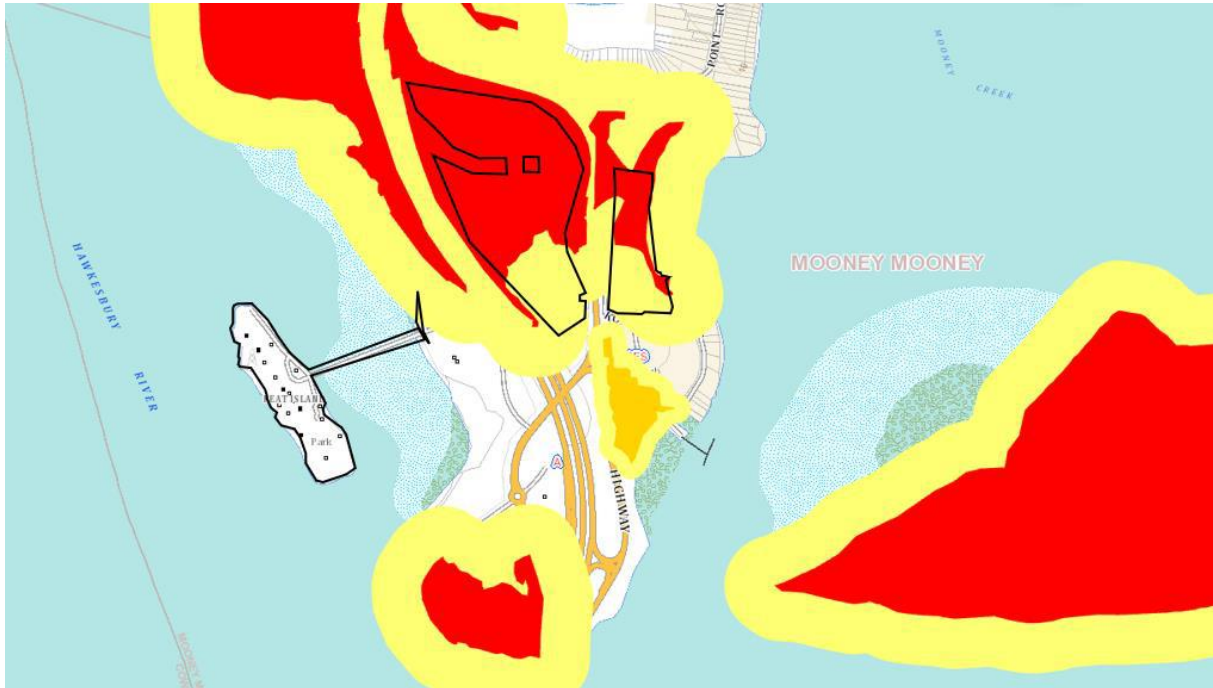
Consideration of the relevant instruments, plans and policies is further outlined below.

*Section 4.14 of the Environmental Planning and Assessment Act, 1979 - Consultation and development consent—certain bush fire prone land*

Part of the subject site is located within a vegetation buffer, as shown in Figure 26a below.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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**Figure 26a.** Bushfire Hazard Map.

The subject development is not a listed *Special Fire Protection Purpose* and is not classified as integrated development under Section 4.46 of the *Environmental Planning and Assessment Act 1979* and therefore does not require a Bushfire Safety Authority under Section 100B of the *Rural Fires Act 1997*.

In accordance with the provisions of Section 4.14 of the *Environmental Planning and Assessment Act 1979*, consent cannot be granted unless the consent authority is satisfied the development conforms to the relevant specification and requirements of Planning for Bushfire Protection 2019 (PBP) (s.4.14(1)(a)) or alternatively, that certification stating the development conforms to the relevant specifications and requirements from an appropriately qualified person is provided to the consent authority (s.4.14(1)(b)).

The proposed development, being various demolition, remediation and repair works including the replacement of a retaining wall, is considered to reduce the bushfire risk hazards associated with the land and in this instance, given the nature of the proposed works, it was considered a bushfire assessment was not required. Moreover, it is considered the proposed works will not be contrary to, or hinder, the aims and objectives and principles of Planning for Bushfire Protection 2019 (PBP). Accordingly, the Panel can be satisfied the proposed development is consistent with the requirements of PBP and consistent with the provisions of s.4.14 of the EP&A Act.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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Section 4.33 of Environmental Planning and Assessment Act, 1979 – Crown Development Applications

This DA is made by the Crown, the Site owners are Property NSW.

The Panel shall note that pursuant to Section 4.33(1) of the EP&A Act, the consent authority must not refuse its consent or impose a condition on its consent to a Crown DA, except with the approval of the applicant or Minister.

Recommendation 2 of the subject application for the Panel's consideration is the following:

- 2 That the Local Planning Panel note the proposed draft conditions and staff refer the draft conditions to the applicant for their approval in accordance with Section 4.33(1) of the EP&A Act.**

Water Management Act 2000 - Controlled Activity Approval

In accordance with s.4.46(1) of the *Environmental Planning and Assessment Act 1979*, the application has been nominated as being integrated development for the purposes of requiring a controlled activity approval and has been referred to the Department of Planning & Environment - Water (DPE – Water) for their Approval, as the proposed development is within 40m of a mapped watercourse.

DPE Water responded to Council on 12 July 2023 (Reference IDAS-2023-10373) and advised that the proposed works are entirely on Crown Land and are considered exempt under Schedule 4, 18 of the *Water Management (General) Regulation 2018*, subject to obtaining a lease, license or permit from Crown Lands.

Accordingly, DPE Water advise that no further assessment by the Agency is necessary.

The Panel can be satisfied that the proposal is satisfactory with regards to section 4.46(1) the *Water Management Act 2000*.

Heritage Act 1977

The subject site is a listed heritage item on the Department of Ageing, Disability and Home Care Section 170 Heritage and Conservation Register (DADHC s170 register) under the *NSW Heritage Act 1977* (the Heritage Act). A desktop review of the NSW State Heritage Inventory confirmed that the subject site is not listed on the NSW State Heritage Register as per Section 57(1) of the Heritage Act and therefore the development is not identified as integrated development for the purposes of Section 4.46(1) of the EP&A Act.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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Lot 10 DP 1157280, Peat Island including centre and causeway, was included as a heritage item under *Central Coast Local Environmental Plan (Amendment No 5)* (Planning Proposal 2023-2159) which was published on 17 November 2023.

Given that the subject site is listed on the DADHC s170 register under the *NSW Heritage Act 1977*, Heritage NSW is required to be notified 14 days prior to undertaking any demolition. Accordingly, the application was referred to Heritage NSW for review and comment who advised of the following:

Aboriginal cultural heritage:

*The following comments are provided in relation to the proposal:*

- *Heritage NSW advises that it is the responsibility of the proponent to ensure that they comply with Part 6 of the National Parks and Wildlife Act 1974.*
- *If Aboriginal objects are present, or likely to be present, and the proposed activity will harm those objects, an Aboriginal Cultural Heritage assessment must be undertaken. This assessment should inform appropriate management and mitigation measures, which may include the requirement for an Aboriginal Heritage Impact Permit.*
- *Heritage NSW recommends that the Aboriginal Cultural Heritage assessment is guided by the following documents:*
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales.*
- *consultation with the Aboriginal community undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents.*
- *satisfy the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW.*

Environmental heritage:

*The following comments are provided under delegation from the Heritage Council of NSW in relation to the proposal:*

- *The proposed demolition of the addition (Intrusive) to the Volunteer Rescue building will reveal the earlier form of building 20 Garden program building – former original swimming hut / greenhouse/ shelter, which is a positive heritage outcome and is supported.*
- *The proposed demolition of the Bindaree building (Moderate significance) may be supported on the grounds that the building constitutes a danger to the users or occupiers of that building (HAIS p.34).*
- *Heritage NSW generally agrees with the assessment of the archaeological potential for the site may be high for general discard items. However, it is unlikely that any archaeological material retained within the footprint or structure of these buildings would meet any of the criteria for local or State heritage significance. (HAIS p.26). While Urbis notes that no excavation is required as part of the proposal, and it is proposed to demolish the structures to ground level only. (HAIS p.38). As a precaution the standard condition for unexpected finds is recommended below.*

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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- *The purpose of a Photographic Archival Recording (PAR) is to capture the condition and appearance of the place prior to, during, and after the modification of the site where it impacts significant fabric. The existing PAR is the first stage in preparing a PAR and is not complete until the works are finished, therefore, a condition is recommended below:*

*It is recommended that the following conditions are included on the Development Application:*

**PHOTOGRAPHIC ARCHIVAL RECORDING**

*The photographic archival recording prepared prior to the commencement of works must be augmented to include a record of the works during works, and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW within 6 months of the completion of the works.*

*Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric*

**UNEXPECTED FINDS**

*If archaeological deposits and/or State significant relics not identified in the supporting documents are discovered, work must cease in the affected area(s) and the Heritage Council of NSW notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.*

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works*

The above are imposed on the draft Conditions of Consent, **(Condition 1.3)**.

*State Environmental Planning Policy (Transport and Infrastructure) 2021*

The application was also referred to Ausgrid in accordance with section 2.48 of the SEPP as due to the proximity of the proposed demolition works of 2 Possum Close, 60 Pacific Highway and the retaining wall works to exposed overhead electricity power lines and other works.

Ausgrid advised that no Ausgrid assets are impacted, and a decision is not required in this instance.

The application was referred to Transport for NSW who advised "TfNSW has reviewed the proposal and advises that there is no requirement for referral to TfNSW under s2.119 of the TISEPP".

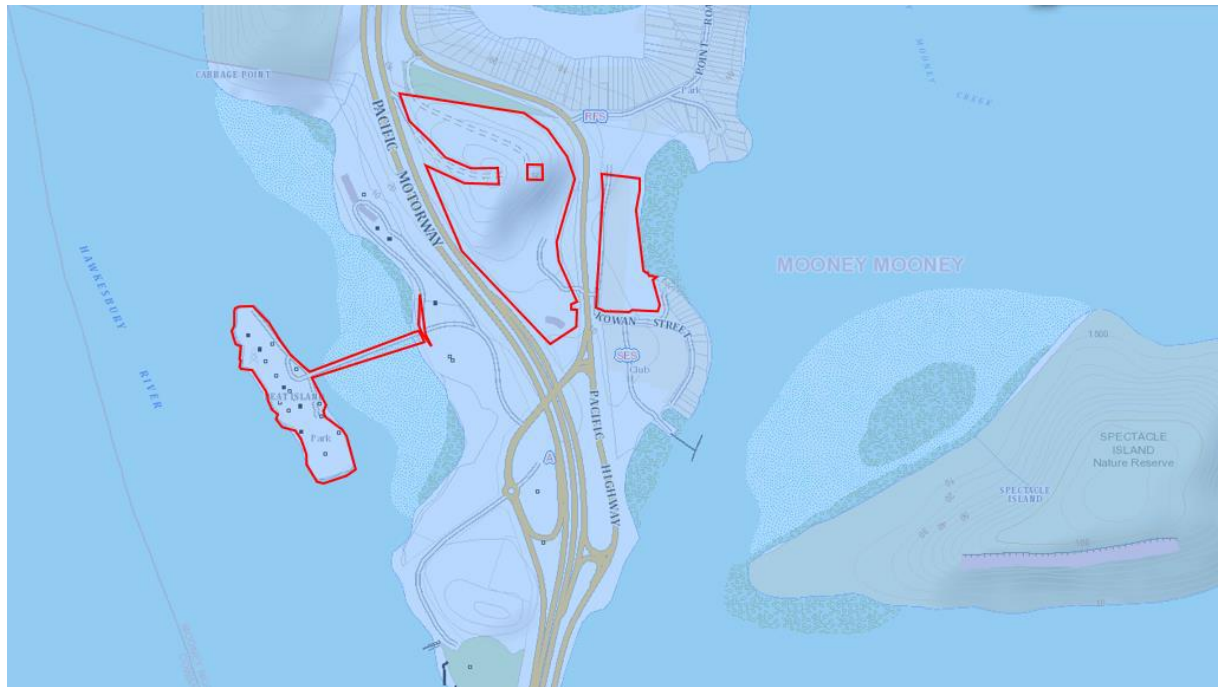
**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2: Coastal Management

The subject site is located within the coastal environment area and coastal use area. Sections 2.10 and 2.11 are to be taken into consideration by the consent authority when it considers and determines an application to carry out development on land to which this SEPP applies.



**Figure 27.** Coastal Environmental Area and Coastal Use Area affectations of the Sites.

The following table provides an assessment against Clauses 2.10 and 2.11 of the SEPP.

Matters for Consideration	Compliance
<b>(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:</b>	
(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment	The proposed demolition and repair works will not cause adverse impacts to those listed under this Clause.
(b) coastal environmental values and natural coastal processes	
(c) the water quality of the marine estate (within the meaning of the <a href="#">Marine Estate Management Act 2014</a> ), in particular, the cumulative impacts of the proposed	



**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

<i>development on any of the sensitive coastal lakes identified in Schedule 1</i>	
<i>(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms</i>	
<i>(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability</i>	
<i>(f) Aboriginal cultural heritage, practices and places</i>	
<i>(g) use of the surf zone.</i>	The site is not in proximity to the surf zone.
<b>(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</b>	
<i>(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1)</i>	The proposed demolition and repair works will not cause adverse impacts to those listed under this Clause.

**Clause 2.11 – Coastal Use Area**

<b>• Matters for Consideration</b>	<b>• Compliance</b>
<b>(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:</b>	
<b>(a) has considered whether the proposed development is likely to cause an adverse impact on the following:</b>	
<i>(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	The proposed development will not cause an adverse impact on the existing, safe access to and along the aforementioned for members of the public, including persons with a disability.
<i>(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,</i>	The proposal will not result in unreasonable overshadowing, wind funnelling or loss of views from any public places to foreshores.
<i>(iii) the visual amenity and scenic qualities of the</i>	The proposal does not impact visual amenity or scenic qualities of the coastal area

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

<i>coast, including coastal headlands,</i>	
<i>(iv) Aboriginal cultural heritage, practices and places,</i>	The proposal is not likely to cause an adverse impact on Aboriginal cultural heritage, practices, and places. Standard conditions are imposed to stop works and report the findings to the AHO if any Aboriginal Engravings or Relics are unearthed.
<i>(v) cultural and built environment heritage, and</i>	The proposed development is demonstrated to be acceptable with regards to this matter, as discussed further within the body of this Report.
<b>(b) is satisfied that—</b>	
<i>(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</i>	The proposed demolition and repair works are acceptable in this regard.
<i>(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i>	N/A
<i>(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</i>	N/A
<b>(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</b>	The proposed demolition and repair works are acceptable in this regard.

The Panel can be satisfied the requirements of Part 2 of the SEPP have been met in this instance.

Chapter 4: Remediation of Land

Clause 4.6 requires the approval authority to consider whether the land is contaminated and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be made suitable after remediation) for the purpose for which the development is proposed to be carried out.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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Further under clause 4.6(2) before determining an application for consent to carry out development that would involve a change of use of land, the approval 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.

The sites have been used for various land uses that are considered potentially contaminating activities including above and underground storage of petroleum products, hazardous materials storage and works depots, importation of fill material and rural fire service buildings.

Whilst contamination reports/assessments were not provided with this development application, the applicant sought to rely upon a *Detailed Site Investigation, Peat Island, Mooney Mooney, NSW*, 5 August 2021, prepared by JBS&G (DSI), which was provided to Council for a 2014 planning proposal (D14788209). This DSI has been reviewed by Environmental Health.

The Report details lead, friable and non-friable asbestos, benzopyrene, nickel and zinc contamination identified in soil samples which requires remediation. Groundwater samples also identified elevated copper, nickel, zinc, and lead results. Potential acid sulfate soils were also identified below the groundwater table on Peat Island.

The Report recommends the removal and validation of the Underground Storage Tanks and remediation and/or management of the surficial asbestos, buried asbestos and heavy metals and the preparation of a Remediation Action Plan, to include additional investigations of the UPSS components (fuel lines and bowsers) followed by a Validation Report. The preparation of an Asbestos Management Plan is also recommended to manage the presence of asbestos at the site prior to remediation/development.

It is also recommended that any excavation below the groundwater table requires the preparation of an Acid Sulfate Soil Management Plan. Additional recommendations include an Unexpected Finds Protocol should be prepared to include the potential for additional contaminants of concern to be identified including additional asbestos and the potential for additional underground petroleum storage tanks to be present on Peat Island.

The *Hazardous Materials Survey* has been reviewed and details have been provided on how asbestos, synthetic mineral fibres, polychlorinated biphenols, lead containing paint and ozone depleting substances will be managed during the building demolition works. It is noted that the two residential dwellings have not been included in the Survey with the reason given that they were occupied during the assessment, therefore outside the scope. Additional information has been provided in the form of photographs of the now abandoned dwellings, however a Hazardous Materials Survey has not been completed for these properties. Conditions have been applied in this regard.

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The additional information provided indicates that the proposed works will not involve any soil disturbance below the grounds surface on Peat Island, 60 Pacific Highway and 2 Possum Close. Footings, piers, stormwater and sewer pipework are not proposed to be demolished; therefore, further consideration of contamination is not required on Peat Island for this development.

Retaining walls works are proposed within 'Portion 7' which is adjacent to the forecourt of the former service station. The DSI reports that heavy metals, total recoverable hydrocarbons, benzene, toluene, ethylbenzene, xylenes, and polycyclic aromatic hydrocarbons were tested, and results indicated that all analytes were below the adopted criteria in soils. Exceedances of heavy metals were detected in groundwater. Groundwater was reported to be between 3.3 and 4.94 metres below ground level, however during testing it was reported to be at 8.5 metres below ground level.

Ground penetrating radar identified that the Underground Storage Tanks ('USTs') are located in an unsealed area north of the concrete pad. Three monitoring wells are located around the former USTs, one upstream and two downstream, indicating that groundwater flows in a southwest direction away from the proposed retaining wall. The proposed retaining wall works are limited to 1 metre below the existing ground level which are not likely to encounter groundwater. The preparation of an Unexpected Finds Protocol has been conditioned.

The DSI has been compared against the NSW EPA *Contamination assessment of service station sites, minimum sampling requirements*, July 2023 and the soil sampling that was completed does not comply with the minimum soil sampling required. It is noted that the Guidelines were released after the submission of this development application, however this application was required to be assessed against these guidelines. Additional information was requested.

The letter titled *Contaminated Land Advice, Proposed Retaining Wall Rectification Works, 60 Pacific Highway, Mooney Mooney, Revision 1*, dated 15th December 2023 prepared by JBS&G has been reviewed. The letter has been prepared by Matthew Bennett (Certified Environmental Practitioner Site Contamination Specialist) who has undertaken a review of the previous contamination reports and provided advice on the proposed retaining wall works.

Based on the separation of the retaining wall area from the UPSS in the adjacent former service station area, the lack of soil vapour or groundwater contamination reported around the UPSS area and also proximal to the retaining wall area with all results reported below the NEPM sensitive land use criteria, the review concludes the retaining wall area has not been contaminated by the former service station activities to the east and therefore there is no unacceptable contamination risk to the proposed retaining wall development. As a precaution it is recommended an Unexpected Finds Protocol be developed and implemented for the development works.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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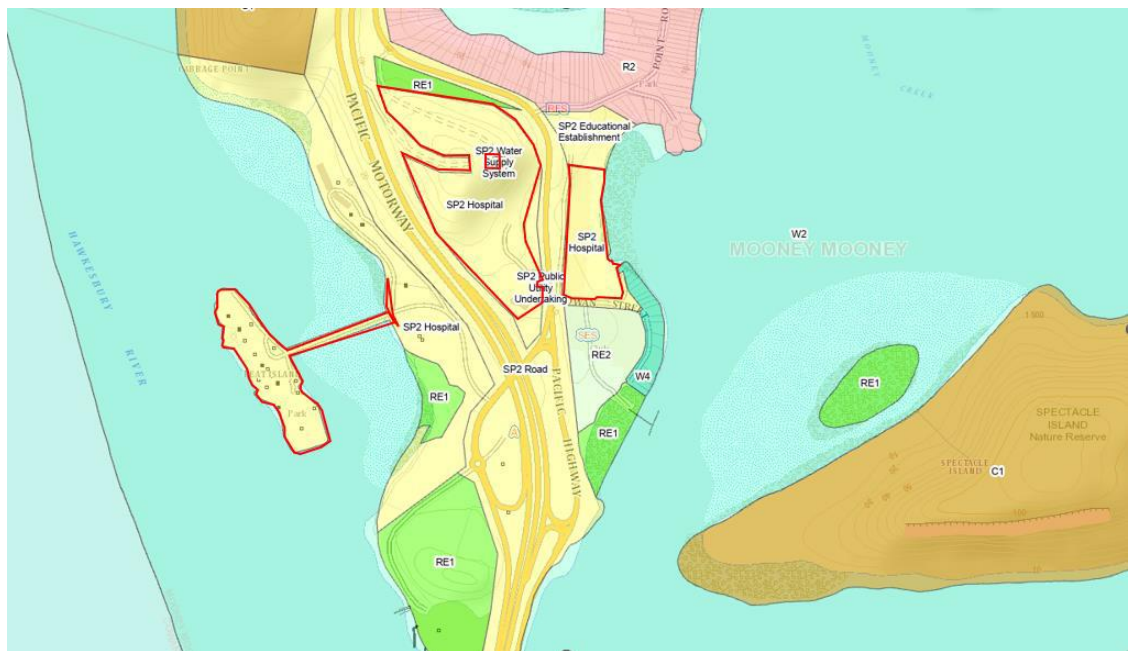
Subject to recommended conditions and additional information received, the Panel can be satisfied the proposed development has met the requirements of Chapter 4 of the SEPP.

Central Coast Local Environmental Plan 2022

The relevant local environmental plan applying to the site is the *Central Coast Local Environmental Plan 2022* (CCLEP 2022). The aims of the CCLEP 2022 are to promote a high standard of urban design that responds appropriately to the existing or desired future character of areas.

Zoning and Permissibility (Part 2)

The site is zoned SP2 Infrastructure and allocated for 'Hospital' purposes pursuant to Clause 2.2 and the land use maps of the CCLEP 2022.



**Figure 28.** Land Use Zoning Map.

The objectives of the SP2 Hospital zone are as follows:

- *To provide for infrastructure and related uses ('Hospital' being the related use)*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

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- *To recognise existing railway land, major roads and utility installations and to enable their future development and expansion.*

Within the SP2 Infrastructure zone, the following development is permitted without consent:

- *Nil*

Within the SP2 Infrastructure zone, the following development is permitted with consent:

- *Aquaculture; Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose*

Within the SP2 Infrastructure zone, the following development is prohibited:

- *Any development not specified in item 2 or 3*

Consent is sought for repair, demolition and maintenance works to the existing buildings and structures, which is categorized as development but not a specific type of development within the dictionary. The intent of the development is to restore the site to a safe condition and therefore an improvement to existing infrastructure on the Island. The proposed development is not contrary to the zoning of the land for hospital and is in harmony with the objectives of the zone. The proposed works will not prejudice future land uses intended for the zone.

Clause 2.7 Demolition requires development consent.

The application is seeking to undertake demolition and repair of nominated structures as shown in the accompanying plans.

Subject to appropriate conditions, including compliance with AS2061, the Panel can be satisfied the provisions of this Clause can be met.

Part 4 Principal Development Standards

There are no clauses under Part 4 of the CCLEP 2022 relevant to the proposed development applicable in this instance.

Part 5 Miscellaneous Provisions

Clause 5.10 Heritage Conservation

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Lot 10 DP 1157280, Peat Island including centre and causeway, was included as a heritage item under *Central Coast Local Environmental Plan (Amendment No 5)* (Planning Proposal 2023-2159) which was published on 17 November 2023. A Heritage and Archaeological Impact Statement was prepared for the proposed works.

The objectives of this clause are as follows:

- *To conserve the environmental heritage of the Central Coast,*
- *To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- *To conserve archaeological sites,*
- *To conserve Aboriginal objects and Aboriginal places of heritage significance.*

The application was referred to Council's Heritage Officer who advised the following:

Bindaree Building (Building 1)

- *The building is assessed as being of moderate significance in the CMP.*
- *Its demolition will be a loss to the overall significance and interpretation of the island but it is deemed necessary as a result of its condition. It can be considered a safety risk in its current state,*
- *Hazardous materials, including non-friable asbestos and lead containing paint have been identified within the subject structures by Presna Pty Ltd.*
- *Considering the safety concerns and the documented state of disrepair, the demolition is assessed as acceptable.*

Ex-Rescue Building (Building 18)

- *This is supported as it will reveal the earlier form of the building which will better support the heritage significance of the building.*
- *The recommendations for the demolition of the more recent addition to this building included in the Heritage & Archaeological Impact Statement (HAIS) are supported and must be adhered to (Recommendation 4).*
- *This is especially in regard to ensuring the building is weather proof and make good any damage, openings and perforations in the partition wall.*
- *Ensure the flooring is continuous and there are no openings for animals or insects to enter.*

Music Bowl

- *The repairs and reconstruction of the shell music bowl are supported.*
- *It is stated:*



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- *"It is mentioned that SCIS will engage a structural engineer to peer-review the project, conduct site inspections, and develop a comprehensive scope of work based on Woollacott's report. This indicates that the structural engineer will assess the existing condition of the Music Bowl, review the repairs needed, and develop a detailed plan for the restoration process".*
- *The comprehensive scope of work needs to be approved by the Council's Heritage officer prior to the works commencing.*

Retaining Wall Replacement

- *No heritage concerns with these proposed works.*

Demolition 2 Possum Close Mooney Mooney

- *The demolition of this building is supported on safety and health reasons.*

Demolition 60 Pacific Highway Mooney Mooney

- *The demolition of this building is supported on safety and health reasons.*

The application is supported, subject to the imposition of the following conditions:

- An archival record of Bindaree and the former Volunteer Rescue Building needs to be completed and submitted to Council prior to demolition works.
- The works outlined for the Music Bowl prepared by SCIS property group states:

*SCIS will engage a structural engineer to peer review, site inspect and develop a scope of works to repair Music Bowl in line with Woollacott's report. The developed scope of works must be approved by the Council's Heritage Officer before the works are commenced. Shell Music Bowl.*

- Recommendation 3 in the HAIS relates to unexpected finds and must be incorporated into the works as needed **(Condition 1.1)** These include:
  - *If any archaeological deposits or features are unexpectedly discovered during any site works, an unexpected finds procedure must be implemented, and the following steps carried out:*
    - *All works within the vicinity of the find must immediately stop. The find must not be moved 'out of the way' without assessment. The find must be cordoned-off and signage installed to avoid accidental impact.*
    - *The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.*
    - *The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research*

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- design and archaeological investigation/salvage methodology and notification to Heritage NSW of the discovery of the find in accordance with S146 of the Heritage Act 1977.*
- *Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.*
  - *Reporting may need to be prepared regarding the find and approved management strategies.*
  - *Works in the vicinity of the find would only recommence upon receipt of approval from Heritage NSW.*
- Recommendation 4 within the HAIS provides instruction for the partial demolition of the post 1960s section of the former Volunteer Rescue Building (**Condition 1.1**). These recommendations are:
    - *The following is provided as a process for the removal of the weatherboard addition to the former Volunteer Rescue Building:*
    - *The following recommendations assume the original external wall is enclosed within the later addition. Contractor to advise Urbis and client if this is not the case.*
    - *Contractor to carefully remove the weatherboard addition to the former Volunteer Rescue Building, noting that the original building and the addition are highly likely to contain asbestos containing materials (ACMs).*
    - *Contractor to retain the existing partition wall between the original and later volumes. If this wall requires an internal lining, the contractor is to provide such.*
    - *Contractor to ensure that the roof appropriately covers the new external wall and provide or continue rainwater goods (e.g. guttering and downpipes, appropriately connected) and eaves/ soffit as appropriate.*
    - *Contractor to make good any damage, openings or perforations in the partition (now external) wall and ensure that the wall and roof are weatherproof and insect proof.*
    - *We assume that the flooring is continuous to the external walls of the original volume. Contractor to inspect and ensure there are no openings allowing animals or insects to enter.*
    - *The Bindaree building and its role in the history of the Former Peat Island Centre should form part of future heritage interpretation of the site.*
    - *All recommendations within the HAIS need to be incorporated into the proposed work (**Condition 1.1**).*

Clause 5.21 Flood Planning

In accordance with Clause 5.21(2), development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development –

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- *Is compatible with the flood function and behaviour on the land, and*
- *Will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- *Will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- *Incorporates appropriate measures to manage risk to life in the event of a flood, and Will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

Council's Engineer considered the proposed development and advised that there appears to be no impact to flow regimes as a result of the demolition, rehabilitation and repair works proposed. No further consideration is required in this regard and the Panel can be satisfied the provisions of the clause have been adequately met.

Part 7 Additional Local Provisions

Clause 7.1 Acid Sulfate Soils (ASS)

Peat Island is mapped as Class 2 ASS, where works below the grounds surface may encounter ASS. All other locations at Mooney Mooney are mapped as Class 5, no known occurrence ASS. Additional information has been provided which addressed Clause 7.1 of the CCLEP. No soil disturbance below the grounds surface is proposed during the rehabilitation and demolition works on Peat Island, 60 Pacific Highway, 2 Possum Close; specifically, footings, piers and stormwater and sewer pipework are to remain and do not form part of the proposed works, therefore there is no risk of disturbing ASS on Peat Island.

A *Preliminary ASS Assessment* has been completed for the proposed works for the retaining wall at Mooney Mooney, with works consisting of excavations of 1 metre behind and beneath the existing retaining wall which extends for 60 metres and is expected to disturb soils up to 120m<sup>3</sup>. Sampling and analysis indicate that there is no actual or potential ASS up to 1 and 1.25 metres below the grounds surface. The PASS has not been completed in accordance with the ASS Manual as sampling and testing was not conducted to the required depth of 2 metres, however given the site is mapped as Class 5, and there is no known occurrence of ASS, Council did not request further information in relation to the ASS Assessment at the Mooney Mooney sites.

Subject to recommended conditions, the Panel can be satisfied the proposed development meets the requirements of Clause 7.1 pertaining to Acid Sulfate Soils **(Condition 4.15)**.

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Clause 7.6 Essential Services

The following relevant and essential services remain available to the site – electricity, stormwater drainage, suitable vehicular access and the collection and management of waste. The site is not connected to reticulated water or sewer services; however, these are not required given the nature of the proposed works. The Panel can be satisfied that the proposed development is acceptable with regards to the provisions of Clause 7.6.

**SECTION 4.15(1)(a)(ii) – PROVISIONS OF ANY PROPOSED INSTRUMENTS**

There are no draft instruments for consideration in this regard.

**SECTION 4.15(1)(a)(iii) – PROVISION OF ANY DEVELOPMENT CONTROL PLAN**

The following Development Control Plan is relevant to this application:

Central Coast Development Control Plan 2022 (CCDCP 2022)

As the proposed development is limited to demolition and repair works and there is no intensification or expansion of the structures on site or new development proposed, as such the applicable Chapters of the CCDCP 2022 are limited to:

- Chapter 1.2: Notification of Development Proposals
- Chapter 2.14: Site Waste Management
- Chapter 3.5: Tree and Vegetation Management
- Chapter 3.6: Heritage Management

*Chapter 1.2: Notification of Development Proposals*

The proposal was notified and exhibited in accordance with Chapter 1.2 Notification of Development Proposals of the CCDCP 2022 from 7 July to 4 August 2023 inclusive. Nil submissions were received concerning the proposed development.

The proposal was re-notified and re-exhibited due to a Council administrative error, correcting property descriptors, from 15 March to 16 April 2024 inclusive. One submission has been received concerning the proposed development.

*Chapter 2.14: Site Waste Management*

## 5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)

An Amalgamated Waste Management Plan for The Demolition of the Below Structures is prepared by SCIS Property Group and provided below:



Amalgamated Waste Management Plan For The Demolition Of The Below Structures  
60 Pacific Highway Mooney Mooney, 2 Possum Close Mooney Mooney, Bindaree Building (Building 1) Ex-rescue Building (Building 18)

MATERIALS ON SITE		DESTINATION		
		REUSE AND RECYCLING		DISPOSAL
MATERIALS ON SITE	ESTIMATED VOLUME (M³) / Wt.(t)	ON-SITE *Specify proposed reuse or on-site recycling methods	OFF-SITE *Specify contractor and recycling outlet	*Specify contractor and landfill site
Excavation Material	Nil			
Green Waste	Nil / shrubs necessary to complete works		Only shrubs and gardens to be removed necessary to complete demolition works. All material taken to Buttonderry waste facility for recycling	
Bricks/ Concrete	150T Brick and concrete		All brick and concrete taken to Tricon West Gosford for recycling.	
Tiles	12T Concrete tile		All roof tiles taken to Tricon West Gosford for recycling	
Timber	28T Hardwood, treated pine, Hardwood. particle board		8t Hard wood cleaned on site and kept for reuse/repurposing	20t GSW / waste material taken to EPA approved waste station. Buttonderry waste facility
Plasterboard/ Carpet and other waste products.	12T, carpet / waste and plasterboard.			All carpet, waste generated, and plasterboard taken to EPA approved waste station. Buttonderry
Metals	10T copper, tin, aluminium, lead		All metals taken to Sim's scrap metal, West Gosford for recycling.	
Other	Asbestos waste			All asbestos containing material removed and disposed of at approved waste facility Buttonderry.

**Figure 29.** Waste Management Plan.

The application is also accompanied by a *Demolition and Asbestos Methodology* also prepared by SCIS Property Group (**Appendix 4**) which discusses methodologies for removal of the following:

- PPE requirements
- Demolition methodology
- Roof removal
- Removal of insulation
- Removal of floor coverings and fixtures
- Removal of glass windows
- Removal of bonded asbestos from walls and ceilings
- Removal of roof and ceiling frames
- Internal strip out
- Containment systems and
- Recycling of demolition materials and landfill/waste

The application was referred to Council's Waste Officer who supported the proposal, subject to recommended conditions.

### Chapter 3.5: Tree and Vegetation Management

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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The application is accompanied by a *Tree Protection Plan* prepared by ArborScan (**Appendix 6**) and dated 27 September 2023. The Arborist nominates the removal of 12 trees that are found to be of low value, in decline or in an inappropriate location. Trees nominated for removal are not prominent features of the site and will not detract from the current amenity the existing trees to remain, provide.

The application was referred to Council's Tree Management Officer who supported the proposal, subject to recommended conditions as recommended in the accompanying Report.

*Chapter 3.6: Heritage Management*

As discussed under Clause 5.10 in the above body of this Report, the application was referred to Council's Heritage Officer who considered the demolition of nominated heritage listed structures acceptable, subject to recommended conditions.

No further consideration is required in this regard.

**SECTION 4.15(1)(a)(iiia) – PLANNING AGREEMENTS UNDER SECTION 7.4 OF THE EP&A ACT**

There are no planning agreements or draft planning agreements entered into or proposed for the site. No further consideration is required in this regard.

**SECTION 4.15(1)(a)(iv) – THE REGULATIONS**

Section 61 – Environmental Planning and Assessment Regulation 2021

Section 61 of the Regulations, contains matters that must be taken into consideration by a consent authority in determining a development application, with the following matters relevant to the proposal:

- If demolition of a building is proposed, provisions of AS2601 apply.

The proposed development seeks to undertake demolition and repairs for nominated structures.

Subject to relevant conditions regarding waste management being imposed on any consent granted for the proposed development, the Panel can be satisfied Section 61 of the Regulations have been met.

#### **SECTION 4.15(1)(b) – LIKELY IMPACTS OF DEVELOPMENT**

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments includes the following:

##### *Context and setting*

The proposed development relates to demolition and repair works. The proposal will enable improved amenity by removing deteriorating items on the subject site. The proposal is in keeping with the context and setting of the Site.

##### *Public Domain*

The proposal will not impact the public domain. There is no public open space adjoining the site except for the public road system.

##### *Landscaping*

As discussed above and considered by Council's Tree Management Officer, the proposal involves minor landscaping works including the clearing of overgrown vegetation. This will not result in any adverse impacts.

##### *Traffic and Transport*

As the development comprises of demolition and repair works, it is considered that the traffic and parking requirements will not differ from those previously approved, nor will the proposed development generate any additional traffic.

##### *Stormwater and sediment control*

Subject to appropriate controls, the proposed works include the establishment of appropriate stormwater management protocols to mitigate any potentially adverse impacts resulting from on-site run off.

##### *Visual amenity*



**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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The proposed refurbishment and demolition works seeks to improve the visual amenity of the Site. The items that seek to be demolished are deteriorated and are reducing the visual amenity of the Subject Site.

*Safety, security and crime prevention*

The principles of Crime and Prevention Through Environmental Design (CPTED) have been considered in the design of the proposed development.

The CPTED guidelines were prepared by the NSW Police in conjunction with the Department of Planning. CPTED provides a clear approach to crime prevention and focuses on the 'planning, design and structure of cities and neighbourhoods'. The main aim of the policy is to:

- Limit opportunities for crime;
- Manage space to create a safe environment through common ownership and the encouraging the general public to become active guardians; and
- Increased the perceived risk involved in committing a crime.

It is considered that the proposed development will not result in any significant adverse impacts in the locality as outlined above.

**SECTION 4.15(1)(c) – SUITABILITY OF THE SITE**

The Site is non-operational. Many of the buildings and items on the subject site are deteriorating. The proposal seeks to refurbish the subject site and improve safety. The deteriorating and dated appearance of the subject site articulates an adverse appearance towards the overall look of Peat Island therefore, it seems highly suitable that an upgrade proposal takes place.

Accordingly, the proposed works are considered suitable for the Site.

**SECTION 4.15(1)(d) – PUBLIC SUBMISSIONS**

The proposal was notified and exhibited in accordance with Chapter 1.2 Notification of Development Proposals of the CCDCP 2022 from 7 July to 4 August 2023 inclusive. Nil submissions were received concerning the proposed development.

The proposal was re-notified and re-exhibited due to a Council administrative error, correcting property descriptors, from 15 March to 16 April 2024 inclusive. One (1) submission was received concerning the proposed development from the Central Coast Community Better Planning Group on the final day of exhibition being 16 April 2024.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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Concerns were raised regarding the previous Planning Proposal which was withdrawn in May 2022 (PP-2021-595) and misrepresentation of the zoning of the land. The zoning of the lots on which the works are proposed is SP2 Hospital.

As discussed above, consent is sought for repair, demolition and maintenance works to the existing buildings and structures, which is categorized as development but not a specific type of development within the dictionary. The intent of the development is to restore the site to a safe condition and therefore an improvement to existing infrastructure on the Island. The proposed development is not contrary to the zoning of the land for hospital and is in harmony with the objectives of the zone. The proposed works will not prejudice future land uses intended for the zone nor does it require the rezoning of the existing land.

Further concerns were raised regarding the Microbat Management Plan. Council advises that the application was referred to Council's Ecologist who has considered the ecological impacts of the proposed development in accordance with section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Impacts to biodiversity values have been assessed in accordance with the *Biodiversity Conservation Act 2016* (BC Act) and conditioned accordingly.

The Microbat Management Plan is imposed as **Condition 2.5**.

Additional concerns were raised regarding shortcomings of preliminary Aboriginal Archaeology advice. Council advises that Heritage NSW reviewed the proposed development with regard to Aboriginal cultural heritage and deemed the proposed development acceptable with regards to heritage considerations under the Act. A condition of consent has been recommended which requires work to cease immediately if a relic or Aboriginal object is unexpectedly discovered (**Condition 4.3**).

Notwithstanding this, the Applicant has considered the submission and provided the following additional responses in relation to the concerns raised therein:

Concern:

*This site is known and recognised, including by the National Trust, as of significance to local Aboriginal peoples. therefore, objects to this development application being given consent without a formal Aboriginal Archeology Advice Report, without a formal assessment done in accordance with NSW guidelines. The preliminary archaeological advice does not cover historical archaeology and assumes that sub-surface features like building footings or services will not be impacted. No site inspection, excavation or sub-surface testing was conducted, we believe the Consent Authority should require the proponent to conduct a full and compliant Aboriginal Cultural Study of the site before giving consent.*

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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Applicant's response:

Urbis understands the archaeological and Aboriginal cultural heritage context of the subject site. A Preliminary Aboriginal Archaeological Advice (PAAA) has been prepared to ensure that risk is assessed early for the proposed demolition works. This report has drawn heavily on the comprehensive Aboriginal Cultural Heritage Assessment Report carried out by Extent in 2020 and applied a detailed assessment of the proposed demolition areas.

A site inspection was carried out 24 May 2021 to visually assess all locations of the proposed works and to ground truth the findings of the Extent report. Urbis has provided recommendations (Section 5) for the works around Building 45 to ensure that no accidental impact is caused on the ground surface. In addition, a Historical Archaeological Assessment was also prepared by Urbis in August 2021 and provided recommendations for the proposed demolition works as well. Urbis believe that the provided assessments are sufficient for the proposed works and no additional Aboriginal Cultural Heritage assessment is required at this stage.

Concern:

*The potential impacts of the proposed work include potential direct harm via the disturbance of natural soil, damage to rock outcrops where there are known and may be unknown rock carvings.*

Applicant's response:

The proposed works will be restricted to demolition of structures and no excavation of ground is proposed. Recommendations of both above listed reports have been designed with the current impact in mind and outlined additional measures for any future impact.

Concern:

*Two previously unknown Aboriginal sites - grinding grooves and rock engravings – may be the tip of the iceberg when it comes to the cultural content of this land. The fact that both sites are within 20m of the north-western extent of the Bindaree building means their proximity must be, as a condition of consent, planned for when undertaking the demolition of that building. Their 'discovery' also reinforces our belief that there must be a full Archaeological and Cultural study conducted to properly assess and manage the impacts of proposed works before consent is granted.*

Applicant's response:

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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As per above comments, and in accordance with the conclusions and recommendations of the PAAA there is no need for another detailed ACHAR in addition to the one prepared by Extent in 2020. The recommendation provides detailed management measures for the demolition methodology around sensitive areas.

Concern:

*The proponent's own studies in support of this application acknowledge that the Bindaree building area has moderate Aboriginal archaeological potential and surrounding areas may have high archaeological potential and known Aboriginal sites.*

Applicant's response:

As per above comments, and in accordance with the conclusions and recommendations of the PAAA there is no need for another detailed ACHAR in addition to the one prepared by Extent in 2020. The recommendation provides detailed management measures for the demolition methodology around sensitive areas.

Council has considered the above submission and referred the development to necessary agencies and officers including NSW Heritage and Council's own Heritage Officer and is satisfied that their responses, together with the conclusions and recommendations contained within the Preliminary Aboriginal Archaeology Advice, prepared by Urbis and dated 8 December 2022, that the proposed development is acceptable with regard to Aboriginal Heritage.

Compliance with the management measures for demolition methodology in accordance with the PAAA is imposed as **Condition 1.1**.

**SECTION 4.15(1)(e) – PUBLIC INTEREST**

**REFERRALS AND SUBMISSIONS**

Agency referrals and concurrences

The application was referred to the following agencies for comment/concurrence as required by the EP&A Act.

## 5.1

**DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

Agency	Concurrence/referral trigger	Comments	Resolved
<b>Integrated Development (s4.46 of the EP&amp;A Act)</b>			
Department of Planning and Environment – Water	<i>Water Management Act 2000</i>	The Department of Planning and Environment – Water advised that for the purposes of the Water Management Act, the proposed works are exempt from the need to obtain a controlled activity approval and no further assessment is required.	Yes
Heritage NSW	s170 register under the <i>NSW Heritage Act 1977</i> ,	Heritage NSW advised the proposed development is supported, subject to recommended conditions.	Yes
Ausgrid	<i>State Environmental Planning Policy (Transport and Infrastructure)</i> section 2.48	Ausgrid advised that no Ausgrid assets are impacted, and a decision is not required in this instance.	Yes
Transport for NSW	<i>State Environmental Planning Policy (Transport and Infrastructure)</i> section 2.119	Transport for NSW advised that the proposed development does not trigger referral under section 2.119 of the SEPP nor any other section and no further assessment is required.	Yes

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

Department of Primary Industries (Fisheries)	Courtesy referral to ensure no requirements for demolition close to shoreline.	Department of Primary Industries (Fisheries) responded advising that there are no operations adjacent to the shore and no further assessment is required.	Yes
Darkinjung Local Aboriginal Land Council	-	No response received.	Yes
Guringai Corp	-	No response received.	Yes

Council Officer Referrals

Environmental Health	Supported, subject to conditions.
Ecologist	Supported, subject to conditions.
Heritage	Supported, subject to conditions.
Engineer Development Construction	Supported, subject to conditions.
Trees	Supported, subject to conditions.
Waste	Supported, subject to conditions.

**Ecologically Sustainable Principles:**

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with these principles. The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

**Climate Change:**

Matters such as sea level rise, potential for more intense and /or frequent extreme weather conditions including storm events, bushfire, drought, flood and coastal erosion, as well as how the proposed development may cope, combat and withstand these potential impacts are considered as negligible in relation to the proposed development. The proposed development is considered satisfactory in relation to climate change.

**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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**The Public Interest:**

The proposed development is consistent with relevant planning provisions with no matters of concern that would indicate that the proposal is contrary to the public interest.

**Other Matters for Consideration**

Political Donations

There were no political donations declared by the applicant, applicant's consultants, or property owner.

**Conclusion**

The development application has been considered in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and the Regulations, as outlined in this report. The following is a summary of prerequisite conditions for the granting of development consent that have been considered in the assessment report and provided as part of the conclusion, for the benefit of the Panel:

- The Panel can be satisfied that the land is suitable for the proposed development as required by Section 4.14 of the *Environmental Planning and Assessment Act 1979*, and the nature of the works will reduce the risk and hazards of bushfire.
- The Panel can be satisfied that there are no relevant General Terms of Approval to be obtained in accordance with section 4.47(2) of the *Environmental Planning and Assessment Act, 1979*, having regard for the comments provided by each Agency.
- The Panel can be satisfied that the conditions of consent will be agreed upon by the Crown prior to a determination, in accordance with Section 4.33 of the *Environmental Planning and Assessment Act, 1979*.
- Having regard for Sections 2.10 and 2.12 of the *State Environmental Planning Policy (Resilience & Hazards) 2021*, the Panel can be satisfied that the proposed development is designed, sited, and will be managed to avoid an adverse impact referred to in s.2.10(1) and s.2.11(1), and the development is not likely to cause increased risk of hazards on the subject site or other land.
- The Panel can be satisfied that the land is suitable for the proposed development as referenced in Section 4.6(4) of the *State Environmental Planning Policy (Resilience and Hazards) 2021* nor does it involve a change of use of the land. Accordingly, the development is satisfactory having regard for the provisions of Section 4.6 of the same SEPP.



**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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- The Panel can be satisfied that the proposed development is satisfactory with regards to the SP2 Hospital zone and its objectives in accordance with the *Central Coast Local Environmental Plan 2022*.
- There are no significant issues or impacts identified with the proposal under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.
- Having regard for the prerequisite conditions to the granting of consent under the Central Coast Local Environmental Plan 2022, the Panel can be satisfied that:

- Clause 5.21 – Flood Planning

The proposed development:

- a) Is compatible with the flood function and behaviour on the land, and
- b) Will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- c) Will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- d) Incorporates appropriate measures to manage risk to life in the event of a flood, and
- e) Will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.

- Clause 7.6 – Essential Services

All services required for the proposed works, such as electricity and vehicular access, remain available to the site. Portable toilets will be required to be provided for workers on the Island in lieu of reticulated sewer services.

Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse environmental, social, or economic impact.















**5.1 DA/982/2023 - Various demolition, remediation and repair works including the replacement of a retaining wall at Peat Island, Mooney Mooney - 60 Pacific Highway, Peat Island Road and Pacific Highway, Mooney Mooney (contd)**

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**RECOMMENDATION**

That Development Application No. DA/982/2023 for the various demolition, remediation and repair works, including the replacement of a retaining wall, at Peat Island, Mooney Mooney (Lot 10 DP 1157280), 60 Pacific Highway, Mooney Mooney (Lot 21 DP 836628), Peat Island Road, Mooney Mooney (Lot 7 DP 1180499) and Pacific Highway, Mooney Mooney (Lot 14 DP 1158746) be APPROVED pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions attached to this report at Attachment 1.

**Attachments**

<b>1</b>  	Draft conditions/reasons	D16137292
<b>2</b>  	Demolition Plans	D15932096
<b>3</b>  	Engineering Plans Proposed Retaining Wall	D15930570
<b>4</b>  	Demolition and Asbestos Methodology	D15932091
<b>5</b>  	Project Methodology	D15932083
<b>6</b>  	Tree Protection Plan	D15930602
<b>7</b>  	Revised Heritage and Archaeological Impact Statement	D15930521

**Date:** 3 April 2024  
**Responsible Officer:** Alexandra Hafner  
**Location:** 89 Pacific Highway, MOONEY MOONEY ( Lot 21 DP 836628)  
Pacific Highway MOONEY MOONEY - Lot 10 DP 1157280, Lot 7 DP 1180499 & Lot 14 DP 1158746  
Lot 21 DP 836628, Lot 10 DP 1157280, Li 477718, Lot 7 DP 1180499, Lot 14 DP 1158746  
**Owner:** Property NSW  
**Applicant:** Mr C Farrugia  
**Date of Application:** 4 May 2023  
**Application No:** DA/982/2023  
**Proposed Development:** Demolition, Remediation Works & Replacement of Retaining Wall Nominated Integrated Development - Approval is also sought from the NSW Department of Planning - Water (NRAR) - under the Water Management Act 2000  
**Land Area:** 63719.26  
**Existing Use:** XXXX

**PROPOSED CONDITIONS**

The development taking place in accordance with the approved development plans reference number DA/982/2023 except as modified by any conditions of this consent, and any amendments in red.

## 1. PARAMETERS OF THIS CONSENT

**Approved Plans and Supporting Documentation**

- 1.1 Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Revision No.	Plan Title	Drawn By	Dated
-	B	Overall Plan and Drawing List	Woolacotts Consulting	13.10.2023
S01	B	Demolition Plan Bindaree Building	Woolacotts Consulting	13.10.2023
S02	B	Demolition Plan River Rescue Building	Woolacotts Consulting	13.10.2023
S03	B	Demolition Plan 2 Possum Close	Woolacotts Consulting	13.10.2023
S04	B	Demolition Plan Pacific Highway Building	Woolacotts Consulting	13.10.2023
190843-STR-	1	Structural Notes	ADW Johnson	29.08.2022

002				
190843-STR-101	1	Assumed Retaining Wall Layout Plan and piling Layout Plan	ADW Johnson	29.08.2022
190843-STR-102	1	Retaining Wall Details – Sheet 1	ADW Johnson	29.08.2022
190843-STR-103	1	Retaining Wall Details – Sheet 2	ADW Johnson	29.08.2022

<b>Document Title</b>	<b>Version No.</b>	<b>Prepared by</b>	<b>Dated</b>
Acid Sulfate Soil Investigation Report	S00221	Raw Earth Environmental	30 August 2023
Biodiversity Certification Assessment Report	12	Eco Logical Australia	1 December 2021
Conservation Management Plan – Former Peat Island Centre, Peat Island and Part Mooney Mooney NSW 2083	-	Urbis	20 October 2020
Demolition Plan and Asbestos Methodology	-	SCIS Property Group	-
Hazardous Building Materials Reinspection	-	Prensa	July 2022
Heritage and Archaeological Impact Statement	03	Urbis	03/10/2023
Project Methodology	-	SCIS Property Group	June 2023
Preliminary Aboriginal Archaeology Advice	-	Urbis	8 December 2022
Scope of Works to Repair the Music Bowl	-	SCIS Property Group	-
Structural and Building Fabric Condition Audit for the Bindaree Building	B	Woolacotts Consulting Engineers	16 September 2022
Structural and Building Fabric Condition Audit – Ex-River Rescue Building	C	Woolacotts Consulting Engineers	16 September 2022
Structural and Building Fabric Condition Audit for the Music Bowl Structural	A	Woolacotts Consulting Engineers	11 August 2022
Structural Engineer Scope for the Retaining Wall Upgrade	-	SCIS Property Group	-
Tree Protection Plan – Peat Island Mooney Mooney	R8378836 Version 1.0	ArborScan Pty Ltd	27 September 2023

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

**Note:** an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

- 1.2. Carry out all building works in accordance with the National Construction Code Series, Building Code of Australia, Volume 1 and 2 as appropriate.
- 1.3. Comply with the requirements from the Authorities as listed below and attached as a schedule of this consent.

Government Agency / Department / Authority	Description	Ref No	Date
Heritage NSW	Development Application Referral Heritage NSW Comment	HMS Application ID 3014	4 July 2023
Department of Planning and Environment – Water	IDAS-2023-10373 – Controlled Activity Approval Exemption	IDAS- 2023- 10373	12 July 2023

## 2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
  - a) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
  - b) Demolition.
- 2.3. Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy to the Long Service Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* and provides proof of this payment to the certifier.
- 2.4. Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
  - location and materials for protective fencing and hoardings to the perimeter on the site
  - provisions for public safety

- pedestrian and vehicular site access points and construction activity zones
- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

- 2.5. Engage a suitability qualified project Ecologist to prepare a Biodiversity Management Plan (BMP) specific to the approved demolition plan. The BMP must identify measures to mitigate and manage direct and indirect impacts on biodiversity during each operational stage of the development, including ongoing. The BMP must apply actions detailed in the Microbat Management Plan (Eco Logical Australia, 30/11/2021) prepared for the site. The Microbat Management Plan must be fully implemented if microbats are recorded roosting in any structures approved to be demolished. The BMP must integrate with ecology conditions of consent and may form part of the Construction Environmental Management Plan. The BMP must be submitted to Council's Ecologist for approval.

Note: A service fee now applies for Council to review compliance with a condition of development consent where the concurrence of Council staff is required, as identified in Council's Fees and Charges.

- 2.6. Provide an Unexpected Finds Protocol detailing how unexpected contamination encountered within the site during the development works will be managed. The Unexpected Finds Protocol must be prepared by a suitably qualified and experienced environmental consultant.
- 2.7. Provide a Hazardous Materials Survey prepared by suitably qualified and experienced environmental consultant/ occupational hygienist. The Survey must provide details of the inspection of the existing buildings, the identification of the presence of hazardous materials through sampling and testing and provide recommendations for the safe removal and disposal of hazardous materials during the demolition works. An archival record of Bindaree and the former Volunteer Rescue Building needs to be completed and submitted to Council prior to demolition works.

### 3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. Appoint a Principal Certifier for the building work:
  - a) The Principal Certifier (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
  - b) Submit to Council a Notice of Commencement of Building Work form giving at least two (2) days' notice of the intention to commence building work. The forms can be found on Council's website: [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au)
- 3.3. Erect a sign in a prominent position on any work site on which demolition work is being carried out. The sign must indicate:
  - a) The name, address and telephone number of the Principal Certifier for the work; and
  - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
  - c) That unauthorised entry to the work site is prohibited.
  - d) Remove the sign when the work has been completed.
- 3.4. Engage a suitability qualified project Ecologist to implement the Biodiversity Management Plan approved under this consent.
- 3.5. Tree removal, retention and protection is to be as per the recommendations of the Tree Protection Plan, prepared by ArborScan, 27/9/23.
- 3.6. Undertake any demolition involving asbestos in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- a) more than 10m<sup>2</sup> of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b) friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2017*.

#### 4. DURING WORKS

- 4.1. All conditions under this section must be met during works.



- 4.2. The principal certifier must ensure that demolition is only carried out between:

7.00 am and 5.00 pm on Monday to Saturday.

The principal certifier must ensure demolition is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

- 4.3. While demolition work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

"relic" means any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance; and

"Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. To ensure the protection of objects of potential significance

- 4.4. Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment. 4.5. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifier or an officer of Council. 4.6. Place all building materials, plant and equipment on the site of the development during the approved works so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the *Roads Act 1993*. 4.7. Re-use, recycle or dispose of all building materials in accordance with the Waste Management Plan submitted with the subject application.

- 4.5. Engage a suitability qualified project Ecologist to implement the Biodiversity Management Plan (BMP) approved under this consent. Submit to Council's Ecologist a certification letter that summarises results of the pre-clearance survey and other management actions under the BMP. The letter must include the register of fauna encountered during works and outcomes. The letter must be submitted within one month following completion of demolition works.
- 4.6. Stockpiling will be undertaken within the approved works foot print. Stockpiling will not be undertaken in locations that impact on adjacent areas of retained native vegetation. Stockpiles are to be managed to suppress dust, prevent erosion and reduce the impact of sediment and other contaminants on the environment. This may require compaction and the installation of adequate sediment and erosion control measures around the stockpiles in accordance with the Blue Book and Best Practice Erosion and Sediment Control (IECA) guidelines. No contaminated material is permitted to be stockpiled onsite.
- 4.7. Undertake works in accordance with the *Hazardous Material Management Plan, Peat Island Mooney Mooney, NSW 2083*, dated July 2022, prepared by Prensa, except whereby modified by conditions of consent.
- 4.8. Undertake works in accordance with the *Demolition and Asbestos Methodology* prepared by SCIS Property Group, except whereby modified by conditions of consent.
- 4.9. Undertake demolition works in accordance with the *Hazardous Materials Survey*.
- 4.10. Undertake works in accordance with the *Unexpected Finds Protocol*.
- 4.11. Removal of greater than 10m<sup>2</sup> of non-friable asbestos and the removal of all friable asbestos must be undertaken by a licensed asbestos removal and in compliance with the *SafeWork NSW Code of Practice: How to Safely Remove Asbestos 2022*.
- 4.12. Cease all excavation works if acid sulfate soils are identified until such time as details of mitigation and treatment measures are submitted to, and approved by, the Principal Certifier.
- 4.13. Provide an Asbestos Clearance Certificate issued by a suitably qualified independent Occupational Hygienist or Licensed Asbestos Assessor certifying that the site has been made free of asbestos material following completion of demolition works.
- 4.14. Immediately notify Council of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation.
- 4.15. Implement dust control measures to ensure airborne dust particulates are abated and airborne movement of sediment blown from exposed disturbed areas is contained within the site.

- 4.16. Classify all excavated material removed from the site in accordance with NSW EPA (November 2014) *Waste Classification Guidelines* and/or the Resource Recovery Orders under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.
- 4.17. Ensure all excavated material removed from the site is transported to a site that is a lawful waste facility and/or a site that meets the requirements of the Resource recovery Exemptions under Part 9, Clause 91 and 92 *Protection of the Environment Operations (Waste) Regulation 2014*.
- 4.18. No soils to be imported to the subject site except for Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* and/ or *Excavated Natural Material (ENM)* that meets the Resource Recovery Orders under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014*.

## 5. ONGOING

- 5.1. Engage a suitability qualified project Ecologist to undertake monitoring required under the approved Biodiversity Management Plan. All monitoring reports must be submitted to Council's Ecologist when they fall due.

## 6. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a **criminal offence**. Failure to comply with other environmental laws may also be a **criminal offence**.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

### **Warnings as to Potential Maximum Penalties**

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

## ADVISORY NOTES

- It is an offence under the *Biodiversity Conservation Act 2016* to harm protected native wildlife. If during works fauna is displaced, it must not be harmed. If required works will cease and fauna will be transferred to the nearest veterinary hospital and Councils Ecologist will be notified within 24hrs.

- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
  - a) Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
  - b) Jemena Asset Management for any change or alteration to the gas line infrastructure
  - c) Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
  - d) Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
  - e) Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry
- Dial Before You Dig  
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- Telecommunications Act 1997 (Commonwealth)  
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. 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 phone number 1800 810 443.



DRAWING LIST

STRUCTURAL DRAWINGS

- S00OVERALL PLAN
- S01DEMOLITION PLAN BINDAREE BUILDING
- S02DEMOLITION PLAN RIVER RESCUE BUILDING
- S03DEMOLITION PLAN POSSUM CLOSE BUILDING
- S04DEMOLITION PLAN PACIFIC HIGHWAY BUILDING

No.	Date	Description	Ver.	Appr.
A	06.10.23	APPROVED ISSUE	BMJ	SDC
B	13.10.23	ACID SULPHATE NOTE ADDED	BMJ	SDC

Client

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BUILDING FABRIC AUDIT AT MOONEY MOONEY PEAT ISLAND NEW SOUTH WALES 2083	Date	OCTOBER 2023	Approved	SDC	13.10.23	Verified	BMJ	13.10.23	Prepared	SYC	13.10.23
	Scale @ A3	N.T.S									
OVERALL PLAN AND DRAWING LIST	Job number	23-342	Drawing number	S00		Amendment	B				





EXISTING BINDAREE BUILDING

EXISTING SINGLE STOREY TIMBER STRUCTURE WITH A SUSPENDED TIMBER FRAMED FLOOR AND A PITCHED TIMBER FRAMED ROOF WITH METAL SHEETING, THE EXISTING BUILDING HAS HERITAGE SIGNIFICANCE.

● DENOTES TREES TO BE RETAINED AND PROTECTED BY PLACEMENT OF 'NO GO' FENCING'.

REFER TO REPORT No. R8378836  
PREPARED BY ARBOR SCAN  
DATED 27 SEPTEMBER 2023

DEMOLITION IS LIMITED TO SUPERSTRUCTURES ONLY AND EXCLUDES ALL FOOTINGS AND STRUCTURES BELOW THE NATURAL GROUND.  
DO NOT DISTURB EXISTING CLASS 2 ACID SULPHATE SOILS.

DEMOLITION NOTES

- D1 ALL DEMOLITION WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH AS 2601-2001 DEMOLITION OF STRUCTURES CURRENT EDITION WITH AMENDMENTS, EXCEPT WHERE VARIED BY THE CONTRACT DOCUMENTS.
- D2 THE CONTRACTOR SHALL ENSURE THAT PERSONS UNDERTAKING DEMOLITION WORK ARE LICENSED AS REQUIRED UNDER THE WORK HEALTH AND SAFETY (DEMOLITION LICENSING) REGULATIONS 2022.
- D3 ALL DEMOLITION AND DISPOSAL OF ASBESTOS MUST BE UNDERTAKEN IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY REGULATIONS, CONSTRUCTION SAFETY ACT, EPA AND WORKCOVER.
- D4 PRIOR TO DEMOLITION, INSTALL MEASURES TO CONTROL EROSION AND MINIMISE DUST EMISSION FROM THE SITE.

No.	Date	Description	Ver	Appr
A	06.10.23	APPROVED ISSUE	BMJ	SDC
B	13.10.23	ACID SULPHATE NOTE ADDED	BMJ	SDC

Client  
JONES LANG LASALLE  
LEVEL 27 180 GEORGE STREET  
SYDNEY NSW 2000



BUILDING FABRIC AUDIT  
AT MOONEY MOONEY PEAT ISLAND  
NEW SOUTH WALES 2083

DEMOLITION PLAN  
BINDAREE BUILDING

Date	OCTOBER 2023	Approved	SDC	Verified	BMJ	Prepared	SYC
Scale @ A3	N.T.S	13.10.23		13.10.23		13.10.23	
Job number	23-342	Drawing number	S01	Amendment	B		



EXISTING RIVER RESCUE BUILDING

EXISTING SINGLE STOREY MASONRY VENEER STRUCTURE WITH A SUSPENDED TIMBER FRAMED FLOOR AND A PITCHED TIMBER FRAMED ROOF, CLAD IN CORRUGATED METAL SHEETING, THE EXISTING BUILDING HAS HERITAGE SIGNIFICANCE.

● DENOTES TREES TO BE RETAINED AND PROTECTED BY PLACEMENT OF 'NO GO' FENCING'.

REFER TO REPORT No. R8378836  
PREPARED BY ARBOR SCAN  
DATED 27 SEPTEMBER 2023

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No	Date	Description	Ver	Appr
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B	13.10.23	ACID SULPHATE NOTE ADDED	BMJ	SDC

Client  
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BUILDING FABRIC AUDIT  
AT MOONEY MOONEY PEAT ISLAND  
NEW SOUTH WALES 2083

Date  
OCTOBER 2023  
Scale @ A3  
N.T.S

Approved  
SDC  
13.10.23

Verified  
BMJ  
13.10.23

Prepared  
SYC  
13.10.23

DEMOLITION PLAN  
RIVER RESCUE BUILDING

Job number  
23-342

Drawing number  
S02

Amendment  
B





EXISTING 2 POSSUM CLOSE

EXISTING TWO STOREY MASONRY VENEER STRUCTURE WITH A SUSPENDED TIMBER FRAMED FLOOR AND A PITCHED TIMBER FRAMED ROOF, CLAD IN COCNRETE ROOF TILES.

● — DENOTES TREES TO BE RETAINED AND PROTECTED BY PLACEMENT OF 'NO GO' FENCING'.


REFER TO REPORT No. R8378836  
PREPARED BY ARBOR SCAN  
DATED 27 SEPTEMBER 2023

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Client JONES LANG LASALLE LEVEL 27 180 GEORGE STREET SYDNEY NSW 2000	 T +61 2 8203 1800   www.woolacotts.com.au Suite 6.02 Level 6, 87 Albert Ave, Chatswood NSW 2057 <small>This drawing is copyright material and the user is prohibited from reproducing or using it without written permission of Woolacotts Consulting Engineers Pty Ltd.</small>	BUILDING FABRIC AUDIT AT MOONEY MOONEY PEAT ISLAND NEW SOUTH WALES 2083	Date OCTOBER 2023	Approved SDC 13.10.23	Verified BMJ 13.10.23	Prepared SYC 13.10.23
		DEMOLITION PLAN 2 POSSUM CLOSE	Scale @ A3 N.T.S	Job number 23-342	Drawing number S03	Amendment B



EXISTING 60 PACIFIC HIGHWAY

EXISTING SINGLE STOREY MASONRY VENEER STRUCTURE WITH A SUSPENDED TIMBER FRAMED FLOOR AND A PITCHED TIMBER FRAMED ROOF, CLAD IN CONCRETE ROOF TILES.

● DENOTES TREES TO BE RETAINED AND PROTECTED BY PLACEMENT OF 'NO GO' FENCING'.

REFER TO REPORT No. R8378836  
PREPARED BY ARBOR SCAN  
DATED 27 SEPTEMBER 2023

DEMOLITION IS LIMITED TO SUPERSTRUCTURES ONLY AND EXCLUDES ALL FOOTINGS AND STRUCTURES BELOW THE NATURAL GROUND.  
DO NOT DISTURB EXISTING CLASS 2 ACID SULPHATE SOILS.

DEMOLITION NOTES

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- D2 THE CONTRACTOR SHALL ENSURE THAT PERSONS UNDERTAKING DEMOLITION WORK ARE LICENSED AS REQUIRED UNDER THE WORK HEALTH AND SAFETY (DEMOLITION LICENSING) REGULATIONS 2022.
- D3 ALL DEMOLITION AND DISPOSAL OF ASBESTOS MUST BE UNDERTAKEN IN ACCORDANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY REGULATIONS, CONSTRUCTION SAFETY ACT, EPA AND WORKCOVER.
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B	13.10.23	ACID SULPHATE NOTE ADDED	BMJ	SDC

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BUILDING FABRIC AUDIT  
AT MOONEY MOONEY PEAT ISLAND  
NEW SOUTH WALES 2083

Date OCTOBER 2023  
Scale @ A3 N.T.S

Approved SDC  
13.10.23

Verified BMJ  
13.10.23

Prepared SYC  
13.10.23

DEMOLITION PLAN  
PACIFIC HIGHWAY BUILDING

Job number  
23-342

Drawing number  
S04

Amendment  
B

190843-STR-001


ENGINEERING PLANS OF  
' PROPOSED RETAINING WALL UPGRADE '  
LOT 7 DP 1180499 PEAT ISLAND ROAD,  
MOONEY MOONEY, NSW, 2083

INDEX OF DRAWINGS

DRAWING No.	NAME
190843-STR-001	COVER SHEET, INDEX OF DRAWINGS
190843-STR-002	STRUCTURAL NOTES
190843-STR-101	ASSUMED RETAINING WALL LAYOUT PLAN & PIERING LAYOUT PLAN
190843-STR-102	RETAINING WALL DETAILS - SHEET 1
190843-STR-103	RETAINING WALL DETAILS - SHEET 2



FOR CONSTRUCTION

REV.	DATE	AMENDMENT	DESIGN	DRAWN	CHECKED	APPROVED	SCALES	 <div>Central Coast 5 Pioneer Avenue, P.O. Box 3717, Tuggerah N.S.W. 2259 Phone: (02) 4305 4300 Fax: (02) 4305 4399 email: coast@adwjohnson.com.au www.adwjohnson.com.au ABN 62 129 445 398</div>	CLIENT	SCIS GROUP	PROPERTY DESCRIPTION		PROJECT PROPOSED RETAINING WALL UPGRADE						
											LOT 7 DP 1180499 PEAT ISLAND ROAD, MOONEY MOONEY, NSW. 2083	PLAN TITLE COVER SHEET & INDEX OF DRAWINGS							
A	26.08.2022	PRELIMINARY ISSUE	C.B.	J.J.	C.B.	C.B.						SURVEYED ADW Johnson	DATUM N/A	A.H.D.	PROJECT No. 190843	DISCIPLINE STR	NUMBER 001	REV. 1	
1	29.08.2022	CONSTRUCTION ISSUE	C.B.	J.J.	C.B.	C.B.													
							ALL DIMENSIONS ARE IN METRES. DO NOT SCALE												

Plotted By: Jacob Jackson Plot Date: 29/08/22 11:30:09AM Cad File: S:\190843\DWG\ENGINEERING\STR\190843-STR-001.DWG

100mm AT FULL SIZE  
This plan includes coloured information. If you have a black and white copy you do not have all of the information. This note is coloured RED.



190843-STR-002

100mm AT FULL SIZE  
This plan includes coloured information. If you have a black and white copy you do not have all of the information. This note is coloured RED.

GENERAL
<p>1. ALL WORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH THE APPROVED PLANS, SUBJECT TO CENTRAL COAST COUNCIL STANDARD DRAWINGS.</p> <p>2. SETOUT INFORMATION IS TO BE VERIFIED BY THE CONTRACTOR AGAINST THE PLAN VIEW, LONGITUDINAL SECTIONS, AND ELECTRONIC 12d DATA BEFORE BEING USED. IF THERE IS A DISCREPANCY, THE SUPERINTENDENT IS TO BE NOTIFIED AND DIRECTION WILL BE PROVIDED IN WRITING BEFORE PROCEEDING.</p> <p>3. THE DRAWINGS ARE A DIAGRAMMATIC REPRESENTATION OF THE WORK TO BE CARRIED OUT ONLY, AND DIMENSIONS SHALL NOT BE OBTAINED BY SCALING.</p> <p>4. ALL LEVELS SHALL BE OBTAINED FROM ESTABLISHED BENCHMARKS TO THE <b>AUSTRALIAN HEIGHT DATUM (A.H.D.)</b>.</p> <p>5. POINTS OF CONFLICT BETWEEN NEW CONSTRUCTION AND EXISTING UTILITY SERVICE MAINS SHALL BE IDENTIFIED, EXPOSED AND REPORTED TO THE PROJECT MANAGER PRIOR TO CONSTRUCTION. SERVICE CONDUITS SHALL BE LAID IN POSITIONS AS APPROVED BY THE RELEVANT AUTHORITY.</p> <p>6. ALL MATERIALS AND PRODUCTS FOR INSTALLATION AND CONSTRUCTION SHALL COMPLY WITH AUSTRALIAN STANDARDS.</p> <p>7. THE INSPECTION, SUPERVISION AND REPORTING REQUIREMENTS OF A SUITABLY QUALIFIED ECOLOGIST REGARDING THE REMOVAL AND RELOCATION OF ANY THREATENED FAUNA SPECIES SHALL BE UNDERTAKEN AS PER RELEVANT CONDITIONS OF CONSENT.</p>
GENERAL - STRUCTURAL
<p>1. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL AND OTHER CONSULTANTS' DRAWINGS AND SPECIFICATIONS AND WITH SUCH OTHER WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ANY DISCREPANCY SHALL BE REFERRED TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK. CONSTRUCTION FROM THESE DRAWINGS, AND THEIR ASSOCIATED CONSULTANTS' DRAWINGS IS NOT TO COMMENCE UNTIL APPROVED BY THE LOCAL AUTHORITIES.</p> <p>2. ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE RELEVANT AND CURRENT STANDARDS AUSTRALIA CODES AND WITH THE BY-LAWS AND ORDINANCES OF THE RELEVANT BUILDING AUTHORITIES EXCEPT WHERE VARIED BY THE PROJECT SPECIFICATION.</p> <p>3. ALL DIMENSIONS SHOWN SHALL BE VERIFIED BY THE BUILDER ON SITE. ENGINEERS' DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS.</p> <p>4. DURING CONSTRUCTION STRUCTURES SHALL BE MAINTAINED IN A STABLE CONDITION AND NO PART SHALL BE OVERSTRESSED. TEMPORARY BRACING SHALL BE PROVIDED BY THE BUILDER TO KEEP THE WORKS AND EXCAVATIONS STABLE AT ALL TIMES.</p> <p>5. UNLESS NOTED OTHERWISE ALL LEVELS ARE IN METRES AND ALL DIMENSIONS ARE IN MILLIMETRES.</p> <p>6. THE STRUCTURAL COMPONENTS DETAILED ON THESE DRAWINGS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE RELEVANT STANDARD AUSTRALIA CODES FOR THE FOLLOWING LOADINGS. REFER TO ARCHITECTURAL DRAWINGS FOR PROPOSED FLOOR USAGE.</p> <p>SURCHARGE LIVE LOAD (5kPa) SUPERIMPOSED DEAD LOADS (NIL)</p> <p>7. WIND LOADS ARE IN ACCORDANCE WITH AS 1170.2 AS FOLLOWS: IMPORTANCE LEVEL: BASIC WIND VELOCITY, <math>V_p = 41m/s</math> REGION: TERRAIN CATEGORY:</p>

FOUNDATIONS
<p>1. FOOTINGS HAVE BEEN DESIGNED FOR AN ALLOWABLE BEARING CAPACITY OF 150kPa ON STIFF CLAY OR DENSE SAND THE FOUNDATION MATERIAL SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER FOR THIS BEARING CAPACITY BEFORE PLACING MEMBRANE, REINFORCEMENT OR CONCRETE.</p> <p>2. FOOTINGS SHALL BE LOCATED CENTRALLY UNDER WALLS AND COLUMNS UNLESS NOTED OTHERWISE.</p> <p>3. DO NOT EXCEED A RISE OF 1 IN A RUN OF 2 FOR THE LINE OF SLOPE BETWEEN ADJACENT FOOTINGS OR EXCAVATIONS.</p> <p>4. DO NOT BACKFILL RETAINING WALLS (OTHER THAN CANTILEVER WALLS) UNTIL FLOOR CONSTRUCTION AT TOP AND BOTTOM IS COMPLETED. ENSURE FREE DRAINING BACKFILL AND DRAINAGE IS IN PLACE.</p> <p>5. FOOTINGS TO BE CONSTRUCTED AND BACKFILLED AS SOON AS POSSIBLE FOLLOWING EXCAVATION TO AVOID SOFTENING OR DRYING OUT BY EXPOSURE.</p>
FORMWORK
<p>1. THE DESIGN CERTIFICATE CONSTRUCTION AND PERFORMANCE OF THE FORMWORK AND FALSE WORK SHALL BE THE RESPONSIBILITY OF THE BUILDER, EXCEPT TO THE EXTENT THAT FORMWORK DESIGN IS SHOWN ON THE DRAWINGS.</p> <p>2. FORMWORK DESIGN, CONSTRUCTION TOLERANCES AND STRIPPING TIMES SHALL COMPLY WITH AS 3610 AND AS 3600 UNLESS OTHERWISE APPROVED BY THE ENGINEER.</p> <p>3. DURING CONSTRUCTION, SUPPORT PROPPING WILL BE REQUIRED WHERE LOADS FROM STACKED MATERIALS, FORMWORK AND OTHER SUPPORTED SLABS INDUCE LOADS IN A SLAB OR BEAM WHICH EXCEED THE DESIGN LOAD FOR STRENGTH OR SERVICEABILITY AT THAT AGE. ONCE THE NOMINATED 28 DAY STRENGTH HAS BEEN ATTAINED, THESE LOADS SHALL NOT EXCEED THE DESIGN SUPERIMPOSED LOADS SET OUT IN THE GENERAL NOTES.</p> <p>4. IT IS TO BE ANTICIPATED IN MULTI-STORY CONSTRUCTION THAT PROPPING MAY EXTEND AT LEAST 3 LEVELS BELOW THE FLOOR BEING CAST. PROP REMOVAL IS TO BE PROGRAMMED TO AVOID DISTRESS TO PREVIOUSLY CAST FLOORS. RESHORING OR BACKPROPPING IS SUBJECT TO THE APPROVAL OF THE PROJECT DESIGN ENGINEER.</p> <p>5. THE FORMWORK SHALL NOT BE DESIGNED TO ACCOMMODATE MOVEMENTS ON RESTRAINT OR SUPPORT FROM THE PERMANENT STRUCTURE WITHOUT PRIOR APPROVAL FROM THE PROJECT DESIGN ENGINEER.</p> <p>6. FORMWORK SHALL BE DESIGNED TO ACCOMMODATE MOVEMENTS AND LOAD RE-DISTRIBUTION DUE TO POST TENSIONING.</p> <p>7. CONCRETE FORMED SURFACES TO HAVE FINISHES IN ACCORDANCE WITH AS 3610, AS SPECIFIED BY THE PROJECT ARCHITECT.</p> <p>8. DO NOT PLACE PERMANENT LOADS, INCLUDING MASONRY WALL AND THE LIKE, ON THE CONCRETE STRUCTURE UNTIL AFTER FORMWORK AND PROPPING IS REMOVED.</p> <p>9. SPECIAL REQUIREMENTS FOR SEQUENCE OF CONCRETE PLACEMENT AND STRIPPING ARE AS FOLLOWS:</p> <p>DESIGN INFORMATION CONCERNING THE FOUNDATION FORMWORK SHALL BE DETERMINED FROM THE CONDITIONS EXISTING ON THE SITE AT THE TIME OF CONSTRUCTION. REFER ALSO TO THE GEOTECHNICAL REPORT WHERE AVAILABLE.</p> <p>REFER TO ARCHITECT'S DRAWINGS FOR TEST PANEL DETAILS. REINFORCEMENT FOR TEST PANELS SHALL BE SIMILAR TO THAT IN THE PERMANENT STRUCTURE BEING REPRESENTED.</p>

CONCRETE

1. ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH AS 3600 CURRENT EDITION WITH AMENDMENTS, EXCEPT WHERE VARIED BY THE CONTRACT DOCUMENTS.

2. READY MIX CONCRETE SUPPLY SHALL COMPLY WITH AS 1379.

3. CONCRETE QUALITY ALL THE REQUIREMENTS OF THE ACSE CONCRETE SPECIFICATION DOCUMENT 1 (EDITION 6) SHALL APPLY TO THE FORMWORK, REINFORCEMENT AND CONCRETE UNLESS NOTED OTHERWISE.

4. PROJECT CONTROL TESTING SHALL BE CARRIED OUT IN ACCORDANCE WITH AS 1012

5. NO ADMIXTURES SHALL BE USED IN CONCRETE UNLESS APPROVED IN WRITING.

6. CLEAR CONCRETE COVER TO ALL REINFORCEMENT FOR DURABILITY SHALL BE AS FOLLOWS UNLESS SHOWN OTHERWISE.

EXPOSURE CLASSIFICATION TO AS3600	CONCRETE GRADE	CAST AGAINST GROUND	CAST IN FORMS AND EXPOSED
FOOTINGS	32	50mm	50mm

NOTE: (1) COVER REQUIREMENTS MAY NEED TO BE INCREASED TO  
SUIT FIRE RATING  
(2) EXPOSURE CLASSIFICATION SHALL BE AS INDICATED ON THE DRAWINGS.

7. ALL REINFORCEMENT SHALL BE FIRMLY SUPPORTED ON MILD STEEL PLASTIC TIPPED CHAIRS, PLASTIC CHAIRS OR CONCRETE CHAIRS AT NOT GREATER THAN 1 METRE CENTRES BOTH WAYS. BARS SHALL BE TIED AT ALTERNATE INTERSECTIONS. IN EXPOSURE CONDITIONS GREATER THAN B1 USE ONLY PLASTIC CHAIRS.

8. CONCRETE SIZES SHOWN DO NOT INCLUDE THICKNESSES OF APPLIED FINISHES.

9. FOR CHAMFERS, DRIP GROOVES, REGLETS, ETC., REFER TO ARCHITECT'S DETAILS, MAINTAIN COVER TO REINFORCEMENT AT THESE DETAILS.

10. NO HOLES, CHASES OR EMBEDMENT OF PIPES OTHER THAN THOSE SHOWN ON THE STRUCTURAL DRAWINGS SHALL BE MADE IN CONCRETE MEMBERS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE ENGINEER.

11. CONSTRUCTION JOINTS WHERE NOT SHOWN SHALL BE LOCATED TO THE APPROVAL OF THE ENGINEER.

12. THE FINISHED CONCRETE SHALL BE A DENSE HOMOGENEOUS MASS, COMPLETELY FILLING THE FORMWORK THOROUGHLY EMBEDDING THE REINFORCEMENT AND FREE OF STONE POCKETS. ALL CONCRETE INCLUDING SLABS ON GROUND AND FOOTINGS SHALL BE COMPACTED WITH MECHANICAL VIBRATORS.

13. CURING OF ALL CONCRETE IS TO BE ACHIEVED BY KEEPING SURFACES CONTINUOUSLY WET FOR A PERIOD OF 3 DAYS, AND PREVENTION OF LOSS OF MOISTURE FOR A TOTAL OF 7 DAYS FOLLOWED BY A GRADUAL DRYING OUT. APPROVED SPRAYED ON CURING COMPOUNDS THAT COMPLY WITH AS 3799 MAY BE USED WHERE FLOOR FINISHES WILL NOT BE AFFECTED (REFER MANUFACTURER'S SPECIFICATION). POLYTHENE SHEETING OR WET HESSIAN MAY BE USED TO RETAIN CONCRETE MOISTURE WHERE NOT PROTECTED FROM WIND AND TRAFFIC.

14. CONSTRUCTION SUPPORT PROPPING IS TO BE LEFT IN PLACE WHERE NEEDED TO AVOID OVERSTRESSING THE STRUCTURE DUE TO CONSTRUCTION LOADING. NO BRICKWORK OR PARTITION WALLS ARE TO BE CONSTRUCTED ON SUSPENDED LEVELS UNTIL ALL PROPPING IS REMOVED AND THE SLAB HAS ABSORBED ITS DEAD LOAD DEFLECTION.

15. THE ENGINEER SHALL BE GIVEN 24 HOURS NOTICE FOR REINFORCEMENT INSPECTION AND CONCRETE SHALL NOT BE DELIVERED UNTIL FINAL APPROVAL OBTAINED.

16. CONDUITS, PIPES ETC. SHALL ONLY BE LOCATED IN THE MIDDLE ONE THIRD OF SLAB DEPTH AND SPACED AT NOT LESS THAN 3 DIAMETERS. PIPES OR CONDUITS SHALL NOT BE PLACED WITHIN THE COVER TO REINFORCEMENT.

CONCRETE

17. REINFORCEMENT SYMBOLS:  
N DENOTES DEFORMED RIBBED BARS, GRADE 500MPa, NORMAL DUCTILITY, NOMINATED BAR SIZE TO AS 4671 U.N.O. eg. N16  
R DENOTES ROUND BARS, GRADE 250MPa, NORMAL DUCTILITY, NOMINATED BAR SIZE TO AS 4671 eg. R10  
SL DENOTES SQUARE MESH, DEFORMED RIBBED BARS, GRADE 500MPa, LOW DUCTILITY, NOMINATED BAR SIZE AND SPACING TO AS 4671, U.N.O. eg. SL92 - 9mm BARS @ 200mm CENTRES  
RL DENOTES RECTANGULAR MESH, DEFORMED RIBBED BARS, GRADE 500MPa, LOW DUCTILITY, NOMINATED BAR SIZE AND SPACING TO AS 4671 U.N.O. eg. RL1018 - 10mm BARS @ 100mm CENTRES  
8mm BARS @ 200mm CENTRES  
TM DENOTES TRENCH MESH, DEFORMED RIBBED BARS, GRADE 500MPa, LOW DUCTILITY, NOMINATED BAR SIZE TO AS 4671 U.N.O. eg. 3-L11TM - 3 11mm BARS @100mm CENTRES LONGITUDINALLY  
AND CROSS BARS @ 300mm CENTRES  
NUMBER OF BARS IN GROUP  $\frac{17}{17} \frac{N}{N}$  BAR GRADE AND TYPE  
NOMINAL BAR SIZE IN mm  $\frac{20}{20}$  SPACING IN mm

18. REINFORCEMENT IS REPRESENTED DIAGRAMMATICALLY AND NOT NECESSARILY IN TRUE PROJECTION.

19. SLAB REINFORCEMENT SHALL EXTEND AT LEAST 65mm ONTO MASONRY SUPPORT WALLS AND 50 PERCENT OF BOTTOM REINFORCEMENT SHALL BE COGGED TO ACHIEVE ANCHORAGE AT SIMPLY SUPPORTED ENDS.

20. SPLICES IN REINFORCEMENT SHALL BE MADE ONLY IN POSITIONS SHOWN OR OTHERWISE APPROVED IN WRITING BY THE ENGINEER. LAPS SHALL BE IN ACCORDANCE WITH AS 3600 AND NOT LESS THAN THE DEVELOPMENT LENGTH FOR EACH BAR.

21. SITE BENDING OF DEFORMED REINFORCING BARS SHALL BE DONE WITHOUT HEATING USING MECHANICAL BENDING TOOLS.

22. WELDING OF REINFORCEMENT SHALL NOT BE PERMITTED UNLESS SHOWN ON THE STRUCTURAL DRAWINGS OR APPROVED BY THE ENGINEER.

23. JOGGLES TO BAR SHALL BE 1 BAR DIAMETER OVER A LENGTH OF 12 BAR DIAMETERS.

24. FABRIC SHALL BE LAPPED 2 TRANSVERSE WIRES PLUS 50mm. BUNDLED BARS SHALL BE TIED TOGETHER AT 30 BAR DIAMETER CENTRES WITH 3 WRAPS OF THE WIRE.

25. WHERE TRANSVERSE TIE BARS ARE NOT SHOWN PROVIDE N12-400 SPLICED WHERE NECESSARY AND LAP WITH MAIN BARS 400mm U.N.O.

26. PROVIDE UPWARD CAMBER TO FORMWORK OF REINFORCED CONCRETE CANTILEVERS OF L/120, WHERE L IS THE PROJECTION BEYOND COLUMN OR WALL FACE, AND TO FORMWORK OF SLABS WHERE NOTED ON PLAN. MAINTAIN THE SLAB AND BEAM DEPTHS SHOWN.

27. SLABS AND BEAM SHALL BE CONSTRUCTED TO BEAR ONLY ON THE BEAMS, WALLS, COLUMNS, ETC SHOWN ON THE DRAWINGS. ALL OTHER BUILDING ELEMENTS SHALL BE KEPT 15mm MINIMUM CLEAR FROM SOFFITS OF STRUCTURE.

28. REINFORCING LAP/COG LENGTHS

BAR#	LAP(mm)	COG
N12	500	
N16	600	IN
N20	900	ACCORDANCE
N24	1200	WITH AS 3600
N28	1500	

UNLESS NOTED OTHERWISE

29. GROUT TO BE 30MPa NON-SHRINK POURABLE GROUT. ALL BLOCKOUTS TO BE REMOVED PRIOR TO INSTALLING GROUT. GROUT AS PART OF BASE PLATE GROUTING.

30. ALL SLABS TO BE POURED ON WATERPROOF MEMBRANE U.N.O. WATERPROOF MEMBRANE TO BE 0.2mm THK PLASTIC MEMBRANE U.N.O.

## MASONRY

1. ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH AS 3700.

2. STRENGTHS OF BRICKS, CLASS OF BLOCKS AND TYPE OF MORTAR SHALL BE AS FOLLOWS: -

ELEMENT	MATERIAL	CHARACTERISTIC UNCONFINED COMPRESSIVE STRENGTH, $f_{uc}$	MORTAR CLASSIFICATION
CORE FILLED BLOCKS	CONCRETE	15 MPA	M4

3. MORTAR ADMIXTURES SHALL NOT BE USED WITHOUT THE WRITTEN APPROVAL OF THE SUPERINTENDENT.

4. ALL MASONRY WALLS AND PIERS SUPPORTING SLABS AND BEAMS SHALL HAVE A PRE-GREASED GALVANISED STEEL SLIP JOINT BETWEEN CONCRETE SOFFIT AND THE TOP OF THE MASONRY ELEMENT U.N.O. OR TWO LAYERS OF SUPER ALCOR.

5. ALL MASONRY SUPPORTING OR SUPPORTED BY CONCRETE FLOORS SHALL BE PROVIDED WITH VERTICAL JOINTS TO MATCH ANY CONTROL JOINTS IN THE CONCRETE.

6. NON LOAD BEARING WALLS SHALL BE SEPARATED FROM CONCRETE ABOVE 12mm THICK CLOSED CELL POLYETHYLENE STRIP.

7. NO CHASES OR RECESSES ARE PERMITTED IN LOAD BEARING MASONRY WITHOUT THE APPROVAL OF THE ENGINEER.

8. REINFORCED CONCRETE BLOCKWORK SHALL COMPLY WITH THE FOLLOWING U.N.O.: - BLOCKS SHALL BE STRENGTH GRADE 15 CONFORMING TO AS 4455. MORTAR SHALL COMPRISE 1 CEMENT : 0.25 LIME : 3 SAND. PROVIDE CLEANOUT HOLES AT BASE OF ALL WALLS AND ROD CORE HOLES TO REMOVE PROTRUDING MORTAR FINS. CORE FILLING GROUT TO HAVE A CHARACTERISTIC STRENGTH OF 20MPa, 10mm AGGREGATE, 230mm SLUMP  $\pm 30mm$ . PROVIDE 65mm COVER TO REINFORCING BARS FROM THE OUTSIDE FACE OF THE BRICKWORK TO ALLOW ADEQUATE GROUT COVER.

9. PROVIDE VERTICAL CONTROL JOINTS AT 8m MAX CENTRES, AND 4m MAXIMUM FROM CORNERS IN ALL MASONRY WALLS.

10. BACKFILL TO RETAINING WALLS TO BE FREE DRAINING GRANULAR MATERIAL U.N.O. PROVIDE SUBSOIL DRAIN TO WEEP HOLES.

11. DO NOT CONSTRUCT MASONRY WALLS ON SUSPENDED CONCRETE SLABS UNTIL SLAB HAS BEEN STRIPPED AND DE-PROPPED.


12. ALL CAVITY CONSTRUCTION TO HAVE STAINLESS STEEL WALL TIES INSTALLED AS PER CLAUSE 4.10 AS 3700.

13. MAXIMUM HEIGHT OF BLOCK WORK TO BE POURED IN ONE LIFT TO BE 1200mm.

14. BACKFILL SHOULD NOT BE PLACED BEHIND THE WALL UNTIL ATLEAST TEN DAYS AFTER GROUTING.

REV.	DATE	AMENDMENT	DESIGN	DRAWN	CHECKED	APPROVED	SCALES
A	26.08.2022	PRELIMINARY ISSUE	C.B.	J.J.	C.B.	C.B.	
1	29.08.2022	CONSTRUCTION ISSUE	C.B.	J.J.	C.B.	C.B.	

ALL DIMENSIONS ARE IN METRES. DO NOT SCALE



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CLIENT  
  
SCIS GROUP

PROPERTY DESCRIPTION  
  
LOT 7 DP 1180499  
PEAT ISLAND ROAD,  
MOONEY MOONEY, NSW. 2083

PROJECT  
PROPOSED RETAINING WALL UPGRADE  
  
PLAN TITLE  
STRUCTURAL NOTES

SURVEYED  
ADW Johnson

DATUM  
N/A

A.H.D.

PROJECT No.  
190843

DISCIPLINE  
STR

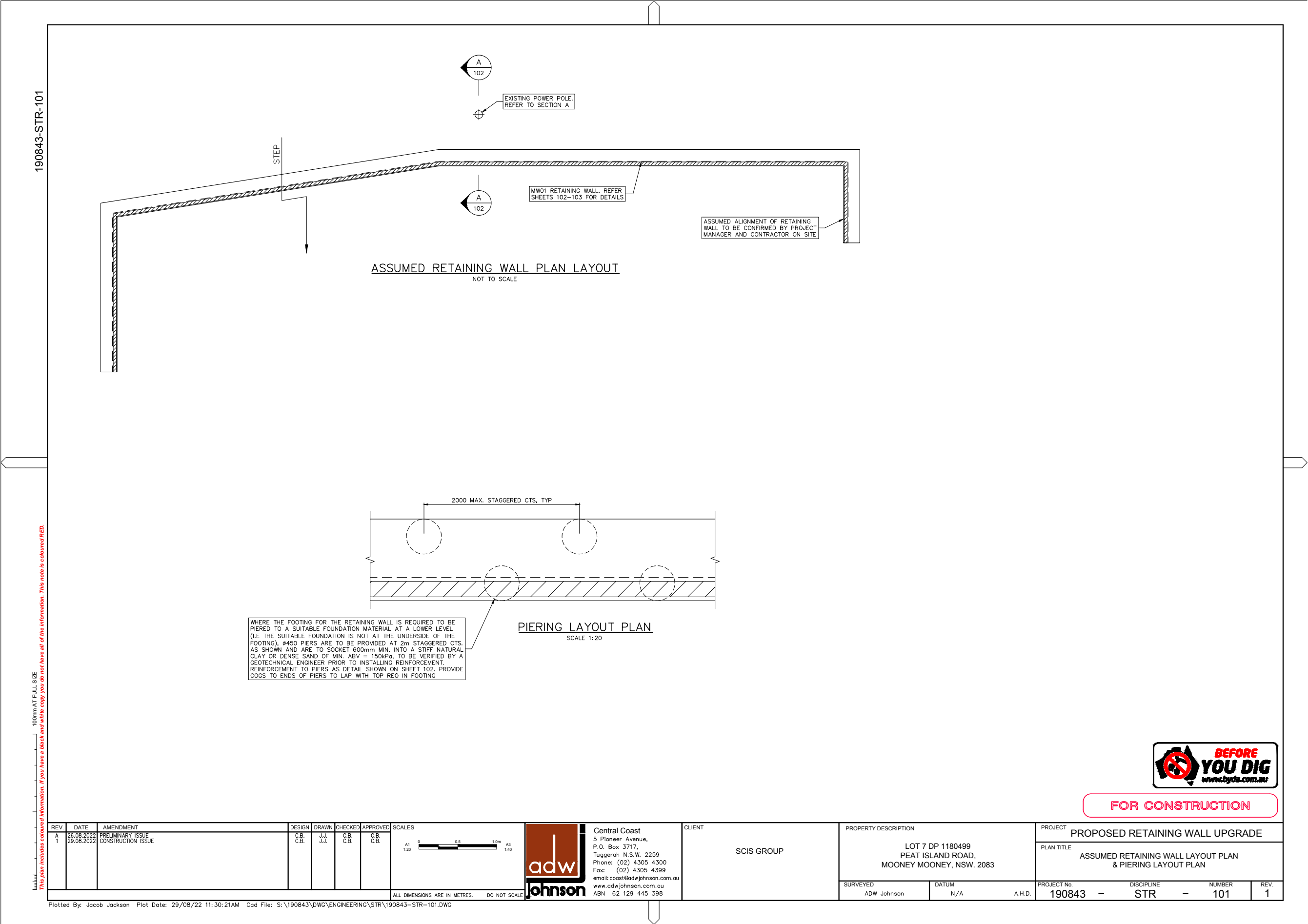
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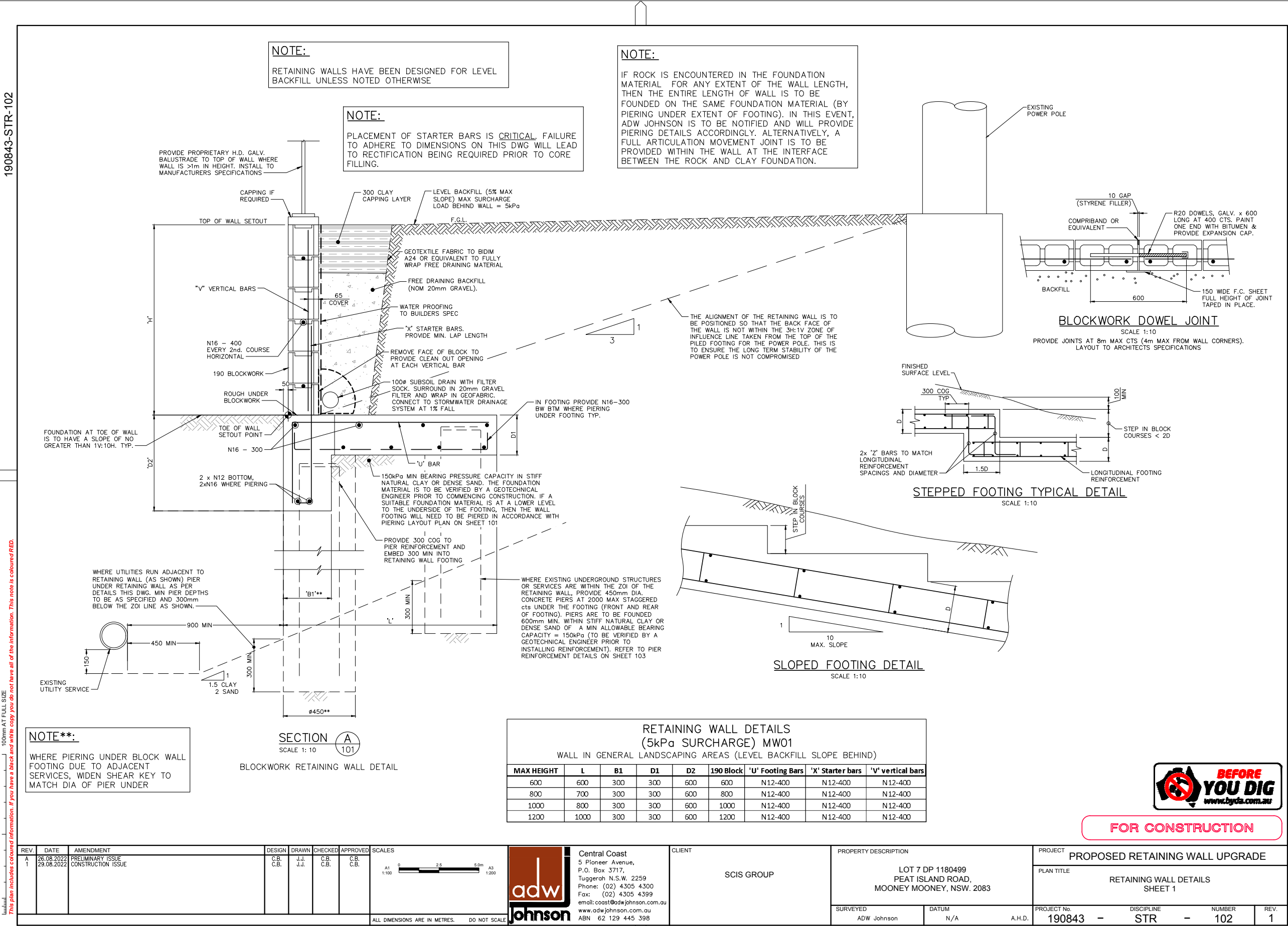
REV.  
1

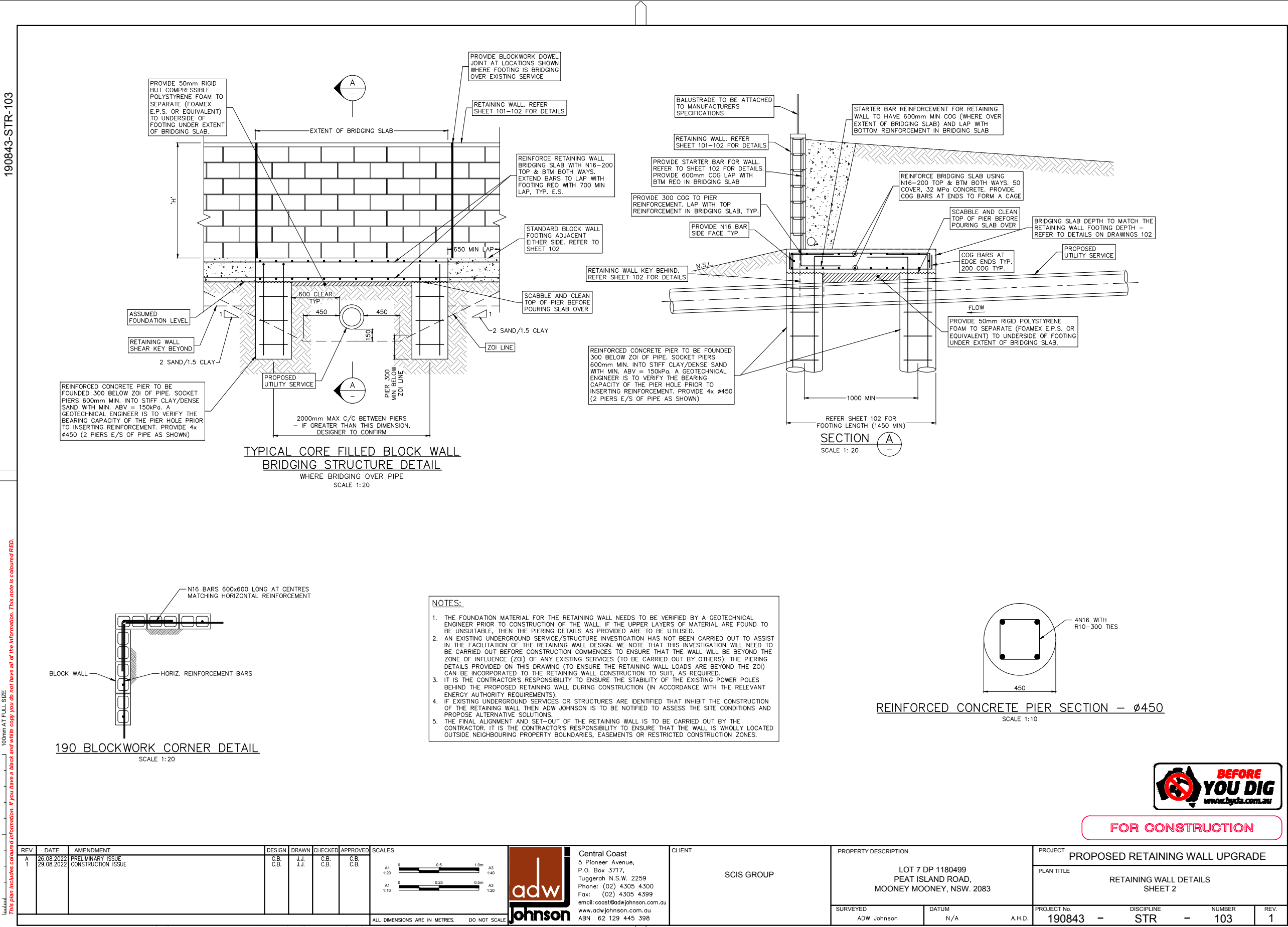


FOR CONSTRUCTION

Plotted By: Jacob Jackson Plot Date: 29/08/22 11:30:16AM Cad File: S:\190843\DWG\ENGINEERING\STR\190843-STR-002.DWG











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## **Demolition & Asbestos Methodology**

### **PPE Requirements**

The following PPE requirements are mandated by the specific codes and regulations of Australia and NSW:

Safety helmet/hard hat compliant with AS/NZS 1801:2019 (Australian/New Zealand Standard) must be worn when working under structures to be demolished.

Safety footwear complying with AS/NZS 2210.3 (Australian/New Zealand Standard) is mandatory.

Eye protection/safety glasses meeting the requirements of AS/NZS 1337.1 (Australian/New Zealand Standard) must be worn.

Leather gauntlets are necessary for OXY-cutting activities, where applicable, in adherence to AS/NZS 2161.3 (Australian/New Zealand Standard).

Harnesses/fall arrest systems conforming to AS/NZS 1891.4 (Australian/New Zealand Standard) are to be used when working at heights.

Hi-Vis vests compliant with AS/NZS 4602.1 (Australian/New Zealand Standard) should be worn.

Hearing protection in accordance with AS/NZS 1270 (Australian/New Zealand Standard) should be used when necessary to control noise exposure.

### **Demolition Method**

The demolition activities will be conducted in full compliance with Australian and NSW laws, regulations, and guidelines, including the management of hazardous materials such as asbestos. The following methodology outlines the safe removal of various materials, as well as the control of site runoff during hazmat removal, in accordance with the relevant codes and regulations:

#### **Roof Removal**

The removal of roof sheets will be carried out in accordance with the approved removal control plan, complying with the requirements of the Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace (2018). The sheets will be carefully unscrewed and loaded onto trucks for transportation to an EPA-licensed waste facility. Measures will be implemented to control site runoff during this process, including the use of appropriate containment systems or sediment control barriers, as outlined in the NSW Environment Protection Authority (EPA) guidelines.

#### **Insulation**

The removal of insulation will be coordinated with the removal of roof sheeting and internal wall panels, following the guidelines outlined in the Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace. All materials will be deposited at an EPA-approved waste station, adhering to the requirements of the NSW Work Health and Safety



Regulation 2017. Site runoff control measures, such as the use of containment systems and sediment traps, will be implemented during this process to prevent the release of hazardous materials.

#### **Removal of All Floor Coverings and Fixtures**

Small machines and hand tools will be used to remove floor coverings and loose materials, following the guidelines of the NSW Work Health and Safety Regulation 2017. These materials will be transferred to a designated load-out area for loading and transportation to an EPA-licensed waste station. Site runoff control measures, including the use of appropriate containment systems or sediment barriers, will be employed to prevent the release of hazardous substances and control site runoff during the removal process, aligning with the NSW EPA guidelines for hazardous waste management.

#### **Removal of Glass Windows Glass**

windows will be removed by hand whenever practical, ensuring the safety of employees and following the guidelines of the NSW Work Health and Safety Regulation 2017. In cases where removal by hand poses a risk, such as potential glass breakage, an excavator will be utilized during the demolition operation. Adequate site runoff control measures, such as the use of containment systems or sediment control barriers, will be employed during the removal of glass windows to capture any debris or runoff, as specified in the NSW EPA guidelines.

#### **Walls and Ceilings (Bonded Asbestos)**

The removal of walls and ceilings containing bonded asbestos will be conducted from a mobile scaffolding or scissor lift, if required, and in compliance with the Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace. The materials will be manually removed in as large sections as possible and placed in plastic-lined trucks. The joints will be taped and sealed to prevent the release of asbestos fibres. The materials will be transported to an approved EPA waste station, complying with the NSW Work Health and Safety Regulation 2017 and the NSW Protection of the Environment Operations (Waste) Regulation 2014. Site runoff control measures, including the use of appropriate containment systems or sediment control barriers, will be implemented during the removal of bonded asbestos to prevent the release of hazardous substances.

#### **Roof and Ceiling Framework**

The dismantling of the roof and ceiling framework will be carried out manually whenever practical, following the guidelines of the NSW Work Health and Safety Regulation 2017. The dismantled materials will be lowered to the ground, loaded onto trucks, secured, and transported to an appropriate recycling station. All work at heights will be performed by trained personnel using proper PPE in accordance with the relevant codes and regulations. Access to roof spaces will be via ladders, scissor lifts, or scaffolding, adhering to the NSW Work Health and Safety Regulation 2017.

#### **Internal Strip-out**

The strip-out process will be conducted using small machines and manual means, utilizing hand and power tools as necessary. It will include the removal of cupboards, fittings, ceilings (plasterboard or



fibro plaster), floor covers, wall linings (plasterboards), wall linings (ceramic tiles), inside mouldings, doors, and internal wall framing (timber). All materials will be handled, stacked, loaded onto trucks, secured, and taken to EPA-approved waste stations or recycling facilities, complying with the NSW Protection of the Environment Operations (Waste) Regulation 2014 and relevant codes of practice.

#### **Site runoff control measures**

including the use of containment systems, sediment control barriers, or other appropriate measures, will be implemented throughout the internal strip-out process to prevent the release of hazardous substances and manage site runoff in accordance with NSW EPA guidelines.

To ensure proper site runoff control during hazmat removal, the SCIS Property Group will implement the following measures in accordance with the relevant Australian and NSW regulations, including the NSW Protection of the Environment Operations Act 1997 and the NSW EPA guidelines for site remediation:

#### **Containment Systems:**

All trucks and bins used for transporting hazardous materials will be lined with plastic to prevent any leakage or runoff during transportation.

Plastic drop sheets will be placed around the work area, including the vicinity of trucks and bins, to contain any potential spills or debris.

#### **Personal Protective Equipment (PPE):**

All workers involved in hazmat removal will be equipped with the correct PPE as required by the relevant codes and regulations. This includes safety helmets, safety footwear, eye protection, leather gauntlets, harnesses/fall arrest systems, hi-vis vests, and hearing protection.

SCIS Property Group understands the importance of using appropriate PPE to ensure the safety of workers and prevent any contamination or runoff during the hazmat removal process.

By implementing these measures, including the use of plastic lining in trucks/bins and the utilization of correct PPE, the SCIS Property Group aims to control site runoff effectively and maintain compliance with the specific codes and regulations outlined by the Australian and NSW authorities regarding hazmat removal and site environmental protection.

#### **Completion Upon**

completion of the demolition and removal tasks, the SCIS Property Group will ensure that the vacant land is thoroughly cleared of all debris, complying with the requirements of the NSW Protection of the Environment Operations Act 1997. Any remaining materials or waste will be disposed of at an EPA-approved waste depot or landfill site in accordance with the NSW Protection of the Environment Operations (Waste) Regulation 2014. All site runoff control measures will be removed, and appropriate cleanup measures will be implemented to restore the site to a clean and safe condition, in accordance with the NSW EPA guidelines for site remediation.

**Recycling of Demolition Materials**

SCIS Property Group will follow the relevant Australian and NSW regulations for the recycling of demolition materials. All timber and metal beams, such as timber purlins and metal beams, will be sold for second-hand building materials whenever practical, aligning with the NSW EPA guidelines for waste recycling. Concrete and brick materials will be transported to a concrete recycling plant to be crushed into road base material. Scrap metal will be recycled at authorized dealers, and glass will be transported to a glass recycler for recycling, following Australian and NSW regulations.

**Landfill/Waste**

Any materials that cannot be recycled will be disposed of at an EPA-approved waste depot or landfill site in compliance with Australian and NSW waste management regulations. Proper measures will be taken to prevent any runoff or contamination during the disposal process, in accordance with environmental guidelines. Additionally, site runoff control measures will be implemented to manage any potential runoff generated from the waste disposal area.



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# SCIS Property Group

Project Methodology

June 2023





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## EXECUTIVE SUMMARY

SCIS have carried out a detailed review of the Request for Tender Documents. We have gained a comprehensive understanding of the Principal Project Requirements and associated documents. SCIS Property Group has extremely large coverage and are confident in delivering the managing contractor scope as detailed in the document. Our dedicated team coupled with high levels of government experience working in live environments will allow SCIS to complete the project with minimal disruption to the end user.

Our project methodology along with our indicative project schedule has outlined our methodology we will undertake to complete the work by 30<sup>th</sup> August 2023.







## Phase 1 Planning

Upon execution of contract SCIS Property Group will commence the preparation of project related and contract required documentation including client meetings

The Following documentation will be prepared and issued for review

- Preparation of Quality Management Plan
- Preparation of Aboriginal Participation Plan
- Risk Register
- Preparation WHS Management Plan
- Preparation of Environmental Management Plan
- Preparation of Service Delivery Plan
- Preparation of Design Management Plan
- Preparation of Commissioning & Handover Plan

Our Delivery teams will be focused on scheduling detailed site inspection to establish local knowledge, specific site requirements, instructions, Dilapidation reports, investigation, and documenting services infrastructure





## Phase 2 – Design & Tender

SCIS Property Group will have a key focus in procuring the works immediately focusing on staging the works so that items that have low or no design works can commence immediately. SCIS will work closely with our indigenous contractors and target 10% of the entire contract value being sourced from indigenous sub-contractors. SCIS Property Group has a wide-reaching contractor pool including our own self delivery staff that will enable us to draw local relationships to deliver the works at a high quality and in a timely manner. Design works will be minimal due to the scope being maintenance in nature enabling long lead times to be reduced and completion prior to 30<sup>th</sup> August 2023





## Phase 3 – Mobilisation

The following construction mobilisation duties will be undertaken for this project:

- Completion of non-invasive and invasive investigations to develop initial design & condition reports
- Preparation of preliminary & schematic design
- Ensure all subcontractors/suppliers have been issued required design documentation (prepared through design development phase)
- Identification & labelling of all services that are to be retained for use within the building which may affect surrounding live work areas.
- Submit all permits-to-work/isolation forms prior to commencement of work.
- Carrying out all necessary risk analysis prior to the start of work and ensuring that contingency plans are established in advance, inclusive of preconstruction Hazmat testing.
- Ensuring that all essential services are not compromised whilst the works are in progress.
- Consideration of the structure/fabric/envelope of the building during the design and construction period.



## Site Specific Inductions

Our site inductions are well prepared and will be specifically tailored to the Peat Island Handback Project 2023. The inductions also include various issues & 'lessons learnt' that have arisen on previous projects. Critical site issues will be pointed out to our trade partners such as:

- Online PDNSW Induction Requirements
- Working in a live tertiary education environment
- COVID-19 site procedures
- Changing site conditions
- Material movement
- Parking
- Quality Control
- Amenities
- Programme of works
- Fire alarms
- No radios or foul language
- Emergency meeting points

We assume that SCIS project staff will have an induction with PDNSW prior to the onsite works. Any information that we learn from this induction will form/be included in our normal induction for the workers.



## Delivery / Constuction

Throughout the construction process, SCIS Property Group will propose a carefully considered approach to environmental, safety, noise & industrial relations management, site access, loading of materials & rubbish disposal during the construction phase.

During the construction phase SCIS will control the following aspects:

- Control Weekly PWG Meetings.
- Control Subcontractors & Suppliers.
- Monitor and Update Construction Program.
- Maintain WH&S Role, Inductions, SWMS.
- Monitor Quality Assurance & Workmanship (ITP's)
- Maintain Workplace and Industrial Relations on site.
- Administering trade contracts including RFIs, progress payments, retentions.

SCIS Property Group works across a broad range of industries and sectors, with the core business revolving around multi-asset-, State- and Nation-wide portfolios. With the vast spread of our client base, the business has built systems and networks that allow us to move quickly and competently against any challenge our customers may face. The opportunity presented through PDNSW could be seen as daunting to businesses that are heavily focused in the metro areas, however the SCIS methodology sees us as strong in the regional and rural pockets, as we are in the metro areas. In order to demonstrate the capability that best parallels this opportunity, we have highlighted the following portfolio that will demonstrate our absolute ability to deliver the services as set out in this RFT.

Stage 1 Construction would see work with low or no design works immediately allowing our Construction Managers and Project Managers the ability to work with the design team and expedite the process

Stage 2 – Our Project Manager will work closely with the design teams to have packages complete so that works can commence as design is getting complete

Stage 3 – Long Lead Time Items – SCIS will immediately identify all lead time items and place commitments with suppliers and look to have these works completed at the tail end of the project



## Delivery / Constuction - Demolition

### Building 1:

- Asbestos-containing fibre cement sheet walls in the original south eastern corridor bathrooms
- Asbestos-containing fibre cement sheet walls in wall voids at multiple locations
- Asbestos-containing fibre cement sheet ceiling lining above the south eastern corridor
- Lead paint identified in multiple locations

### Building 18:

- Asbestos-containing packers below the balcony
- Asbestos-containing fascia
- Asbestos-containing eaves
- Asbestos-containing dark grey vinyl tiles
- Asbestos-containing green sheet vinyl beneath carpet
- Asbestos-containing light grey vinyl floor tiles
- Lead paint identified in multiple locations

### 2 Possum Close:

- Asbestos-containing eaves
- Asbestos-containing packers within the subfloor
- Asbestos-containing fibre cement sheeting to the garage ceiling below the fireplace
- Lead paint identified throughout

### 60 Pacific Hwy:

- Asbestos-containing eaves
- Asbestos-containing wall lining in the bathroom (similar to cupboard, access door, and kitchen walls)
- Lead paint identified throughout

### Project Overview:

- The objective of this project is to safely demolish and remove the identified hazardous materials from the buildings mentioned above, in compliance with the relevant Australian standards and guidelines.
- Our team will undertake the necessary steps to ensure the proper handling, containment, and disposal of the hazardous materials during the demolition process.

### Risk Assessment and Planning:

- A comprehensive risk assessment will be conducted in accordance with Australian regulations, including the Work Health and Safety Act 2011, to identify potential hazards associated with the presence of asbestos and lead paint.
- Based on the assessment, a detailed demolition plan will be developed, outlining specific procedures to mitigate risks and ensure the safety of workers and occupants.



Asbestos Removal:

- Only qualified and licensed asbestos removal specialists, complying with Australian regulations, will be engaged to carry out the safe removal of ACMs.
- Proper containment measures, including the use of negative air pressure enclosures and personal protective equipment (PPE) in accordance with Australian Standard AS 2915:2018, will be implemented to minimize the spread of asbestos fibers.
- The removal process will adhere to the requirements of the Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace.

Lead Paint Removal:

- Certified professionals, following the guidelines set by the National Association of Testing Authorities (NATA), will be employed to safely remove lead paint from the affected surfaces.
- Appropriate containment measures, such as encapsulation or wet methods, will be employed to prevent the dispersion of lead dust during removal activities, complying with the requirements of Australian Standard AS 4361.1:2017.

Waste Management and Disposal:

- All hazardous materials, including ACMs and lead-contaminated waste, will be collected, packaged, and labeled according to Australian regulations, specifically the Environmental Protection Act 1994.
- We will ensure the transportation and disposal of these materials are carried out by licensed and authorized waste management contractors, adhering to the Waste Reduction and Recycling Act 2011.

Health and Safety Measures:

- Our team will strictly adhere to all relevant health and safety regulations, including the Work Health and Safety Act 2011, throughout the demolition and hazardous material removal process.
- Adequate PPE, including respiratory protection, coveralls, gloves, and eye protection, will be provided and worn by all workers involved, meeting the requirements of Australian Standard AS/NZS 1715:2009 and AS/NZS 1716:2012.

Project Schedule:

- A detailed project schedule will be developed, taking into account the scope of work, site conditions, and coordination with other trades involved.
- The schedule will be aligned with the requirements of Australian construction and demolition standards, such as the Building Code of Australia and the National Construction Code.





## Delivery / Constuction - Electrical

The extent of works includes, but are not limited to, the following:

- Coordination with Ausgrid and ASP Level 3(if required) consultant for consumer mains to the site from the existing

pole mount substation

- Investigation, termination and decommission of electrical assets in the Peats Island. With following requirement,

✓ Identification of existing potential HV and LV capacity details to the site that can be passed onto future

owners.

✓ Safe terminations and decommissioning of existing services and switchboards

✓ Investigation and decommission of power being fed from to structures suspected to have electricity as

shown on the layout.

✓ Decommission and removal of power poles going toward the Ex-Rescue Building

✓ Note: Bandari building is being demolished and part of the Ex-Rescue Building is also being demolished.

- Supply and installation of 1 x new Main Switchboard including all metering and switchgears as per the design

schematics

- Surge protection system to AS1768

- Supply, installation, and reticulation of consumer mains

- Inground work for the installation of consumer mains and submains

- Incoming underground electrical conduits and pits

- Trenching, Conduits, Spoil removal and backfilling

- Coordinate the installation of the electrical services with all other trades, site conditions and the Contractor.

- Conduits, Cable trays, ladders, enclosures, and cable support systems including all accessories



- Scope identified on design criteria.
- Provide mounting bollards to achieve this where required
- Labelling of all equipment and services
- Earthing system as required.
- Earthing including provision of earthing to the substation
- Detailed design and preparation and submission of design schematics, layouts and calculations prior to shop drawing.
- Preparation and submission of shop drawings and equipment schedules prior to construction, as detailed in this specification.

2.3 Staging of Works: Tender offer includes allowances for works based on construction program.

2.4 Programme: Prepare program based on critical path methods, coordinate with Superintendent and other contractors.

2.5 Building Surveyor's Report, Acoustic Report, Geotechnical Report: Contractor to cover costs, review reports.

2.6 Quality of Work and Materials: Comply with Australian Standards, use reputable manufacturers, ensure client approval.

2.7 Site Investigation and Familiarisation: Attend tender walk, understand scope for accurate costing.

2.8 Coordination with Others & Site Coordination Responsibilities: Coordinate design and installation with other trades.

2.9 Safety in Design and Installation: Adhere to safety standards, provide documentation.

2.10 Workshop Drawings: Obtain approval before procurement, responsible for checking and meeting contract requirements.

2.11 Approvals: Submit drawings and manuals for approval, use specified materials unless variations approved.

2.12 Samples: Provide equipment samples for review before purchase.

2.13 Existing Services: Locate existing services, protect and avoid damage, liaise with utility services.

2.14 Manufacturer's Directions: Install equipment according to manufacturer directions.

2.15 Fire Stopping: Fire stop penetrations, comply with fire rating methods and standards.

2.16 Protection and Movement of Equipment and Materials: Protect equipment, avoid building damage.



- 2.17 Operating and Maintenance Manual: Provide approved manual in soft copy.
- 2.18 Essential Services Certification: Facilitate documentation for fire safety certificates.
- 2.19 Commissioning: Perform testing and balancing of services.
- 2.20 Warranties: Guarantee design and performance for 12 months, rectify defects.
- 2.21 Training: Provide training on plant and system operation.
- 2.22 Fire Systems Testing: Organize and carry out tests to satisfy Authorities.
- 2.23 General Authorities: Negotiate with relevant Authorities/utilities, obtain necessary approvals and certifications.
- 2.24 Maintenance During Warranty: Provide 12 months of maintenance, respond to breakdowns.
- 2.25 Painting, colour coding and labelling: Paint and label fittings and equipment.
- 2.26 Cranage: Provide hoisting and craneage equipment.
- 2.27 Plinths: Provide plinth surrounds and mounts for plant and equipment.
- 2.28 Electromagnetic Interference: Comply with standards for components.
- 2.29 Distortion of Electrical Power Supplies: Limit distortion, provide filters if required.



## Delivery / Constuction – Retaining Wall

### **Engage Structural Engineer:**

- The first step is to engage a Structural Engineer, preferably the Consultant who provided the design for the retaining wall upgrade.
- The Structural Engineer will be responsible for completing the necessary tasks outlined below.

### **Provide Design Certificate:**

- The Structural Engineer will provide a Design Certificate, which confirms that the design of the retaining wall meets the required structural standards and specifications.
- This certificate serves as documentation and verification of the adequacy and safety of the retaining wall design.

### **Provide Structural Advice and Answer RFIs:**

- The Structural Engineer will be available to provide structural advice throughout the project.
- They will answer any Requests for Information (RFIs) related to the retaining wall, offering guidance and clarifications as needed.

### **Provide Inspections for Structural Sign-Off:**

- The Structural Engineer will conduct inspections at various stages of the project to ensure compliance with the approved design and local building codes.
- These inspections are necessary to obtain a structural sign-off, which certifies that the retaining wall has been constructed according to the approved design and is structurally sound.

### **Conduct Services Search and Demolition:**

- Before proceeding with the construction of the new retaining wall, a services search should be conducted in the area to be excavated and demolished.
- This search aims to identify any underground utility services (such as water, gas, electricity) that may be present to avoid any accidental damage.
- Once the services search is completed, the existing retaining wall that has partially collapsed should be demolished and properly disposed of.

### **Prepare Ground and Foundations:**

- Following the demolition, the ground and slab/foundations should be prepared according to the specifications provided in the Structural Engineer's Design Certificate.
- This step ensures that the base for the new retaining wall is properly constructed and capable of supporting the structure.

### **Procure, Deliver, and Construct New Retaining Wall:**

- The project includes the responsibility to procure the necessary materials and equipment for the construction of the new retaining wall.



- The materials and construction methods should align with the specifications outlined in the Structural Engineer's Design Certificate.
- The construction of the new retaining wall should be carried out in accordance with industry standards and local regulations, ensuring its stability and durability.





## WHS and Industrial Relations,

Work Health and Safety, Environmental and Quality Management are critically important to SCIS and we pride ourselves on our outstanding track record and culture of care for people and the environment and service quality standards. Our integrated management system has triple certification to international standards ISO45001, ISO14001 and ISO9001 and is managed and reviewed by our National Head of SHEQ, Compliance and Training.

An integral element of this system is our SHEQ Management Plan that is developed for all of our projects and services. The SHEQ Management Plan sets the foundations for SCIS and TAFE requirements and details our management methodology for the protection of workers, visitors, members of the public and the environment in what will be an occupied campus. All aspects of the construction process will be considered including the management of suppliers and contractors who are so critical in the successful delivery of our projects. The SHEQ Management Plan will be communicated to contractors in the tender process and SCIS will vet and manage contractors on behalf of TAFE to ensure that they meet the relevant requirements and standards.

Our SHEQ Risk Assessment process will detail the significant risks for the project and the relevant control measures to be implemented. High Risk activities such as demolition, traffic management, asbestos removal, work at heights, hot works, etc. will have Safe Work Method Statements and/or dedicated plans developed in order to bring focus on their safe completion.

SCIS's experienced site resources have completed a comprehensive SHEQ training program and will manage our regular SHEQ activities such as inductions, Toolbox Talks, licence checks, site inspections, etc. We will develop Emergency Response and Incident Management Procedures that will be integrated with TAFE campus emergency plans and procedures. Our National Head of SHEQ, Compliance and Training will conduct periodic audits and provide additional SHEQ support to the project.





## Quality Control

Through precise planning and the controlled management of our quality systems and processes we will deliver exceptional quality projects which are defect free.

This experience is backed up by our robust ISO 9001, 14001 and AS/NZS4801 accredited quality management system.

Our Quality Management System ensures that Quality is an integral part during all stages of design development and is a primary consideration from the outset. Our team ensure they fully understand the client's brief, have a comprehensive knowledge of the 'brand standards' and can clearly interpret the client's requirements.

SCIS will always endeavour to protect and maintain principal assets if under our control so that at the completion of the project can be handed back to the client in the same condition prior to construction.

At the completion of each stage SCIS will prepare Operation & Maintenance Manuals for submission to TAFE Project Team.

SCIS are committed to achieving a very high-quality finish for all stakeholders involved in the project. We aim to be proactive with quality to ensure best finish upon completion so that all defects are finished before this date.







## Enviromental





**Sydney**

488 Botany Road,  
Alexandria NSW 2015  
(02) 8004 7059

**Brisbane**

L4, 49 Sherwood Rd  
Toowong QLD 4066  
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**Melbourne**

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South Melbourne VIC 3205  
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**SCIS**  
Property  
Group

# TREE PROTECTION PLAN

## Peat Island Mooney Mooney

27 September 2023

R8378836

Version 1.0 (Draft)





27 September 2023

Will Zhang  
Project Coordinator  
JLL, Project & Development Services  
Gadigal Country  
Level 27/180 George Street  
Sydney NSW 2000

**Tree Protection Plan Peat Island, Mooney Mooney, NSW, 2083**

Dear Will,

We are pleased to provide you with the following report to assist with the planning for the proposed works at Peat Island and surrounding residential properties.

This Tree Protection Plan report is intended to provide a general overview of the arboricultural condition of the trees, determine their retention values and indicative TPZ to guide appropriate project layout and early identification and protection of important trees on or adjoining the Site. The report is not intended as an Arboricultural Impact Assessment which is required for obtaining Development approval, it is solely for tree protection purposes and early site planning only.

Complete use of this report is authorised under the conditions limiting its use as stated in the Arboricultural Reporting Assumptions, Limiting Conditions & Copyright Clause. This assessment and report is supplied strictly in accordance with the inclusions, conditions, terms and exclusions as detailed within our most recent quotation.

Any recommendations of this report do not constitute consent to carry out works. Approval is required in the form of Land Authority Consent to prune or remove trees, as well as the consent of the tree owner where trees are on adjoining lands.

ArborScan Pty Ltd declares that it has no affiliation with any private contractors, associations or nurseries involved in the tree removal, pruning and tree supply business. This ensures an impartial approach to the recommendations given within this report.

Should you have any queries relating to this report or its recommendations, please do not hesitate to contact us on 1300 926 773.

Regards,

A handwritten signature in black ink that reads "Marc Fisher".

Marc Fisher  
Consulting Arborist  
ArborScan Pty Ltd



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## DOCUMENT DETAILS & RECORD OF REVISIONS

Company	ArborScan Pty Ltd
ABN	ABN 26 651 625 400
Phone	1300 926 773
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Site Location	Peat Island, Mooney Mooney NSW 2083
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Document Type	Tree Protection Plan (TPP)
Report Reference	R8378836
Report Prepared By / Author	Marc Fisher I Dip. Arb, AQF Level 5
Qualifications	Certificate Level 5 in Arboriculture (AQF5) ISA Tree Risk Assessment Qualification (TRAQ) Advanced Quantified Tree Risk Assessment (QTRA) Visual Tree Assessment (QTRA) VALID Tree Risk-Benefit Management & Assessment

Version Number	Date	Revision Description
Version 1	27 September 2023	Draft Version

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## 1 INTRODUCTION

### 1.1 Report Purpose

- 1.1.1 ArborScan Pty Ltd was engaged by JLL (the Client) to complete a Tree Protection Plan on 100 trees across Peat Island, Mooney Mooney NSW 2083.
- 1.1.2 This Tree Protection Plan has been prepared to provide a general overview of the arboricultural condition of the trees, determine their retention values and indicative TPZ to guide appropriate project layout, early identification and protection of important trees on or adjoining the Site.

### 1.2 Scope

- 1.2.1 Carry out a visual examination of specific trees or within the areas that have been identified by/with the Client for inspection.
- 1.2.2 Inspect the trees and their growing environment and provide an objective appraisal of the subject trees in relation to their species, estimated age, useful life expectancy, health, structural condition, and viability within the landscape.
- 1.2.3 Number the trees with tags and provide aerial mapping to aid with the identification of their location on the site. Where tree numbering has already been allocated to the trees, the report numbering is to coincide with the existing numbering where possible.
- 1.2.4 Measure tree stems in order to identify the TPZ and SRZ.
- 1.2.5 Identify hollows/cavities, nests and features that may benefit native Fauna.
- 1.2.6 Include a schedule documenting tree attributes, calculated TPZ, SRZ and retention values in accordance with AS 4970–2009: *Protection of Trees on Development Sites*.
- 1.2.7 Identify limitations and further reporting requirements.
- 1.2.8 Provide supporting evidence in the form of a PDF report including Tree Protection Plan for the works which are proposed to be carried out.





## 2 METHODOLOGY

- 2.1.1 Marc Fisher (the Author) carried out a site inspection of the subject trees on 22 September 2023.
- 2.1.2 Trees that are the subject of this report were identified during discussions with the Client at the time of the requested site consultation and tree assessment.
- 2.1.3 The subject trees were inspected from the ground using the initial component of the recognised ground-based Visual Tree Assessment (VTA) technique (without the use of binoculars) developed by Mattheck and Breloer (1994) without the use of aerial or internal investigation, foliage, wood or soil sample analysis nor an underground investigation of the root plate.
- 2.1.4 Data collected on the Site was analysed by the Author, collated into report format, and relevant recommendations were formulated.
- 2.1.5 Unless specified otherwise, tree height and canopy spread was estimated.
- 2.1.6 Where access to the tree stem was not restricted (neighbouring property/dense vegetation), diameter and lower stem root crown measurements were taken using forestry callipers. Where tree stems were not accessible, an estimated size for the stem was recorded.
- 2.1.7 TPZ and SRZ were calculated in accordance with the Australian Standard AS 4970–2009: *Protection of Trees on Development Sites*.
- 2.1.8 Tree retention/significance values were determined using the Institute of Australian Consulting Arboriculturists, Australia (IACA) Significance of a Tree, Assessment Rating System (STARS).
- 2.1.9 The subject trees have been tagged and mapped on high-resolution aerial imagery, with their number and location readily identifiable on the plan.
- 2.1.10 Any photographs that were taken at the time of the site inspection by the Author and have not been altered for brightness or contrast, nor have they been cropped.
- 2.1.11 A visual inspection from ground level for hollows/cavities and features that may benefit native Fauna has been performed by the Author on the day of the assessment. A licenced and trained ecological consultant has not been commissioned.
- 2.1.12 A risk assessment has not been performed for the purpose of this report.



### 3 DISCUSSION

#### 3.1 The Site

- 3.1.1 Peat Island, located in the lower Hawkesbury River near Mooney Mooney, NSW, has a history that traces back to its use as a psychiatric hospital. The vegetation around Peat Island and Mooney Mooney includes a mix of coastal and estuarine habitats, with mangroves, saltmarsh, and Casuarina forest often being prevalent. The native vegetation is typical of the region, adapted to the local estuarine conditions and the relatively mild climate. The mixture of vegetation observed on the Island site and within the surrounding community supports a variety of wildlife and contributes to the biodiversity of the region. The natural aesthetic of the area is enhanced by the vegetation which is present.

#### 3.2 The Tree Assessment

- 3.2.1 The assessment examines the designated precincts where it is proposed that works will be carried out in order to develop a Tree Protection Plan. This involves a thorough examination not merely confined to the isolated zones, but extending to the surrounding areas, particularly along the roads and access ways. These areas are of notable interest as they are anticipated to experience the most vehicular and construction traffic. The evaluation of trees encompasses a broader area to provide a comprehensive understanding of how the proposed works might interact with the natural environment of the sites. Each tree within these zones has been assessed to ascertain their condition, and to predict how the proposed activities might impact them. This broader scope ensures that the assessment is holistic, taking into account all potential factors that could influence or be influenced by the proposed works within and around the designated zones.

#### 3.3 Proposed Site Works Zones

- 3.3.1 It is understood that the works proposed consists of repairs and maintenance, demolition and debris removal along with the construction of a retaining wall.
- 3.3.2 For the purpose of the Tree Protection Plan, the key projects and impacted areas of the sites have been broken down into the following Zone categories –
- **ZONE 1 PEAT ISLAND DEMOLITION:** The previous staff residence, known as 'Bindaree', is a one-level timber construction with a suspended timber-framed floor and a pitched timber-framed roof adorned with metal cladding. It has been ascertained that the existing building, in its present condition, is unsafe for habitation. Consequently, a decision has been reached to entirely demolish the structure. This Zone contains a total of 27 trees including **Tree 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71.**
  - **ZONE 2 PEAT ISLAND DEMOLITION:** The building known as 'Ex-River Rescue Building' is a one-level masonry veneer structure with a suspended timber framed floor and a pitched timber framed roof, clad in corrugated metal sheeting. It is understood that a blue timber clad extension was added to the south-western elevation of the original masonry veneer structure at a later stage and is intended to be demolished. This Zone contains a total of 5 trees including **Tree 88, 89, 90, 91, 92.**
  - **ZONE 3 PEAT ISLAND REPAIR OF EXISTING STRUCTURE:** The Music Bowl is a steel, concrete and masonry framed structure surrounded by a sandstone retaining wall to the west and south. It is understood that the Music Bowl in its current state is unsafe for occupation and the roof is at risk of collapse due to the corroded steel framing. To make the structure safe and secure the following works have been recommended within the engineers report – Repair / replace damaged retaining wall sandstone and regrout gaps, remove / reconstruct the central stone table as necessary and demolish the existing concrete roof structure and reconstruct to match original, as necessary. This Zone contains a total of 7 trees including **Tree 82, 83, 93, 94, 95, 96, 97.**



- **ZONE 4 CHAPEL RESIDENTIAL PRECINCT RETAINING WALL:** An existing retaining wall is proposed for replacement. The existing wall exhibits failure and collapse in areas. It is understood that the new retaining wall is to be constructed in a similar alignment to the existing wall structure. This Zone contains a total of 7 trees including **Tree 38, 39, 40, 41, 42, 43, 44.**
- **ZONE 5 CHAPEL RESIDENTIAL PRECINCT DEMOLITION:** The building known as '2 Possum Close Mooney Mooney' is a two-level residential structure. It is understood that it is intended to be entirely demolished. This Zone contains a total of 14 trees including **Tree 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37.**
- **ZONE 6 MOONEY MOONEY VILLAGE DEMOLITION (6):** The building known as '60 Pacific Highway Mooney Mooney' is a one-level residential structure. It is understood that it is intended to be entirely demolished. This Zone contains a total of 23 trees including **Tree 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23.**
- **ZONE 7 PEAT ISLAND ROADWAY ACCESS:** Vehicle access is necessary for the execution of project tasks across the Peat Island site. Typically, the asphalt roads on-site can handle small to medium-sized vehicles, with the primary limitation coming from the low-hanging overhead service wires. This Zone contains a total of 14 trees including **Tree 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 84, 85, 86, 87.**
- **ZONE 8 PEAT ISLAND DEMOLITION STORAGE:** Given the restricted vehicle access on the Island site for transporting demolition materials, it has been proposed that the designated area could serve as a suitable overflow space where demolition material can be reloaded into larger transport vehicles as needed. This Zone contains a total of 3 trees including **Tree 98, 99, 100.**



Figure 1. Site zone location reference Peat Island and surrounding residential areas Mooney Mooney. (ArborScan, 2023)



### 3.4 Summary Of Tree Retention Values

- 3.4.1 A Tree Retention Rating system is designed to assist in the planning processes for proposed works above and below ground, where trees are to be retained on or are adjacent to a development site.
- 3.4.2 Retention values have been determined using the Retention Value – Priority Matrix of the IACA Significance of a Tree, Assessment Rating System (STARS®) (IACA, 2010).
- 3.4.3 This method uses a scale of High, Medium and Low significance in the landscape. Once the landscape significance of an individual tree has been defined, the retention value can be determined. Other criteria such as its physical dimensions, age class, location and its Amenity, Heritage and Environmental significance are also considered.
- 3.4.4 The method of assigning benefits considers individual trees as separate assets and does not fully take into account groups of trees as a whole. While it is true that individual trees can provide certain benefits, such as shading, carbon sequestration, and air purification, it is also important to acknowledge that groups or avenues of trees can offer even greater benefits collectively. Trees planted in close proximity to each other can form a microclimate that provides habitat for wildlife, reduces noise pollution, and helps mitigate the urban heat island effect.
- 3.4.5 A breakdown summary of the Tree Retention Values of the assessment inventory is below listed in the table.

#### Summary Of Tree Retention Values

Summary Of IACA Significance of a Tree, Assessment Rating System (STARS®)			
STARS® Retention Value	Qty	%	Tree Numbers
HIGH	12	12%	1, 34, 36, 37, 70, 76, 77, 78, 79, 80, 85, 96
MEDIUM	43	43%	3, 5, 7, 15, 16, 17, 19, 21, 22, 25, 26, 31, 32, 38, 43, 45, 46, 47, 48, 49, 50, 56, 57, 60, 61, 63, 64, 68, 69, 71, 72, 73, 75, 81, 87, 88, 92, 93, 94, 95, 98, 99, 100
LOW	42	42%	2, 4, 6, 8, 9, 10, 11, 12, 13, 14, 18, 20, 23, 24, 27, 28, 29, 30, 33, 35, 39, 40, 41, 42, 44, 51, 52, 53, 54, 55, 58, 59, 62, 66, 74, 82, 83, 84, 86, 89, 91, 97
REMOVAL	3	3%	65, 67, 90



## 4 TREE PROTECTION PLAN BY ZONE

### 4.1 Zone 1 Peat Island Demolition 'Bindaree'

- 4.1.1 The Bindaree building structure and open carpark are primarily encircled by native vegetation, with a small number of exotic trees present in the vicinity. The front facade of the dwelling leads to a spacious open carpark area, providing unobstructed access for the demolition contractor to commence work. It is recommended where possible, that the building be demolished from front to rear, allowing materials to be pulled away from the trees and for minimal machinery activity within the demarcated TPZ. The vegetation closely enveloping the building and the adjacent carpark necessitates careful examination to ensure that the lifespan of these trees remains unaffected. At the rear of the structure adjacent to the Hawkesbury River, low-hanging branches will necessitate uplift pruning, while dead trees will require removal. Given the nature of the required demolition works, metal panel fencing will be required to safeguard selected trees and tree groups. Bollards, along with flagging or orange mesh parra webbing, will need to be employed to demarcate a restricted zone for vehicle access and storage within the open carpark area. Tree Protection Measures, aligned with **Zone 7** recommendations, must be executed prior to commencing the demolition of the Bindaree building structure.
- 4.1.2 This summary of actions outlines measures to protect trees within work **Zone 1** to ensure their long preservation and safety –
- **Access Restriction:** The tight access of the internal roadways on the Island along with low hanging powerlines limits accessibility by large vehicles and equipment. The contractor must ensure that suitably sized equipment is selected and **Zone 7** recommendations are enacted prior to demolition to ensure trees along the internal roadway are protected well before site establishment. Vehicle access at all times is permitted to the bitumen surface roadways only.
  - **Tree Protection:** Installation of metal panel fencing around the TPZs of **Tree 57, 58, 59, 60, 61, 62, 63, 64, 66, 70 and 71** is necessary. Bollards, along with flagging or orange mesh parra webbing, will need to be employed to demarcate restricted zones for vehicle access and storage within the open carpark area, including **Tree 45–56**, and also **Tree 68**. Refer to the designated Tree Protection Plan for guidance.
  - **Material Placement:** All materials should be placed outside TPZs to avoid any damage to trees. The open carpark space is to be utilised.
  - **Tree Pruning:** The canopy of **Tree 62** should be uplifted to minimise canopy impacts during demolition.
  - **Tree Removal:** The recommended removal of dead **Tree 65 and 67** is advised to be conducted during the demolition phase. **Tree 62 (*Olea Africana*)**, despite its substantial size and recognised connection to early European landscapes, is categorised as an undesirable weed species in most Local Government areas, hence a removal consideration has been applied.
  - **Arborist Engagement:** Engage a Project Arborist to verify the establishment of early work and compliance with Tree Protection Measures, and to certify that the project was completed without harming trees.
  - **Damage Reporting:** Any damage to trees should be reported immediately to the Project Arborist for assessment and advice on remedial actions.



#### 4.2 Zone 2 Peat Island Demolition 'Ex-River Rescue Building'

4.2.1 The Ex-River Rescue building structure and open grassy area are primarily devoid of substantial vegetation, with only a few native and exotic trees spotted in the immediate vicinity. At the rear of the structure, adjacent to the pool fencing, **Tree 90** (*Olea Africana*) is situated in a manner that suggests it has self-seeded rather than intentionally planted. Given that this species is identified as an undesirable weed species in most Local Government areas, its removal is recommended during the demolition phase. Metal panel fencing will be required for **Tree 88 & 89**, while orange mesh parra webbing will be required to designate a restricted zone for vehicle access and storage within the open grassy area. Prior to initiating the demolition of the Ex-River Rescue building structure, Tree Protection Measures, aligned with **Zone 7** recommendations, must be executed.

4.2.2 This summary of actions outlines measures to protect trees within work **Zone 2** to ensure their long preservation and safety –

- **Access Restriction:** The tight access of the internal roadways on the Island along with low hanging powerlines limits accessibility by large vehicles and equipment. The contractor must ensure that suitably sized equipment is selected and that **Zone 7** recommendations are enacted prior to demolition to ensure trees along the internal roadway are protected well before site establishment. Vehicle access is permitted solely on the bitumen-surfaced roadways at all times. In instances where access through grassed areas or informal roadways is necessary, the most direct route should be chosen to minimise and confine the impact on trees.
- **Tree Protection:** Installation of metal panel fencing around the TPZs of **Tree 88 and 89** is necessary. Install Orange mesh parra webbing to delineate and restrict access to the TPZ of **Tree 91 and 92**. Refer to the designated Tree Protection Plan for guidance.
- **Material Placement:** All materials should be placed outside of the TPZ to avoid any damage to trees. The open grass space immediately surrounding building from the East, South and West is to be utilised.
- **Tree Removal:** The removal of **Tree 90** is recommended to be conducted during the demolition phase.
- **Arborist Engagement:** Engage a Project Arborist to verify the establishment of early work and compliance with Tree Protection Measures, and to certify that the project was completed without harming trees.
- **Damage Reporting:** Any damage to trees should be reported immediately to the Project Arborist for assessment and advice on remedial actions.





### 4.3 Zone 3 Peat Island Repair Of Existing Structure

- 4.3.1 The Music Bowl is mainly encircled by native vegetation, albeit with a handful of exotic trees and palms situated in the nearby vicinity. A thorough analysis of the vegetation closely bordering the structure is vital to ascertain the vitality of these trees and to determine appropriateness for retention. The lower lawn precinct affords predominantly unobstructed access for the contractor to begin work, which entails the replacement of the roof and central table, as well as refurbishment of the sandstone walls. The vast grassy expanse beneath The Music Bowl offers an ideal locale for site establishment and material storage although the TPZ of the trees surrounding this area must be duly considered. Specific pruning requisites have been identified around The Music Bowl, including those pertaining to **Tree 93, 94 and 95**. The positioning of **Tree 95** (*Phoenix roebelenii*) appears to be deliberate, and merely pruning back the fronds and spikes may not suffice to facilitate the roof structure replacement. Should this be the case, entire palm stems may necessitate removal to ensure unobstructed access. A review of the engineer's report suggests no immediate concerns regarding damage from the roots of adjacent trees, particularly **Tree 96**, which resides above the roof line in close proximity to the built structure. A generic inspection should be executed during the excavation and preparation phase of the roof's repair to identify the presence of large diameter roots, which could potentially cause damage to the stone walls and proposed new roof in the future. Although the exact roof repair details have not been assessed, it is crucial that all excavation is carried out manually or via non-destructive methods within the TPZ of retained trees. The client should also review the positioning of **Tree 82 and 83**, which have been allowed to establish in close proximity to the wall, east of The Music Bowl. The wall, in the immediate vicinity of these trees, exhibits signs of cracking and displacement. It is advisable to commission a specialist contractor to evaluate repair options before considering an alternative to tree removal. Tree Protection Measures, aligned with **Zone 7** recommendations, must be executed prior to commencing the repair of The Music Bowl structure.
- 4.3.2 This summary of actions outlines measures to protect trees within work **Zone 3** to ensure their long preservation and safety –
- **Access Restriction:** The tight access of the internal roadways on the Island along with low hanging powerlines limits the accessibility for large vehicles and equipment. The contractor must ensure that suitably sized equipment is selected and that **Zone 7** recommendations are enacted prior to the repair work to ensure trees along the internal roadway are protected well before site establishment. Vehicle access is permitted solely on the bitumen-surfaced roadways at all times. In instances where access through grassed areas or informal roadways is necessary, the most direct route should be chosen to minimise and confine the impact on trees.
  - **Tree Protection:** Install Orange mesh parra webbing to delineate and restrict access to the TPZ of **Tree 93, 94, 95, 96 and 97**. Protection of **Tree 84, 85 and 86** is covered in the **Zone 7** recommendations. Refer to the designated Tree Protection Plan for guidance.
  - **Material Placement:** All materials should be placed outside TPZs to avoid any damage to trees. The open grass space immediately south of The Music Bowl structure is to be utilised. Mixing of concrete and cleaning tools from concreting is not to occur within the TPZ of retained trees.
  - **Tree Pruning:** Pruning actions have been specified for three trees, which includes **Tree 93** – Prune out deadwood and hanging limbs, remediate failure stubs and climber to inspect low lateral branch growing towards The Music Bowl at a location of suspected cracking, branch is to be reduce if compromised. **Tree 94** Remove single lowest scaffold branch over The Music Bowl. **Tree 95** Prior to removing palm stems, effort should be made to prune obstructing fronds to provide an improved level of accessibility. **Tree 96** Shape branches 1 m from infrastructure (Building Structure).
  - **Tree Removal:** The recommended removal of single stems (preferably not whole palm but it may be required) from **Tree 95** is advised once methodology has been developed by the acting contractor, and it is confirmed that the palm location obstructs access to facilitate the roof replacement.





- **Root Cutting:** Small roots (under 40mm in diameter) can be cut cleanly with appropriate tools, but for larger roots (above 40mm), approval from the Project Arborist is necessary.
- **Excavation within TPZ:** No excavation should occur within the SRZ of the surrounding trees. Any proposed excavation should commence at the outer extent of the TPZ and move inwards to minimise root damage. Works should be undertaken using techniques that are sensitive to tree roots to avoid unnecessary damage. Such techniques include excavation using a high-pressure water jet and vacuum truck, excavation using an Air Spade with a vacuum truck, mechanical excavation with a toothless bucket under direct Project Arborist supervision or Manual excavation by hand. Machine excavation is prohibited within the TPZ of retained trees unless undertaken at the direct consent of (or under supervision from) the Project Arborist.
- **Arborist Engagement:** Engage a Project Arborist to verify the establishment of early work and compliance with Tree Protection Measures, and to certify the project was completed without harming trees. Project Arborist is to be consulted should large diameter roots be identified which could cause damage in the future to the Music Bowl Structure.
- **Damage Reporting:** Any damage to trees should be reported immediately to Project Arborist for assessment and advice on remedial actions.



#### 4.4 Zone 4 Chapel Residential Precinct Retaining Wall

- 4.4.1 The existing wall is adequately set back from the trees in this area. Encroachments up to a maximum of 1m beyond the current wall position are permissible for purposes such as reconnecting or installing service piping, establishing a solid base for the new wall, or incorporating drainage systems. All construction activities, access, and material storage must be conducted from the lower-level surface, where a structure previously stood, rather than from the upslope area. Additional consideration is needed for worker safety under the canopy of **Tree 44**, which contains large diameter deadwood throughout its crown. It is advisable to exclude the area directly beneath the crown (the fall zone for dead canopy branches) of this vital habitat tree, instead of pruning which may impair the quality of the habitat structure which stands. Due to the need for power line clearance, the canopy of **Tree 43** has been altered, resulting in a wide-spread and low canopy, restricting construction access. To mitigate this, it is recommended to perform canopy uplifting and terminal reduction of the long-extended canopy portion to address loading concerns.
- 4.4.2 This summary of actions outlines measures to protect trees within work **Zone 4** to ensure their long preservation and safety.
- **Access Restriction:** Entry should only be through the lower-level area, avoiding the upslope level to minimise disturbance or damage.
  - **Tree Protection:** Orange mesh parra webbing, will need to be employed to demarcate a restricted zone for access and storage, includes **Tree 38-43**. Refer to the designated Tree Protection Plan for guidance.
  - **Material Placement:** All materials should be placed outside TPZs to avoid damage to trees.
  - **Area Barricade:** The area beneath the canopy of **Tree 44** should be barricaded to prevent parking and pedestrian access, minimising risks associated with falling dead branches.
  - **Tree Pruning:** The canopy of **Tree 43** should be pruned following the guidelines provided in the inventory schedule.
  - **Tree Removal:** No tree removal requirements have been identified.
  - **Root Cutting:** Small roots (under 40mm in diameter) can be cleanly cut with appropriate tools, however for larger roots (above 40mm), approval from the Project Arborist is necessary.
  - **Arborist Engagement:** Engage a Project Arborist to verify the establishment of early work and compliance with Tree Protection Measures, and to certify that project was completed without harming trees.
  - **Damage Reporting:** Any damage to the trees should be reported immediately to Project Arborist for assessment and advice on remedial actions.



#### 4.5 Zone 5 Chapel Residential Precinct Demolition

4.5.1 The residential building at 2 Possum Close (Chapel Lane) is surrounded by a mix of native and exotic vegetation. The building's front facade opens up to a large area facing the road, providing clear access for the demolition contractor to initiate work. It is advised, where feasible, to carry out the demolition from front to rear, pulling materials away from the trees, and minimising machinery movement within the marked TPZ. The vegetation closely surrounding the northern, western, and southwestern sides of the building needs thorough inspection to assess their retention viability. Due to the demolition work's nature, metal panel fencing is necessary to protect **Tree 25** (with many exposed surface roots prone to damage) and **Tree 34**, while orange mesh parra webbing is suitable for marking restricted access zones around **Tree 27–29, 31 and 32**. Owing to their proximity to the existing structure, and concerns about the trees' stability and support dependence on the building or concrete pathway, it is recommended to remove **Tree 26, 30 and 33**. The extended canopy of **Tree 34** requires careful consideration during demolition. A spotter should be assigned to monitor the demolition of the property's rear portion situated directly beneath the overhanging canopy. Another concern regarding **Tree 34** is its large surface-visible roots extending beneath the building, possibly reaching its foundations. Utmost care should be taken to avoid damaging these roots, with a spotter closely supervising, and ideally, employing a toothless excavation bucket. To mitigate canopy conflicts along the roadway, pruning is recommended for **Tree 24, 35, 36 and 37**. These require a mix of canopy lifting and trimming back to the gutter line for **Tree 24 and 35**.

4.5.2 This summary of actions outlines measures to protect trees within work **Zone 5** to ensure their long preservation and safety –

- **Access Restriction:** Pruning recommendations for **Tree 24, 35, 36 and 37** are to be enacted prior to demolition to ensure the trees along the access roadway are protected well before site establishment. Vehicle access at all times should be permitted to the bitumen surface roadways only.
- **Tree Protection:** Installing metal panel fencing around the TPZ of **Tree 25 and 34** is necessary. Orange mesh parra webbing, will need to be employed to demarcate a restricted zone for access and storage, includes **Tree 27–29, 31 and 32**. Refer to the designated Tree Protection Plan for guidance.
- **Material Placement:** All materials should be placed outside the TPZ to avoid any damage to trees.
- **Tree Pruning:** The canopy of **Tree 36 and 37** should be uplifted to minimise canopy impacts during demolition, and the canopy of **Tree 24 and 35** should be pruned back to the roadway gutter line.
- **Tree Removal:** The recommended removal of **Tree 26, 30 and 33** is advised to be conducted before the demolition phase.
- **Root Cutting:** Small roots (under 40mm in diameter) can be cut cleanly with appropriate tools, but for larger roots (above 40mm), approval from the Project Arborist is necessary.
- **Arborist Engagement:** Engage a Project Arborist to verify the establishment of early work and compliance with Tree Protection Measures, and to certify that project was completed without harming trees.
- **Damage Reporting:** Any damage to the trees should be reported immediately to Project Arborist for assessment and advice on remedial actions.



#### 4.6 Zone 6 Mooney Mooney Village Demolition

- 4.6.1 The residential building at 60 Pacific Highway is closely surrounded by exotic vegetation, with the exception of a notable native Eucalyptus Species located in the rear neighbouring yard to the northeast. The building's facade, which faces the road, is obstructed by various exotic species and low-hanging canopy branches, creating access constraints for the demolition contractor to commence work. The rear yard also poses similar challenges for the contractor, with its overgrown grass and items left behind by the former resident. Additionally, small structures are positioned on the far eastern boundary of the site. Rather than eliminating all trees from the property's frontage, it is recommended to undertake selective branch removal and specifically target **Tree 6** for removal to improve accessibility. Furthermore, it is advised to remove **Tree 23** (Group) at the rear of the property. Given the nature of the demolition work, metal panel fencing is required to safeguard **Tree 2, 3, 4, 5, 7, 8, 9, 21 and 22**, while orange mesh parra webbing is appropriate for demarcating restricted access zones around **Tree 11–20**. Considering the extensive protective area required for the root zones of **Tree 21 and 22**, any excavation of below-ground building structures and the small retaining wall surrounding these trees should be conducted with caution. Whenever access within a TPZ at the rear of the property is necessary, a spotter must be deployed. The demolition and removal of small structures on the rear eastern boundary should be carried out meticulously and manually if feasible. Within the property's frontage, it is preferable to retain in-ground services and disconnect them from their main source rather than excavating them and risking damage to tree roots. The concrete sections of the hard-surfaced driveway leading in from the roadway should be preserved to shield tree roots and mitigate compaction, postponing their removal until the final phase of demolition. Significantly, the health and condition of **Tree 22** on the neighbouring land is noted to be deteriorating, as indicated by the crown dieback, canopy thinning, and deadwood in the central crown. Photos documenting these conditions have been saved on file for future reference. It is imperative to minimise damage to the live roots of this declining tree at all costs.
- 4.6.2 This summary of actions outlines measures to protect trees within work **Zone 6** to ensure their long preservation and safety.
- **Access Restriction:** Pruning recommendations for property frontage **Tree 1 and 3** are to be enacted prior to demolition. Site access is to consider the trees proposed for retention at all times.
  - **Tree Protection:** Installing metal panel fencing around the TPZs of **Tree 2, 3, 4, 5, 7, 8, 9, 21 and 22** is necessary. Bollards, along with flagging or orange mesh parra webbing, will need to be employed to demarcate a restricted zone for vehicle access and storage within the open carpark area, Includes **Tree 11–20**. Refer to the designated tree protection plan for guidance.
  - **Material Placement:** All materials should be placed outside the TPZs to avoid any damage to the trees.
  - **Tree Pruning:** The canopy of **Tree 1** 'prune low canopy back to suitable location of terminal growth' and **Tree 3** 'remove entire lower stem' should be actioned over the driveway entrance to improve the sites accessibility and to minimise canopy impacts during demolition. **Tree 1** is located within adjoining land and notification should be made prior to pruning the tree. In the rear of the yard, canopy pruning is specified only if required (**Tree 14, 18, 19, 21**), with the exception of **Tree 16**, which is recommended to be pruned from the neighbouring structure.
  - **Tree Removal:** The recommended removal of **Trees 6 and 23** is advised to be conducted during the demolition phase to improve access.
  - **Arborist Engagement:** Engage a project arborist to verify the establishment of early work and compliance with Tree Protection Measures, and to certify that the project was completed without harming the trees.
  - **Damage Reporting:** Any damage to the trees should be reported immediately to the project arborist for assessment and advice on remedial actions.



#### 4.7 Zone 7 Peat Island Internal Roadway Access

4.7.1 The eastern part of the Island features a network of bitumen-paved roads, primarily aligned in a north-south direction. The extent of vehicles and equipment that the contractor can utilise will largely be constrained by the overhead service cables, dictating the size of vehicles and equipment employed for tasks within **Zones 1–3**. The bridge linking the mainland to the Island has sufficient clearance from vegetation, hence no trees have been evaluated in this area. In most instances, tree trunks are protected by metal rail fencing, except for **Tree 76 and 85**. Low canopy pruning has been specified to prevent damage to branches and tree canopies. Vehicles and equipment should adhere to the bitumen service roads whenever feasibly possible. It is prohibited to park equipment and vehicles in close proximity to the trees within this Zone.

4.7.2 This summary of actions outlines measures to protect trees within work **Zone 7** to ensure their long preservation and safety –

- **Access Restriction:** Low service cables limit vehicle and machinery access.
- **Tree Protection:** Installing metal panel fencing around the TPZ of **Tree 76** is required. Bollards, along with flagging or orange mesh parra webbing, will need to be employed to demarcate a restricted zone for vehicle access routes, Includes **Tree 85**. Refer to the designated Tree Protection Plan for guidance.
- **Material Placement:** All materials should be placed outside TPZs to avoid damage to trees.
- **Tree Pruning:** **Tree 72** Canopy in contact with powerlines, prune – shape branches 2m from infrastructure. **Tree 75** Cut vines at base. Remediate deadwood and hanging limbs over edge of roadway. **Tree 76** Hanger positioned in mid-canopy over roadway towards bridge. **Tree 79 and 80** Selectively prune low branches over upper roadway back to a suitable point of terminal growth, in line with the metal fence railing which protects the tree. **Tree 81** Prune – Shape branches 1m from infrastructure.
- **Arborist Engagement:** Engage a Project Arborist to verify the establishment of early work and compliance with Tree Protection Measures, and to certify that project was completed without harming trees.
- **Damage Reporting:** Any damage to the trees should be reported immediately to Project Arborist for assessment and advice on remedial actions.



#### **4.8 Zone 8 Peat Island Demolition Storage**

- 4.8.1 In recent discussions, this particular area has been identified as a potentially viable location for the storage of materials destined to be reloaded onto larger transport vehicles. This locale has garnered attention due to its road base, which not only supports substantial weight but also makes it feasible to clean and recover any smaller materials that may become scattered during the transfer process. In light of the areas potential suitability, it is advisable that an assessment be conducted to understand the Heritage significance and implications as well as the feasibility of utilising this area for the said purpose.
- 4.8.2 This summary of actions outlines measures to protect trees within work **Zone 8** to ensure their long preservation and safety –
- **Tree Protection:** Bollards, along with flagging or orange mesh parra webbing, will need to be employed to demarcate a restricted zone for vehicle access routes, Includes **Tree 98, 99 & 100**. Refer to the designated tree protection plan for guidance.
  - **Material Placement:** All materials should be placed outside TPZs to avoid damage to trees and away from any known listed heritage items.
  - **Arborist Engagement:** Engage a Project Arborist to verify the establishment of early work and compliance with Tree Protection Measures, and to certify that project was completed without harming trees.
  - **Damage Reporting:** Any damage to the trees should be reported immediately to Project Arborist for assessment and advice on remedial actions.



## 5 WORKING IN DESIGNATED TREE PROTECTION AREAS

### 5.1 Tree Protection Zone (TPZ)

- 5.1.1 The TPZ is a radial distance measured from the centre of the trunk. It is a combination of the root area and crown area requiring protection from construction disturbance so that the tree remains viable.
- 5.1.2 Incursions into the TPZ may occur due to excavation, modification of existing ground levels, trenching or inverting the soil profile. Such works may damage part or all of the root system or affect soil structure and growing conditions required for long-term growth.
- 5.1.3 A TPZ should not be less than 2m nor greater than 15m (except where crown protection is required).
- 5.1.4 The TPZ of palms, other monocots, cycads, and tree ferns should not be less than 1m outside the crown projection.
- 5.1.5 Radial measurements for the TPZ can be found the data inventory schedule included in this report.

### 5.2 Structural Root Zone (SRZ)

- 5.2.1 The SRZ defines the area around the base of a tree that is required for the trees stability in the ground. The woody root growth and soil cohesion in this area is necessary to hold the tree upright. The SRZ is nominally circular with the trunk at its centre and is expressed by its radius in metres. This zone considers a tree's structural stability only, not the root zone required for a tree's vigour and long-term viability, which will usually be a much larger area.
- 5.2.2 Incursions into the SRZ are not recommended as they are likely to result in loss or damage to woody roots, which may significantly affect stability.
- 5.2.3 Radial measurements for the SRZ can be found in the data inventory schedule included in this report.

### 5.3 TPZ Encroachment

- 5.3.1 It may be possible to encroach into or make variations to the standard TPZ. Encroachment includes excavation, compacted fill and machine trenching. Any area lost to encroachment should be compensated for elsewhere and contiguous to the TPZ.
- 5.3.2 Tree-sensitive construction measures such as pier and beam, suspended slabs, cantilevered building sections, screw piles and contiguous piling can minimize the impact of encroachment.

The levels of encroachment are defined on the following page:

#### Encroachment

Major encroachment	As per the Australian Standard AS 4970–2009: <i>Protection of Trees on Development Sites</i> , a major encroachment into the TPZ of any tree is considered to occur when it is beyond 10% of the total TPZ area. Trees with major encroachment may require removal or, in certain instances, be retained with specific protection requirements throughout the construction stage. Exploratory excavation using non-destructive methods such as pneumatic, hydraulic, or hand digging may also be required to evaluate the extent of potential damage to the root system and determine whether the trees will remain viable.
Minor encroachment	Under the aforementioned standard, a minor encroachment is determined as being less than 10% of the total TPZ area. Trees with minor encroachment may be retained with specific, generic or no protection requirements throughout the construction stage.
No encroachment	Trees with no encroachment may be retained with generic or no protection requirements throughout the construction stage.





#### **5.4 TPZ & SRZ Setbacks**

- 5.4.1 Trees and their root systems may occupy a substantial part of any development site and, because of their potential size, can have a major influence on planning the use of the Site. Early identification and protection of important trees on development sites is essential from the outset and will minimize the problems of retaining inappropriate trees.
- 5.4.2 The extent of encroachment within the TPZ (greater than 20%) may result in damage to structural roots. The structural roots and SRZ is the area of the root system required for stability and anchorage of the tree.
- 5.4.3 The below TPZ and SRZ **radius measurements are to be taken from the centre of the stem at ground level.**

#### **5.5 Designing For Working in Designated Tree Protection Areas**

- 5.5.1 The following works are excluded from any TPZ:
- Excavation (except for localised siting of piers/demolition of the concrete slab)
  - Soil cut or fill, including trenching
  - Soil cultivation, disturbance or compaction
  - Stockpiling, storage or mixing of material
  - The parking, storing, washing and repairing of tools, equipment and machinery
  - The disposal of liquids and refuelling
  - The disposal of building materials
  - The siting of offices or sheds
  - Any other action or activities leading to the impact on tree health or structure.



## 6 RECOMMENDATIONS

### 6.1 Obtaining Tree Pruning & Removal Approval

- 6.1.1 ArborScan advises their clients to always contact their local Land Authority to discuss the conditions that list on their site before considering the undertaking of tree works. Often if restrictions apply, your Land Authority will be able to notify you of this.

### 6.2 Ecologist Assessments

- 6.2.1 No trees assessed have been identified as requiring the inspection and reporting by a qualified Ecological consultant.

### 6.3 Tree Removal & Pruning

#### Summary of tree removal and pruning

Zone Reference	Tree Removal	Consider Removing	Tree Pruning
Zone 1	65, 57	62	62
Zone 2	90	–	–
Zone 3	–	82, 83, 95	93, 94, 95, 96
Zone 4	–	–	43
Zone 5	26, 30, 33	–	24, 34, 35, 36, 37
Zone 6	6, 23	–	1, 3, 14, 16, 18, 19, 21
Zone 7	–	–	72, 75, 76, 79, 80, 81
Zone 8	–	–	–

- 6.3.1 Where trees to be removed are within the SRZ of any trees to be retained, consideration should be given to cutting the stump close to ground level and retaining the root crown intact. Grinding or excavating of stumps in the SRZ is not permitted without the prior consent of the Project Arborist.

- 6.3.2 All approved tree removal works shall be carried out by a qualified Arborist, with a minimum Level 3 AQF in arboriculture and in accordance with WorkCover's Code of Practice – Amenity Tree Industry.

Where pruning is deemed to be required, ensure a high standard of work is achieved; all proposed arboricultural works must be completed by a suitably qualified and experienced Arborist of a minimum AQF Level 3 in accordance with the principles of the Australian Standard 4373-2007 Pruning of Amenity Trees.



#### 6.4 Offset Tree Planting

- 6.4.1 Replacement planting to compensate for the loss of removed trees will be required. Offset planting should reflect the number of trees removed and the initial loss of amenity and biomass. New trees should be of long-term potential and sourced from a reputable supplier.
- 6.4.2 Replacement tree species must suit their location on the site in terms of their potential physical size and their tolerance to the surrounding environmental conditions. To avoid unethical or unprofessional tree selection and/or their placement within the landscape, replacement tree species must be selected in consultation with a consulting arborist, who can also assist in implementing successful tree establishment techniques.
- 6.4.3 Replacement tree species should have the genetic potential to reach a mature size potential of those trees removed to facilitate the development. As a guide, the potential height will be a minimum of 5m (or more) and produce a spreading canopy so as they may provide amenity value to the property and contribute to the tree canopy of the surrounding area in the future.
- 6.4.4 Offset planting requirements and species selection are to be specified by the Land Authority. Where species for replacement are not specified by the Authority, ArborScan can provide this information upon request.

#### 6.5 Specific Tree Protection

##### Summary of tree protection requirements

Zone Reference	Installation of Metal Panel Protection Fencing & Signage	Installation Of Orange Mesh Parra Webbing Protection Fencing & Signage	Installation Of Tree Trunk Protection	Tree Root Investigation	Cover Exposed Roots	Other
Zone 1	57, 58, 59, 60, 61, 62, 66, 70, 71	45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 68	–	–	–	–
Zone 2	88, 89	91, 92	–	–	–	–
Zone 3	–	93, 94, 95, 96, 97	–	96	–	–
Zone 4		38, 39, 40, 41, 42, 43	–	–	–	39, 40, 41, 42
Zone 5	25, 34	27, 28, 29, 31, 32	–	–	25, 34	–
Zone 6	2, 3, 4, 5, 7, 8, 9, 21, 22	11, 12, 13, 14, 15, 16, 17, 18, 19, 20	–	–	3	2, 8, 9, 10, 16, 17, 18, 19, 20, 21, 22
Zone 7	76	85	–	–	–	87
Zone 8	–	98, 99, 100	–	–	–	–



- 6.5.1 Where recommended, tree protection must be installed by a competent person and certified by a minimum qualified Arborist (AQF level 5) before any machinery or materials are brought to the site and before the commencement of any works.

## **6.6 Project Arborist**

- 6.6.1 An official Project Arborist must be commissioned to oversee the tree protection, any works within the TPZ and complete regular monitoring compliance certification.
- 6.6.2 The Project Arborist must have a minimum of five (5) years of industry experience in the field of arboriculture, horticulture with relevant demonstrated experience in tree management on construction sites and Diploma level qualifications in arboriculture – AQF Level 5.
- 6.6.3 Inspections are to be conducted by the Project Arborist at several key points during the construction in order to ensure that protection measures are being adhered to during construction stages and a decline in tree health or additional remediation measures can be identified.

## **6.7 General Guidance – Tree Protection Fencing**

- 6.7.1 TPZ is to be protected by fencing in line with Figure 2 and the Australian Standard AS 4790–2009: *Protection of Trees on Development Sites*.
- 6.7.2 Fencing should be installed as far as practicable from the trunk of any retained trees unless specified otherwise. Fencing should be erected as per the Tree Protection Plan and Figure 2. Once erected, protective fencing must not be removed or altered without approval from the Project Arborist. The TPZ fencing should be secured to restrict access.
- 6.7.3 TPZ fencing is to be a minimum of 1.8m high, and mesh or wire between posts must be highly visible. Fence posts and supports should have a diameter greater than 20mm and should ideally be freestanding, otherwise, be located clear of the roots.
- 6.7.4 Where deemed appropriate, alternative tree protection fencing materials may be specified.
- 6.7.5 Tree protection fencing must remain intact throughout all proposed construction works and must only be dismantled after their conclusion. The temporary dismantling of tree protection fencing must only be done with the authorisation of a consulting arborist and/or the responsible authority.
- 6.7.6 Only when approval from the Project Arborist has been obtained, can alternate delineation TPZ fencing be used.
- 6.7.7 The tree protection fencing must not be used as a billboard to support advertising material.

## **6.8 General Guidance – Tree Protection Signage**

- 6.8.1 Signs identifying the TPZ is compliant with AS 4970–2009 should be placed in prominent positions at a maximum of 10m intervals around the edge of the TPZ and should be visible from within the development site.

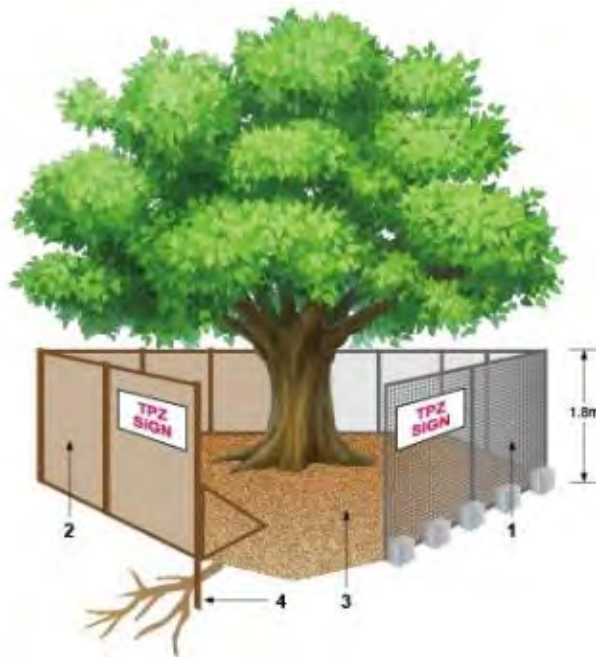
## **6.9 General Guidance – Tree Trunk Protection**

- 6.9.1 Trunk protection should be undertaken in line with Figure 3 and the Australian Standard AS 4790–2009: *Protection of Trees on Development Sites*.
- 6.9.2 Tree trunks and/or major branches located within close proximity to works must be wrapped with protective hessian or similar acceptable material to prevent tree injury. Major branches would typically be considered to be of a diameter greater than 100mm in diameter.
- 6.9.3 Timber battens (50 mm x 100 mm x 2 m or similar) must be placed around the trunk with battens spaced at a maximum of 100mm intervals. Battens are to be strapped to the tree, not nailed or screwed into the trunk. Temporary signs, or any other items, shall not be fixed or attached to any tree.



### 6.10 General Guidance – Ground Protection

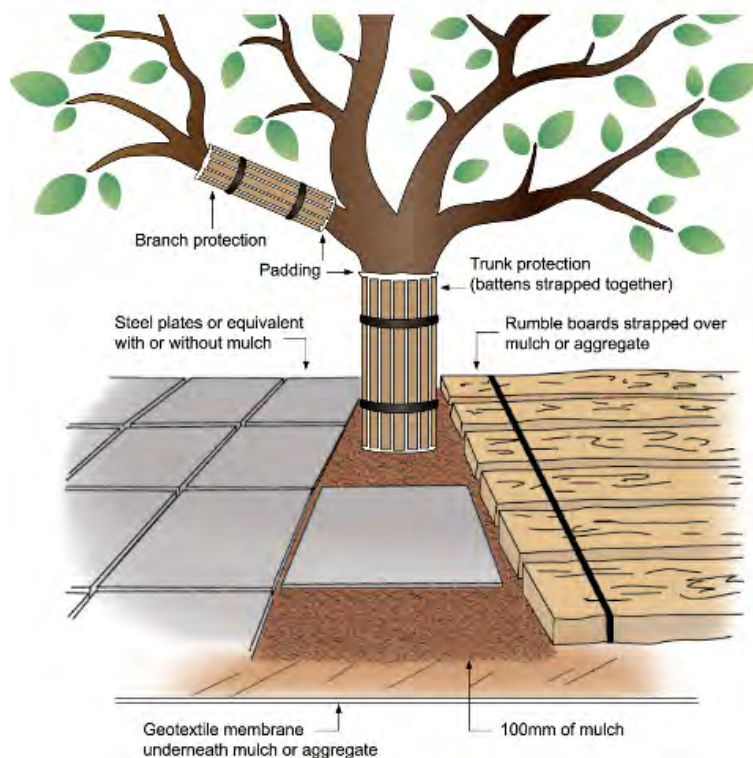
- 6.10.1 Ground protection should be undertaken in line with Figure 3 and the Australian Standard AS 4790–2009: Protection of Trees on Development Sites.
- 6.10.2 Construction routes for approved equipment shall be confined to existing hard-surfaced areas wherever possible to minimise compaction and disturbance of the underlying soil profile and root zone. Where construction access into the TPZ of retained trees cannot be avoided, the root zone of each tree must be protected by placing weight distribution mats/track mats until such a time as the permanent above-ground surfacing is installed.
- 6.10.3 Exposed surface roots shall first be covered in a layer of mulch at a minimum thickness of 75-100 mm before placing down weight distribution mats / track mats; root buttresses which are exposed shall have tree protection extended downward from the trunk to prevent tree injury.



Legend:

- 1. Chain wire mesh panels with shade cloth attached (if required), held in place with concrete feet.
- 2. Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil from entering the TPZ.
- 3. Mulch installation across the surface of TPZ (at the discretion of the Project Arborist). No excavation, construction activity, grade changes, surface treatment or storage materials of any kind are permitted within the TPZ.
- 4. Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

Figure 2. Depicts standard fencing techniques. (AS 4790–2009).



## Notes:

1. For trunk and branch protection, use boards and padding that will prevent damage to the bark. Boards are to be strapped to trees, not nailed or screwed.
2. Rumble boards or weight dispersion mats should be of a suitable thickness to prevent soil compaction and root damage.

Figure 3. Depicts trunk and ground protection techniques. (AS 4970-2009).



## **7 REFERENCES**

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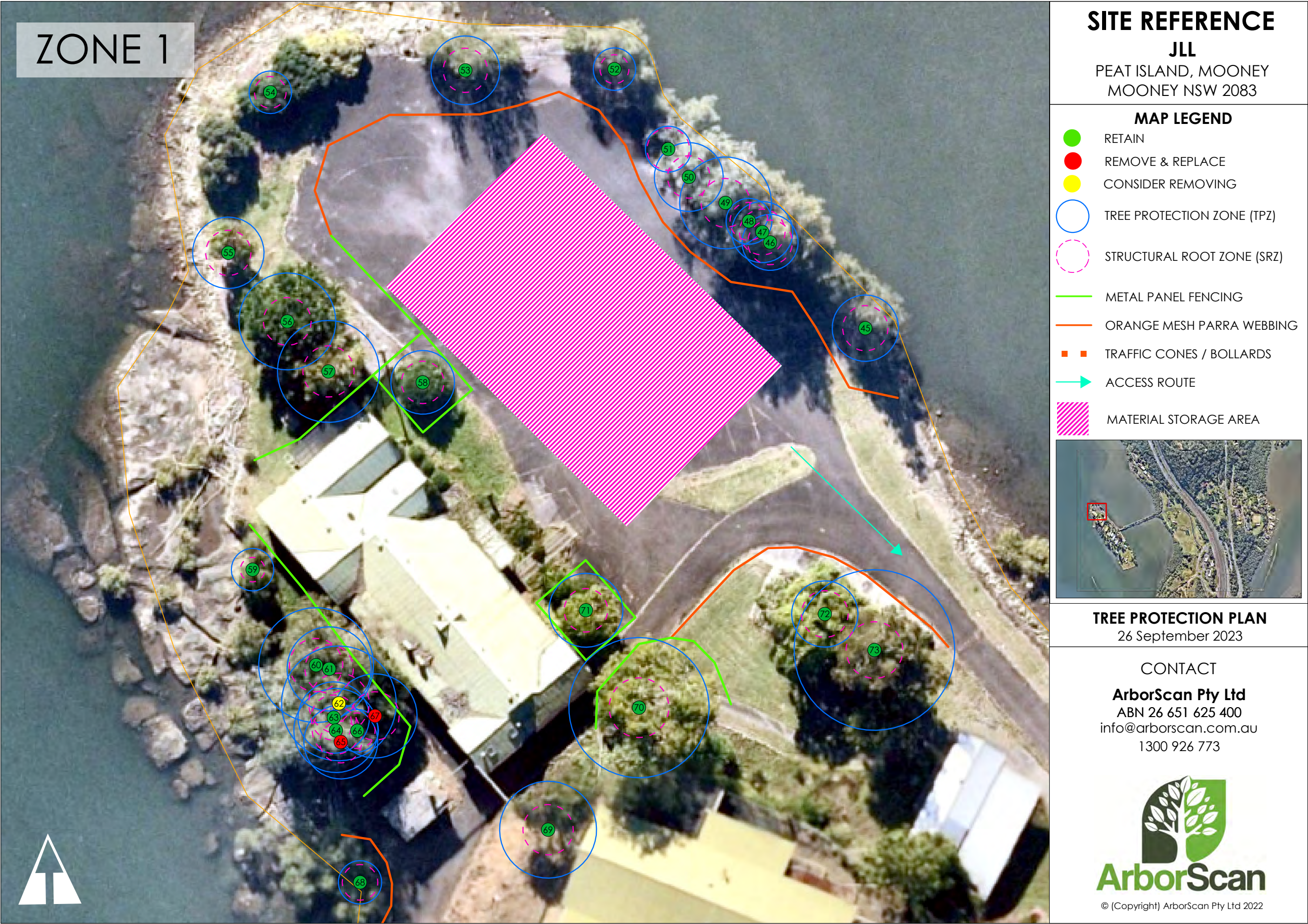




## DATA & MAPS

# Tree Protection Plan and Datasheets







Tree Protection Plan Data Schedule – Zone 1  
Report Reference - R6378836  
JLL Project Development Services  
Peat Island Mooney Mooney NSW



Tree Id	Botanical Name	Common Name	Trees In Group	DBH [cm]	Diameter at Root Crown (DRC) [cm]	Radial TPZ [m]	TPZ Area [m2]	SRZ Radius [m]	Tree Height [m]	Canopy Spread [m]	Health	Structure	Tree Age	ULE [Yrs.]	Habitat Features	Observations-Characteristics	General Significance	Tree Work Recommendations Inclusive Of Development	Arborist Notes	Landscape Significance Rating (STARS)	Retention Value (STARS)	Development Retention Status
45	Casuarina glauca	Swamp she-oak	12	26	35	3.12	30.57	2.13	11	4	Good	Good	Semi-Mature	Medium (15-40 years)	No	Deadwood <25 mm, Soil erosion	Amenity tree, Tree within avenue, Within group	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Medium	MEDIUM	Retain
46	Casuarina glauca	Swamp she-oak	2	22	34	2.64	21.88	2.1	9	4	Good	Good	Semi-Mature	Medium (15-40 years)	No	Deadwood <25 mm, Soil erosion	Amenity tree, Tree within avenue, Within group	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Medium	MEDIUM	Retain
47	Casuarina glauca	Swamp she-oak	1	24	36	2.88	26.04	2.15	11	6	Good	Average	Semi-Mature	Medium (15-40 years)	No	Deadwood <25 mm, Co-dominant stems, Soil erosion	Amenity tree, Tree within avenue	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Medium	MEDIUM	Retain
48	Casuarina glauca	Swamp she-oak	2	18	23	2.16	14.65	1.79	10	3	Good	Good	Semi-Mature	Medium (15-40 years)	No	Deadwood <25 mm, Soil erosion	Amenity tree, Tree within avenue, Within group	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Medium	MEDIUM	Retain
49	Casuarina glauca	Swamp she-oak	2	36	42	4.32	58.6	2.3	12	6	Good	Good	Semi-Mature	Medium (15-40 years)	No	Deadwood <25 mm, Soil erosion	Amenity tree, Tree within avenue, Within group	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Medium	MEDIUM	Retain
50	Casuarina glauca	Swamp she-oak	4	27	30	3.24	32.96	2	11	4	Good	Good	Semi-Mature	Medium (15-40 years)	No	Deadwood <25 mm, Soil erosion	Amenity tree, Tree within avenue, Within group	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Medium	MEDIUM	Retain
51	Grevillea robusta	Silky Oak	1	18	30	2.16	14.65	2	7	4	Poor	Average	Semi-Mature	Short (5-15 years)	No	Epiphytic shoots, Dieback, Sparse canopy, Soil erosion, Wound(s) branches, Deciduous no leaf		Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Low	LOW	Retain
52	Casuarina glauca	Swamp she-oak	10	9	12	2	12.56	1.36	8	1	Good	Good	Juvenile	Long (Over 40 years)	No	Soil erosion	Tree within avenue, Within group	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Low	LOW	Retain
53	Casuarina glauca	Swamp she-oak	7	27	33	3.24	32.96	2.08	10	4	Good	Good	Semi-Mature	Medium (15-40 years)	No	Soil erosion	Amenity tree, Tree within avenue, Within group	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Low	LOW	Retain
54	Metrosideros sp	Metrosideros Species	8	12	15	2	12.56	1.49	4	4	Good	Good	Mature	Medium (15-40 years)	No		Screen value, Within group	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the bitumen edge.	Low	LOW	Retain
55	Schefflera actinophylla	Umbrella Tree	1	28	35	3.36	35.45	2.13	7	5	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Exposed surface roots, Mechanical damage - roots		Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Low	LOW	Retain
56	Cupressus anacardoides	Tuckaroo	1	38	40	4.56	65.29	2.25	8	9	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Wound(s) branches	Amenity tree, Shade value	Mngmt. - Install TPZ fencing/signs	Tree positioned on edge of bitumen surface. TPZ fencing to be installed no closer than the edge of the canopy extent.	Medium	MEDIUM	Retain
57	Melaleuca quinquenervia	Broad-leaved Paperbark	1	40	47	4.8	72.35	2.41	8	6	Good	Good	Semi-Mature	Medium (15-40 years)	No	Co-dominant stems	Amenity tree	Mngmt. - Install TPZ fencing/signs	Manually dismantle fence around tree. Machinery to remain outside of the TPZ. At minimum, install TPZ fencing to the outer extent of the canopy.	Medium	MEDIUM	Retain
58	Nerium oleander	Oleander	1	25	30	3	28.26	2	5	4	Good	Good	Mature	Medium (15-40 years)	No	Co-dominant stems	Landscape feature	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the canopy.	Low	LOW	Retain
59	Casuarina glauca	Swamp she-oak	20	5	8	2	12.56	1.15	7	1	Good	Good	Juvenile	Medium (15-40 years)	No	Soil erosion, Suckers	Within group	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the furthest canopy	Low	LOW	Retain
60	Casuarina glauca	Swamp she-oak	1	45	52	5.4	91.56	2.51	14	8	Good	Good	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm, Suppressed, Wound(s) basal trunk, Wound(s) branches	Amenity tree	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the furthest canopy	Medium	MEDIUM	Retain
61	Casuarina glauca	Swamp she-oak	1	33	41	3.96	49.24	2.28	12	7	Poor	Average	Semi-Mature	Short (5-15 years)	No	Deadwood 25-50 mm, Dieback, Suppressed, Wound(s) basal trunk	Amenity tree	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the furthest canopy	Medium	MEDIUM	Retain
62	Olea africana	African Olive	1	45	70	5.4	91.56	2.85	9	12	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm, Epiphytic shoots, Infrastructure contact, Undesirable/Weed species	Weed species	Consider - Whole tree removal. Prune - Crown raise for large sized vehicle access, Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the furthest canopy. Uplift low canopy. Demolition of bitumen surface to be completed under spotter supervision within the TPZ, pulling the hard ground surface away from the tree. No equipment or storage of materials permitted within TPZ. Undesirable species, considered removing	Low	LOW	Consider removing
63	Casuarina glauca	Swamp she-oak	2	28	35	3.36	35.45	2.13	14	7	Good	Good	Mature	Medium (15-40 years)	No	Crossing branches, Deadwood <25 mm	Amenity tree, Within group	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the furthest canopy	Medium	MEDIUM	Retain
64	Casuarina glauca	Swamp she-oak	1	33	39	3.96	49.24	2.23	14	8	Good	Good	Mature	Medium (15-40 years)	No	Deadwood <25 mm, Wound(s) trunk	Amenity tree	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the furthest canopy	Medium	MEDIUM	Retain
65	Casuarina glauca	Swamp she-oak	1	29	29	3.48	38.03	1.97	11	4	Dead	Average	Semi-Mature	Dead	No	Dead tree		Removal - Whole tree	Remove dead tree at time of demolition.	Environmental Pest / Noxious Weed Species	PRIORITY FOR REMOVAL	Remove
66	Casuarina glauca	Swamp she-oak	1	16	20	2	12.56	1.68	11	2	Good	Average	Juvenile	Medium (15-40 years)	No	Crossing branches, Suppressed, Wound(s) trunk	Amenity tree	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the furthest canopy	Low	LOW	Retain
67	Casuarina glauca	Swamp she-oak	1	33	41	3.96	49.24	2.28	12	6	Dead	Average	Mature	Dead	No	Dead tree		Removal - Whole tree	Remove dead tree at time of demolition.	Hazardous / Irreversible Decline	PRIORITY FOR REMOVAL	Remove
68	Avicennia marina	Grey Mangrove	3	17	20	2.04	13.07	1.68	5	6	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood >100 mm, Dieback	Amenity tree, Within group	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the furthest canopy. Mangrove species.	Medium	MEDIUM	Retain
69	Glochidion ferrandii	Cheese Tree	1	38	45	4.56	65.29	2.37	9	19	Good	Good	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm, Epiphytic shoots, Soil erosion, Suppressed	Amenity tree		Tree located on upper embankment away from the proposed demolition works.	Medium	MEDIUM	Retain
70	Jacaranda mimosifolia	Jacaranda	1	55	68	6.6	136.78	2.81	12	9	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm, Decay, Epiphytic shoots, Epiphytic stem(s), Poor pruning, Wound(s) trunk	Amenity tree, Landscape feature	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the canopy. Demo bitumen surface under spotter supervision within the TPZ, pulling the hard ground surface away from the tree. No equipment or storage of materials permitted within TPZ.	High	HIGH	Retain
71	Plumiera acuminata	Frangipani	1	29	32	3.48	38.03	2.05	6	5	Good	Good	Mature	Medium (15-40 years)	No	Co-dominant stems, Poor pruning	Landscape feature	Mngmt. - Install TPZ fencing/signs	Install TPZ fencing to the outer extent of the canopy. Excavation is not to occur in the SRZ.	Medium	MEDIUM	Retain







Tree Protection Plan Data Schedule – Zone 2  
Report Reference - R6378836  
JLL Project Development Services  
Peat Island Mooney Mooney NSW



Tree Id	Botanical Name	Common Name	Trees In Group	DBH [cm]	Diameter at Root Crown (DRC) [cm]	Radial TPZ [m]	TPZ Area [m2]	SRZ Radius [m]	Tree Height [m]	Canopy Spread [m]	Health	Structure	Tree Age	ULE [Yrs.]	Habitat Features	Observations-Characteristics	General Significance	Tree Work Recommendations Inclusive Of Development	Arborist Notes	Landscape Significance Rating (STARS)	Retention Value (STARS)	Development Retention Status
88	Grevillea robusta	Silky Oak	2	37	48	4.44	61.9	2.43	11	6	Good	Average	Semi-Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood limited volume, Deadwood 25-50 mm, Epicormic shoots, Hanging branch(s)	Amenity tree, Within group	Mngmt - Install TPZ fencing/signs	Install TPZ fencing to protect tree from site work impacts.	Medium	MEDIUM	Retain
89	Syagrus romanzoffiana	Cocos Palm	1	23	32	3	28.27	2.05	7	4	Good	Good	Semi-Mature	Medium (15-40 years)	No	Dead palm fronds/fruit		Mngmt - Install TPZ fencing/signs	Install TPZ fencing to protect tree from site work impacts.	Low	LOW	Retain
90	Olea africana	African Olive	1	17	19	2.04	13.07	1.65	3	4	Good	Good	Semi-Mature	Short (5-15 years)	No	Inappropriate location, Undesirable/Weed species	Weed species	Removal - Whole tree	Remove undesirable species. Located at back corner of VRA Reserve	Environmental Pest / Noxious Weed Species	PRIORITY FOR REMOVAL	Remove
91	Syagrus romanzoffiana	Cocos Palm	4	19	22	3	28.27	1.75	5	2	Good	Good	Semi-Mature	Medium (15-40 years)	No	Dead palm fronds/fruit	Within group	Mngmt - Install TPZ fencing/signs	Install TPZ fencing to protect tree from site work impacts.	Low	LOW	Retain
92	Erythrina crista-galli	Cockscomb Coral Tree	5	33	33	3.96	49.24	2.08	5	5	Good	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Cavity, Crossing branches, Deadwood <25 mm, Exposed surface roots, Hanging branch(s), Heaved root plate, Soil erosion	Amenity tree, Landscape feature, Within group	Mngmt - Remove TPZ/SRZ incursion	Install TPZ fencing to protect tree from site work impacts.	Medium	MEDIUM	Retain





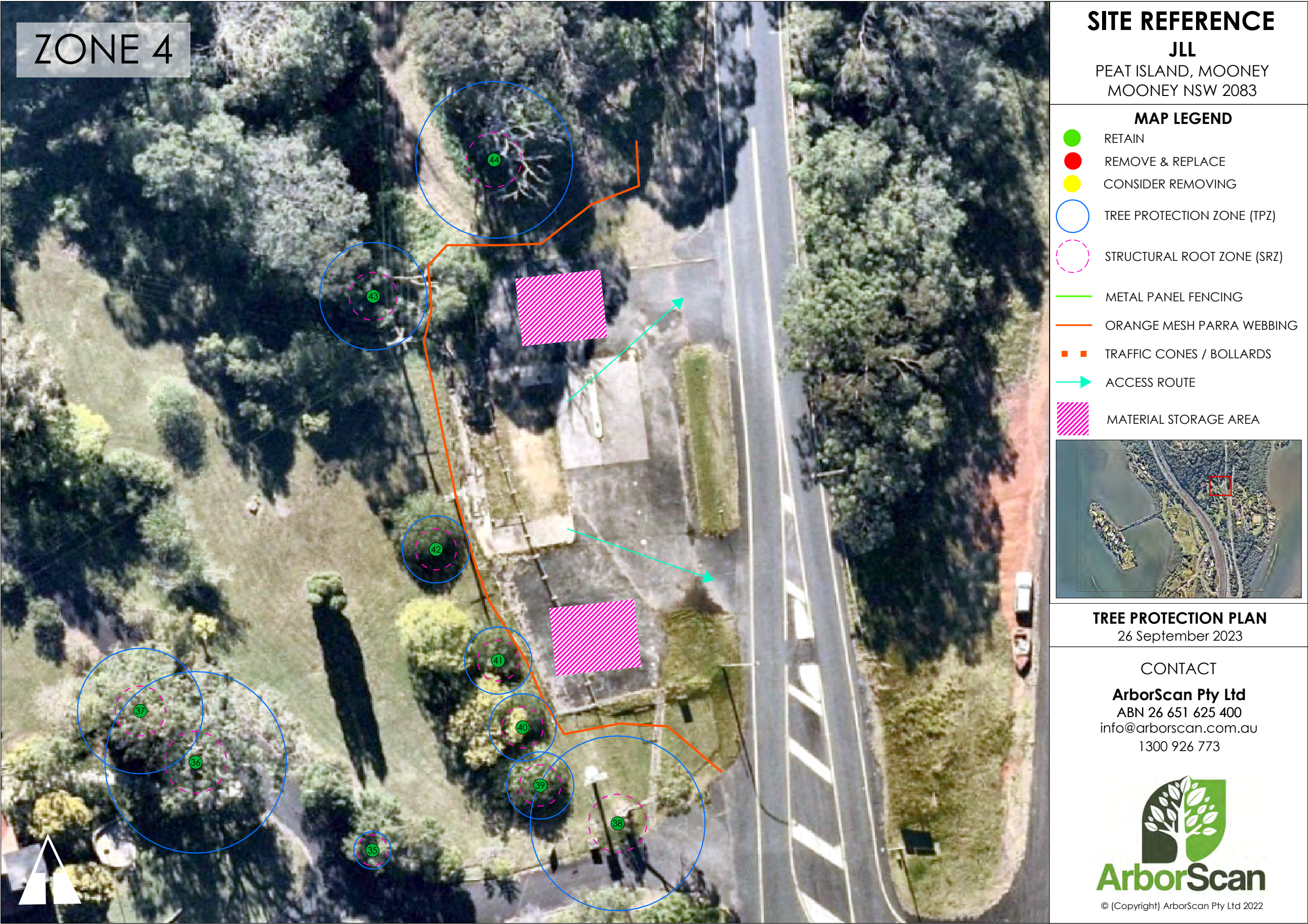




Tree Protection Plan Data Schedule – Zone 3  
Report Reference - R6378836  
JLL Project Development Services  
Peat Island Mooney Mooney NSW

Tree Id	Botanical Name	Common Name	Trees In Group	DBH [cm]	Diameter at Root Crown (DRC) [cm]	Radial TPZ [m]	TPZ Area [m2]	SRZ Radius [m]	Tree Height [m]	Canopy Spread [m]	Health	Structure	Tree Age	ULE [Yrs.]	Habitat Features	Observations-Characteristics	General Significance	Tree Work Recommendations Inspective Of Development	Arborist Notes	Landscape Significance Rating (STARS)	Retention Value (STARS)	Development Retention Status
82	<i>Callistemon viminalis</i>	Weeping Bottlebrush	1	28	37	3.36	35.45	2.18	6	6	Good	Good	Mature	Short (5-15 years)	No	Co-dominant stems, Inappropriate location, Infrastructure damage, Poor pruning, Suppressed	Amenity tree	Consider - Whole tree removal	Tree located on upper retaining wall area. Evidence of wall displacement, tree is 23cm away from the back of the stone wall. No specific tree protection is recommended.	Medium	LOW	Consider removing
83	<i>Callistemon viminalis</i>	Weeping Bottlebrush	1	43	50	5.16	83.6	2.47	9	10	Good	Average	Mature	Short (5-15 years)	No	Co-dominant stems, Deadwood <25 mm, Inappropriate location, Infrastructure damage, Poor pruning, Suppressed, Vines	Amenity tree	Consider - Whole tree removal	Tree located on upper retaining wall area. Evidence of wall displacement, tree is less than 10cm away from the back of the stone wall. No specific tree protection is recommended.	Medium	LOW	Consider removing
93	<i>Cupressus macrocarpa</i>	Monterey Cypress	1	56	60	6.72	141.8	2.67	9	9	Good	Average	Mature	Medium (15-40 years)	Yes	Branch failure(s), Cavity, Co-dominant stems, Crack(s)/split(s), Deadwood 50-100 mm, Hanging branch(s), Wound(s) basal trunk	Amenity tree, Habitat - Hollow(s)	Prune - Deadwood >25 mm, Prune - Hanging limb(s), Adv. Actn - Aerial inspection at specified location(s), Mngmt - Install TPZ fencing/signs	Multiple failures in canopy. Prune out deadwood and hanging limbs. Remediate failure stubs. Climb to inspect low lateral branch growing towards The Music Bowl at location of suspected cracking, reduce if compromised. Construction materials are not to be stored within the TPZ of the tree. Small cavity forming within basal trunk.	Medium	MEDIUM	Retain
94	<i>Lophoslemon confertus</i>	Queensland Box	1	45	63	5.4	91.56	2.73	12	6	Good	Good	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood limited volume, Deadwood 25-50 mm, Dieback, Exposed surface roots, Infrastructure damage	Amenity tree	Prune - Deadwood >25 mm, Prune - Remove selective branches, Mngmt - Install TPZ fencing/signs	Remove single lowest scaffold branch over The Music Bowl. Construction materials are not to be stored within the TPZ of the tree. Roots have damaged the pathway.	Medium	MEDIUM	Retain
95	<i>Phoenix roebelinii</i>	Dwarf Date Palm	5	20	25	2	12.5	1.85	4	2	Good	Good	Mature	Medium (15-40 years)	No	Dead palm fronds/fruit	Amenity tree, Landscape feature, Within group	Consider - Whole tree removal, Removal - Selected trees in group, Prune - Dead fronds and palm fruit, Mngmt - Install TPZ fencing/signs	Depending on the extent of repair required to the ceiling of The Music Bowl, the entire removal of the palm (all stems) may be required. Prior to removing all palm stems, effort should be made to prune and remove selective stems only. Contractors should be mindful of the spikes along stems and the fronds of the palm when conducting construction and repair works.	Medium	MEDIUM	Consider removing
96	<i>Chamaecyparis obtusa</i>	Hinoki Cypress	1	45	49	5.4	91.56	2.45	9	7	Good	Good	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Deadwood <25 mm, Exposed surface roots, Infrastructure contact, Poor pruning, Sap exudation, Vines	Amenity tree	Prune - Shape branches 1 m from infrastructure, Adv. Actn - Further reporting/testing, Mngmt - Install TPZ fencing/signs, Other - Remove vine(s), PHC - AirSpade excavation	Tree located within near distance to The Music Bowl. Damage or potential for future damage to structure from the roots may be investigated during repair works. Investigation could include vacuum excavation or air spade to map root location. Further details of repairs to amphitheatre are needed in order to understand tree exposure to damage. Roof of amphitheatre is within TPZ/SRZ. Prune to create clearance from building structure.	High	HIGH	Retain
97	<i>Syagrus ramanzoiniana</i>	Cocos Palm	7	24	46	3	28.27	2.39	11	4	Good	Good	Mature	Medium (15-40 years)	No	Dead palm fronds/fruit	Tree within avenue, Within group	Mngmt - Install TPZ fencing/signs	Install fencing to restrict access within TPZ.	Low	LOW	Retain





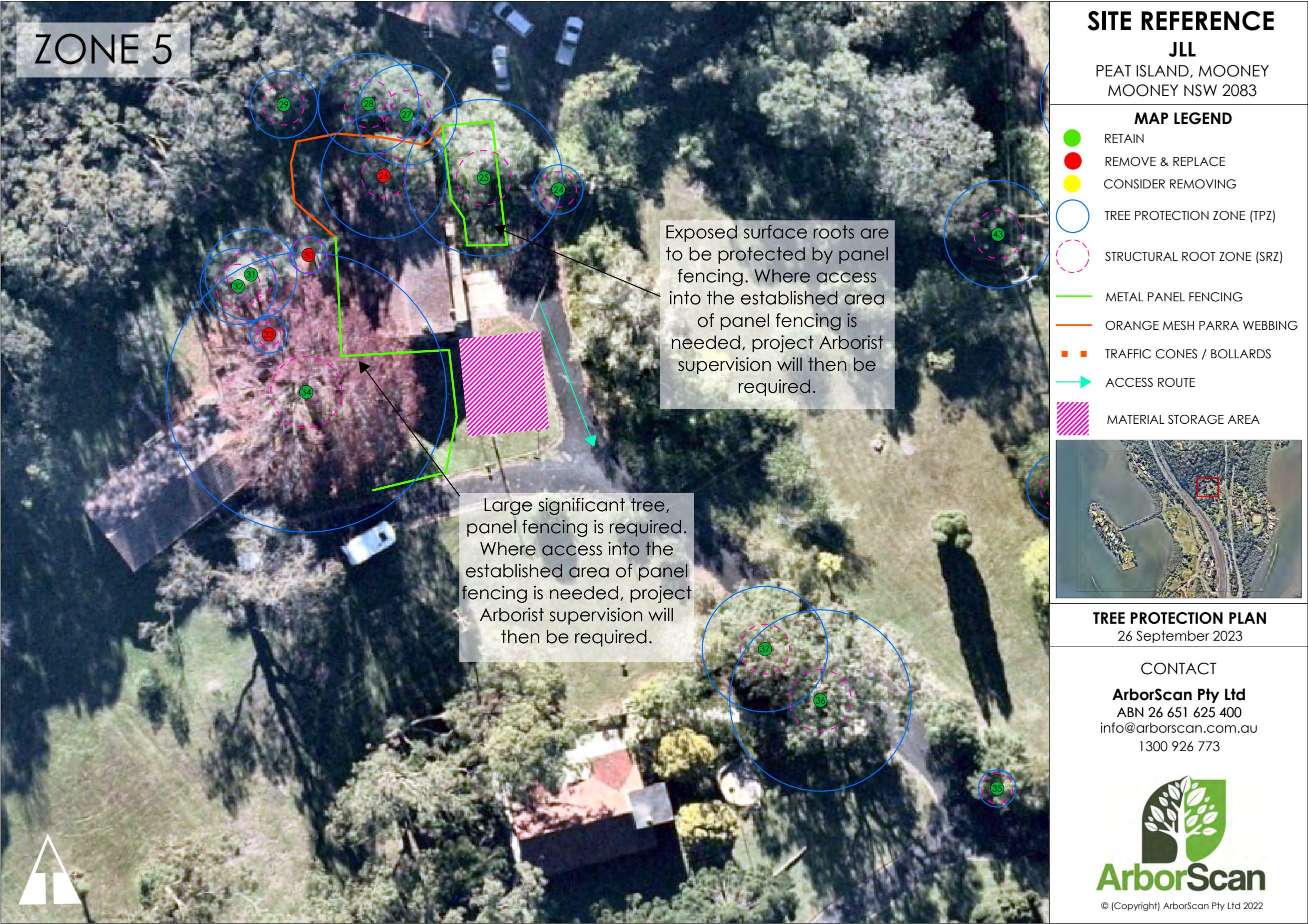


Tree Protection Plan Data Schedule – Zone 4  
Report Reference - R6378836  
JLL Project Development Services  
Peat Island Mooney Mooney NSW



Tree Id	Botanical Name	Common Name	Trees In Group	DBH [cm]	Diameter at Root Crown (DRC) [cm]	Radial TPZ [m]	TPZ Area [m2]	SRZ Radius [m]	Tree Height [m]	Canopy Spread [m]	Health	Structure	Tree Age	ULE [Yrs.]	Habitat Features	Observations-Characteristics	General Significance	Tree Work Recommendations Irrespective Of Development	Arborist Notes	Landscape Significance Rating (STARS)	Retention Value (STARS)	Development Retention Status
38	Corymba gumifera	Red Bloodwood	1	78	86	9.36	275.09	3.11	13	6	Good	Average	Mature	Short (5-15 years)	No	Co-dominant stems, Deadwood limited volume, Deadwood 25-50 mm, Epicormic shoots, Pest(s) - Borers, Poor pruning, Poor Pruning - Powerline clearance pruning, Structural faults, Suppressed, Uncharacteristic form, Wound(s) basal trunk, Wound(s) trunk	Amenity tree	Mngmt - Install TPZ fencing/signs	Install TPZ fencing to protect tree from site work impacts.	High	MEDIUM	Retain
39	Nerium oleander	Oleander	3	30	38	3.6	40.69	2.2	4	6	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Included bark, Not tagged	Screen value, Within group	Mngmt - Install TPZ fencing/signs, Other action	Install TPZ fencing to protect tree from site work impacts. Excavation for wall is not to extend 1m beyond its existing location.	Low	LOW	Retain
40	Nerium oleander	Oleander	3	30	38	3.6	40.69	2.2	4	6	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Included bark, Not tagged	Screen value, Within group	Mngmt - Install TPZ fencing/signs, Other action	Install TPZ fencing to protect tree from site work impacts. Excavation for wall is not to extend 1m beyond its existing location.	Low	LOW	Retain
41	Nerium oleander	Oleander	3	30	38	3.6	40.69	2.2	4	6	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Included bark, Not tagged	Screen value, Within group	Mngmt - Install TPZ fencing/signs, Other action	Install TPZ fencing to protect tree from site work impacts. Excavation for wall is not to extend 1m beyond its existing location.	Low	LOW	Retain
42	Nerium oleander	Oleander	3	30	38	3.6	40.69	2.2	4	6	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Included bark, Not tagged	Screen value, Within group	Mngmt - Install TPZ fencing/signs, Other action	Install TPZ fencing to protect tree from site work impacts. Excavation for wall is not to extend 1m beyond its existing location.	Low	LOW	Retain
43	Angophora floribunda	Rough-barked Apple Myrtle	1	48	55	5.76	104.18	2.57	18	19	Good	Poor	Mature	Medium (15-40 years)	Yes	Branch and weight, Cavity, Co-dominant stems, Deadwood limited volume, Deadwood 25-50 mm, Epicormic shoots, Epicormic stem(s), Pest(s) - Termites, Poor Pruning - Powerline clearance pruning, Unbalanced crown, Uncharacteristic form	Amenity tree, Habitat - Stick nest(s)	Tree Planting - Medium sized tree, Prune - weight reduction, Mngmt - Install TPZ fencing/signs	Tree excessively extended due to poor powerline pruning practices. Terminally reduce extended canopy by 10% and uplift to allow access beneath canopy. Install TPZ fencing to protect tree from site work impacts. Excavation for wall is not to extend 1m beyond its existing location.	Medium	MEDIUM	Retain
44	Dead Tree	Dead tree	1	70	75	8.4	221.56	2.93	18	14	Dead	Poor	Mature	Dead	Yes	Dead tree, Deadwood >100 mm, Not tagged	Habitat - Hollow(s)	Exc - Baricade fall zone under canopy drip-line, Mngmt - install TPZ fencing/signs	Highly significant habitat structure. Install TPZ fencing out to canopy drip line to protect workers from fall zone of dead canopy.	High	LOW	Retain





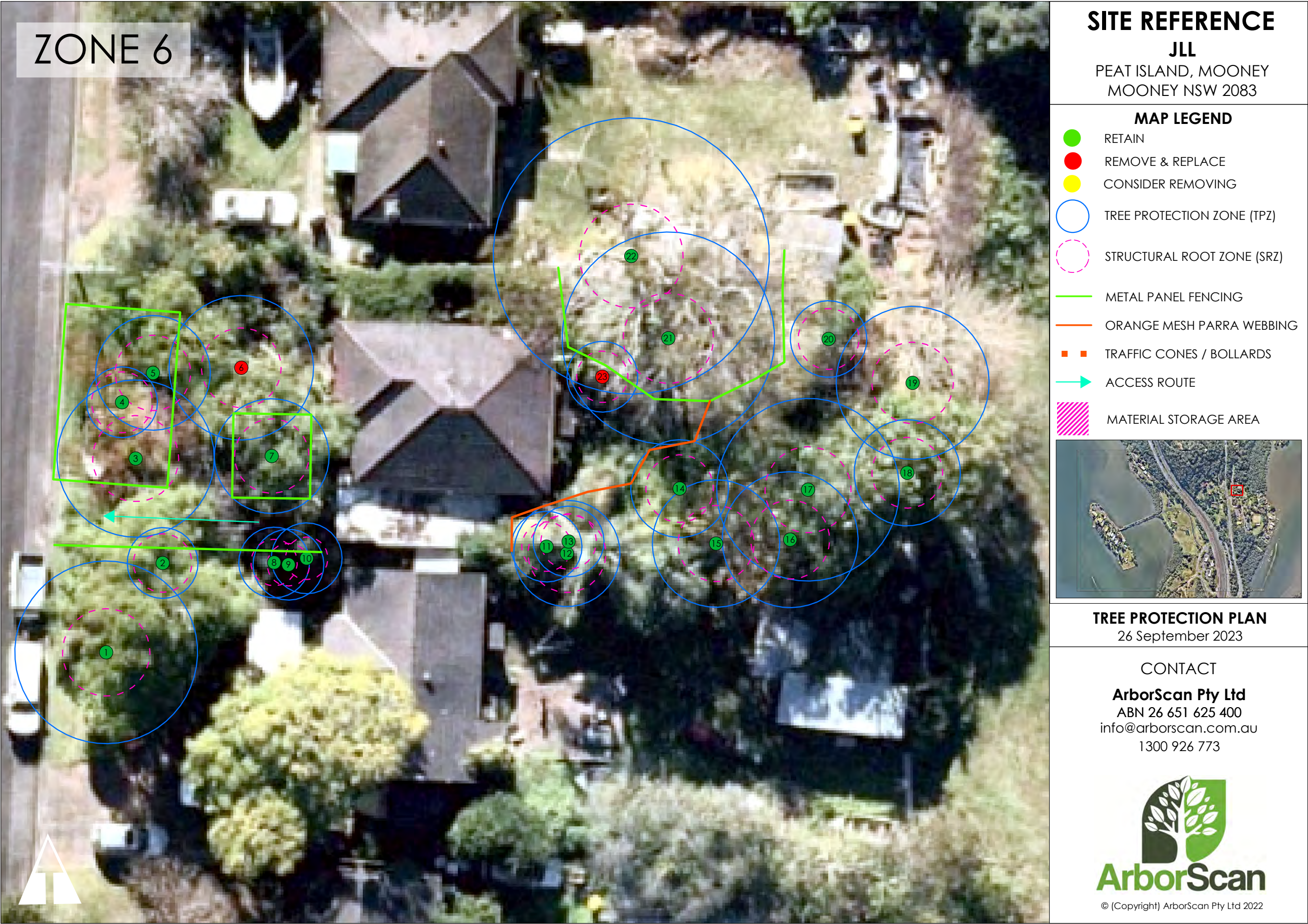


Tree Protection Plan Data Schedule – Zone 5  
Report Reference - R6378836  
JLL Project Development Services  
Peat Island Mooney Mooney NSW



Tree Id	Botanical Name	Common Name	Trees In Group	DBH [cm]	Diameter at Root Crown (DRC) [cm]	Radial TPZ [m]	TPZ Area [m2]	SRZ Radius [m]	Tree Height [m]	Canopy Spread [m]	Health	Structure	Tree Age	ULE [Yrs.]	Habitat Features	Observations-Characteristics	General Significance	Tree Work Recommendations Inspective Of Development	Arborist Notes	Landscape Significance Rating (STARS)	Retention Value (STARS)	Development Retention Status
24	<i>Glochidion firidrandi</i>	Cheese Tree	1	22	27	2.64	21.88	1.91	6	4	Average	Average	Semi-Mature	Medium (15-40 years)	No	Co-dominant stems, Dieback, Included bark	Amenity tree	Prune - Crown raise for large sized vehicle access	Group of trees along driveway, bitumen surface protects roots within TPZ	Low	LOW	Retain
25	<i>Harpophyllum calium</i>	Kaffir Plum	1	70	75	8.4	221.56	2.93	13	14	Average	Average	Mature	Medium (15-40 years)	No	Bracket fungus, Co-dominant stems, Crossing branches, Deadwood 25-50 mm, Dieback, Epicormic shoots, Exposed surface roots, Mechanical damage - roots, Poor pruning	Age/size, Shade value	Mngmt - Install TPZ fencing/signs, Other - Cover exposed surface roots	Small fungal fruiting body observed on surface root near road kerb. Tree requires fencing to be erected in order to protect exposed tree roots on ground surface which are vulnerable to damage.	Medium	MEDIUM	Retain
26	<i>Glochidion firidrandi</i>	Cheese Tree	1	56	45	6.72	141.8	2.37	11	7	Good	Average	Semi-Mature	Short (5-15 years)	No	Co-dominant stems, Crossing branches, Inappropriate location, Included bark, Infrastructure contact, Infrastructure damage	Amenity tree	Removal - Whole tree	The tree is located adjacent to the infrastructure, and its roots may have developed a structural dependency on the infrastructure for support, both through contact and possibly extending beneath the wall foundation. It is advisable to remove the tree before proceeding with demolition, and replace it afterward.	Low	MEDIUM	Remove
27	<i>Nerium oleander</i>	Oleander	1	45	55	5.4	91.56	2.57	6	4	Good	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Included bark	Screen value	Mngmt - Install TPZ fencing/signs	Protect TPZ with fencing	Low	LOW	Retain
28	<i>Nerium oleander</i>	Oleander	1	45	55	5.4	91.56	2.57	7	6	Good	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Included bark	Screen value	Mngmt - Install TPZ fencing/signs	Protect TPZ with fencing	Low	LOW	Retain
29	<i>Nerium oleander</i>	Oleander	3	30	38	3.6	40.69	2.2	6	3	Good	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Included bark	Screen value, Within group	Mngmt - Install TPZ fencing/signs	Protect TPZ with fencing	Low	LOW	Retain
30	<i>Casuarina glauca</i>	Swamp she-oak	1	16	27	2	12.56	1.91	13	3	Good	Average	Semi-Mature	Short (5-15 years)	No	Inappropriate location, Infrastructure contact	Amenity tree	Removal - Whole tree	The tree is situated against a concrete pathway, which it likely lends structural support from. Visible indications suggest that roots extend beneath the pathway. It is recommended to remove the tree entirely and replace it.	Low	LOW	Remove
31	<i>Casuarina glauca</i>	Swamp she-oak	1	41	57	4.92	76.01	2.61	13	7	Good	Average	Over-Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm, Dieback, Exposed surface roots, Mechanical damage - roots, Wound(s) basal trunk	Amenity tree	Mngmt - Install TPZ fencing/signs, Other action	Exposed roots are in contact with a concrete pathway. Excavation of pathway within the TPZ is allowed, provided that a spotter is present and caution is exercised to pull the pathway back toward the residential structure.	Medium	MEDIUM	Retain
32	<i>Casuarina glauca</i>	Swamp she-oak	1	34	45	4.08	52.27	2.37	16	4	Good	Good	Semi-Mature	Medium (15-40 years)	No	Deadwood <25 mm, Exposed surface roots, Mechanical damage - roots	Amenity tree	Mngmt - Install TPZ fencing/signs, Other action	Exposed roots are in contact with a concrete pathway. Excavation of pathway within the TPZ is allowed, provided that a spotter is present and caution is exercised to pull the pathway back toward the residential structure.	Medium	MEDIUM	Retain
33	<i>Casuarina glauca</i>	Swamp she-oak	1	8	10	2	12.56	1.26	7	1	Average	Average	Juvenile	Short (5-15 years)	No	Inappropriate location		Removal - Whole tree	Tree is inappropriately located near pole, likely to have self-seeded. Remove and replace.	Low	LOW	Remove
34	<i>Liquidambar styraciflua</i>	Sweet Gum	1	128	140	15	706.5	3.81	22	19	Good	Average	Over-Mature	Medium (15-40 years)	No	Branch end weight, branch failure(s), Co-dominant stems, Deadwood 25-50 mm, Exposed surface roots, Infrastructure contact, Infrastructure damage, Mechanical damage - roots, Wound response growth, Wound(s) basal trunk	Age/size, Amenity tree, Shade value	Prune - Crown raise for large sized vehicle access, Prune - Remove selective branches, Mngmt - Install TPZ fencing/signs, Other - Clean fallen debris, Other - Cover exposed surface roots	TPZ fencing is to extend as near the property proposed for demolition as possible. Evidence of large roots are located under slab and building structure. Where surface roots are exposed outside TPZ fencing, ground protection must be installed. Remove a single low canopy branch to trunk collar if in conflict with site works.	High	HIGH	Retain
35	<i>Group of Trees</i>	Group of Trees	11	16	19	2	12.56	1.65	6	3	Good	Good	Mature	Medium (15-40 years)	No	Co-dominant stems, Infrastructure damage, Poor pruning	Tree within avenue, Within group	Prune - Crown raise for large sized vehicle access	Group of trees along driveway, bitumen surface protects roots within TPZ. Prune canopies back to gutter line to create sufficient vehicle clearance.	Low	LOW	Retain
36	<i>Angaphora floribunda</i>	Rough-barked Apple Myrtle	1	81	100	9.72	296.66	3.31	16	14	Average	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Deadwood limited volume, Deadwood 25-50 mm, Dieback, Epicormic shoots, Infrastructure contact, Infrastructure damage	Age/size, Amenity tree	Prune - Remove selective branches	Tree positioned along driveway, bitumen surface protects roots in TPZ. Prune selective branch to create sufficient vehicle clearance.	High	HIGH	Retain
37	<i>Angaphora floribunda</i>	Rough-barked Apple Myrtle	1	56	60	6.72	141.8	2.67	15	11	Average	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Deadwood limited volume, Deadwood 25-50 mm, Dieback, Epicormic shoots	Amenity tree	Prune - Crown raise for large sized vehicle access, Prune - Remove selective branches	Tree positioned along driveway, bitumen surface protects roots within TPZ. Prune canopy low canopy back to gutter line to create sufficient vehicle clearance. Remove small stem originating from lower major union. Additionally reduce canopy of adjacent Glochidion tree.	High	HIGH	Retain







Tree Protection Plan Data Schedule – Zone 6  
Report Reference - R6378636  
JLL Project Development Services  
Peat Island Mooney Mooney NSW



Tree Id	Botanical Name	Common Name	Trees In Group	DBH [cm]	Diameter at Root Crown (DRC) [cm]	Radial TPZ [m]	TPZ Area [m2]	SRZ Radius [m]	Tree Height [m]	Canopy Spread [m]	Health	Structure	Tree Age	ULE [Yrs.]	Habitat Features	Observations-Characteristics	General Significance	Tree Work Recommendations Inclusive Of Development	Arborist Notes	Landscape Significance Rating (STARS)	Retention Value (STARS)	Development Retention Status
1	Jacaranda mimosifolia	Jacaranda	1	43	50	5.16	83.6	2.47	14	15	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm, Epicormic shoots, Epicormic stem(s), Poor Pruning - Powerline clearance pruning, Wound(s) trunk	Amenity tree, Third party tree	Prune - Remove selective branches	Prune low canopy back to suitable location of terminal growth to minimise canopy impact and improve access to the property.	High	HIGH	Retain
2	Lagerstroemia indica	Crape Myrtle	1	16	19	2	12.56	1.65	7	3	Good	Average	Mature	Medium (15-40 years)	No	Poor pruning, Suppressed	Amenity tree, Third party tree	Mngmt - Install TPZ fencing/signs, Other action	Canopy clearance is sufficient for access. Lifting of hard surfaces is to be performed with a toothless bucket with a spoiler present. Driveway is to be demolished at finalisation of house and yard clearing	Low	LOW	Retain
3	Sapum sebiferum	Chinese Tallow Tree	1	37	48	4.44	61.9	2.43	9	6	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Epicormic shoots, Exposed surface roots, Poor Pruning - Powerline clearance pruning, Wound(s) trunk	Amenity tree	Prune - Remove selective branches, Mngmt - Install TPZ fencing/signs, Other - Cover exposed surface roots	Cover exposed roots with sand bags if exposed beyond the TPZ fence. Removing entire lower stem will have minimal impact to tree life expectancy and amenity value.	Medium	MEDIUM	Retain
4	Sapum sebiferum	Chinese Tallow Tree	1	13	21	2	12.56	1.72	6	3	Average	Average	Semi-Mature	Medium (15-40 years)	No	Poor Pruning - Powerline clearance pruning, Suppressed	Amenity tree	Mngmt - Install TPZ fencing/signs		Low	LOW	Retain
5	Jacaranda mimosifolia	Jacaranda	1	27	35	3.24	32.96	2.13	9	6	Good	Good	Semi-Mature	Medium (15-40 years)	No	Epicormic shoots, Poor Pruning - Powerline clearance pruning	Amenity tree	Mngmt - Install TPZ fencing/signs, Mngmt - No excavation in SRZ	Below ground services are not to be excavated, terminate and retain in ground.	Medium	MEDIUM	Retain
6	Tibouchina laurina	Tibouchina	1	34	40	4.08	52.27	2.25	7	7	Average	Poor	Mature	Short (5-15 years)	No	Branch failure(s), Co-dominant stems, Deadwood 25-50 mm, Decay, Hanging branch(s), Poor pruning, Wound(s) branches, Wound(s) trunk		Removal - Whole tree	Remove tree to improve access and limit impact to more significant trees.	Low	LOW	Remove
7	Jacaranda mimosifolia	Jacaranda	1	27	34	3.24	32.96	2.1	9	8	Good	Good	Semi-Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm	Amenity tree	Mngmt - Install TPZ fencing/signs	TPZ is to be modified to accommodate access and site, infrastructure, demolition. Install fixed panel fencing to protect tree, fencing is to be installed at minimum 2.5m radially, measured from the middle of the trunk.	Medium	MEDIUM	Retain
8	Murraya paniculata	Orange Jessamine	1	9	11	2	12.56	1.31	6	2	Good	Good	Mature	Medium (15-40 years)	No		Screen value	Mngmt - Install TPZ fencing/signs, Other action	Canopy clearance is sufficient for access. Lifting of hard surfaces is to be performed with a toothless bucket with a spoiler present. Driveway is to be demolished at finalisation of house and yard clearing	Low	LOW	Retain
9	Murraya paniculata	Orange Jessamine	1	7	9	2	12.56	1.2	5	1	Good	Good	Mature	Medium (15-40 years)	No		Screen value	Mngmt - Install TPZ fencing/signs, Other action	Canopy clearance is sufficient for access. Lifting of hard surfaces is to be performed with a toothless bucket with a spoiler present. Driveway is to be demolished at finalisation of house and yard clearing	Low	LOW	Retain
10	Viburnum lnuis	Laurustinus	1	7	9	2	12.56	1.2	7	1	Good	Average	Semi-Mature	Short (5-15 years)	No	Poor pruning		Mngmt - Install TPZ fencing/signs, Other action	Canopy clearance is sufficient for access. Lifting of hard surfaces is to be performed with a toothless bucket with a spoiler present. Driveway is to be demolished at finalisation of house and yard clearing	Low	LOW	Retain
11	Murraya paniculata	Orange Jessamine	1	12	13	2	12.56	1.4	3	3	Good	Good	Mature	Medium (15-40 years)	No		Screen value	Mngmt - Install TPZ fencing/signs	There appears sufficient clearance, pruning of canopy does not appear necessary for access.	Low	LOW	Retain
12	Syagrus romanzoffiana	Cocos Palm	1	25	38	4	50.26	2.2	13	7	Good	Average	Mature	Medium (15-40 years)	No	Deadwood limited volume, Undesirable Weed species		Mngmt - Install TPZ fencing/signs	Sufficient distance between palm and structure.	Low	LOW	Retain
13	Elaeocarpus reticulatus	Blueberry Ash	1	14	17	2	12.56	1.57	7	2	Average	Average	Semi-Mature	Short (5-15 years)	No	Dieback, Suppressed		Mngmt - Install TPZ fencing/signs	Tree positioned 4m away from structure.	Low	LOW	Retain
14	Plumeria acuminata	Frangipani	1	23	27	2.76	23.92	1.91	4	5	Good	Average	Mature	Medium (15-40 years)	No	Suppressed, Uncharacteristic form	Amenity tree	Prune - Remove selective branches, Mngmt - Install TPZ fencing/signs	Prune selective small diameter branches to improve site access should canopy projection restrict accessibility to lower yard area and demolition of sheds.	Low	LOW	Retain
15	Group of Trees	Group of Trees	3	30	36	3.6	40.69	2.15	12	7	Average	Average	Mature	Medium (15-40 years)	No	Crossing branches, Deadwood limited volume, Deadwood 25-50 mm, Deciduous no leaf, Hanging branch(s), Suppressed	Amenity tree, Within group	Mngmt - Install TPZ fencing/signs	Group of three varying species. TPZ of tagged trees encompassing the protection of all three.	Medium	MEDIUM	Retain
16	Macadamia integrifolia	Macadamia	1	32	39	3.84	46.3	2.23	10	10	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm, Infrastructure contact	Amenity tree, Shade value	Mngmt - Install TPZ fencing/signs, Other action, Prune - Shape branches 1 m from infrastructure, Prune - Crown raise for medium sized vehicle access	Limit size of excavation equipment within the TPZ. Crown uplift small diameter branches as necessary. Prune canopy from neighbouring structure.	Medium	MEDIUM	Retain
17	Brachychiton acerifolius	Illawarra Flame Tree	2	43	48	5.16	83.6	2.43	14	6	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood limited volume, Deadwood 25-50 mm, Included bark, Structural faults, Uncharacteristic form	Amenity tree, Within group	Mngmt - Install TPZ fencing/signs, Other action	Limit size of excavation equipment within the TPZ. Measurement for protection radius based on a single stem. Basal union structure limits long life potential of greater than 40 years.	Medium	MEDIUM	Retain
18	Fraxinus griffithii	Evergreen Ash	1	25	30	3	28.26	2	6	6	Good	Average	Semi-Mature	Medium (15-40 years)	No	Co-dominant stems, Uncharacteristic form		Prune - Crown raise for medium sized vehicle access, Mngmt - Install TPZ fencing/signs	Tree has grown out of pot plant. Limit size of excavation equipment within the TPZ. Crown uplift small diameter branches as necessary.	Low	LOW	Retain
19	Acer negundo	Box Elder Maple	1	36	42	4.32	58.6	2.3	8	9	Good	Good	Mature	Medium (15-40 years)	No	Deadwood <25 mm, Epicormic shoots	Amenity tree	Mngmt - Install TPZ fencing/signs, Other action, Prune - Crown raise for medium sized vehicle access	Limit size of excavation equipment within the TPZ. Crown uplift small diameter branches as necessary.	Medium	MEDIUM	Retain
20	Fraxinus griffithii	Evergreen Ash	1	18	21	2.16	14.65	1.72	6	4	Good	Average	Semi-Mature	Short (5-15 years)	No	Uncharacteristic form		Mngmt - Install TPZ fencing/signs, Other action	Tree has grown out of pot plant. Limit size of excavation equipment within the TPZ.	Low	LOW	Retain
21	Acer negundo	Box Elder Maple	2	50	54	6	113.04	2.55	12	12	Good	Good	Mature	Medium (15-40 years)	No	Deadwood <25 mm, Epicormic shoots, Wound(s) branches	Amenity tree, Shade value, Within group	Mngmt - Install TPZ fencing/signs, Other action, Prune - Crown raise for medium sized vehicle access	Crown uplift small diameter branches as necessary. Excavation of below ground structure is to be performed with care. Root severance of any size is not permitted.	Medium	MEDIUM	Retain
22	Eucalyptus punctata	Grey Gum	1	65	75	7.8	191.04	2.93	18	17	Poor	Average	Mature	Short (5-15 years)	No	Deadwood 50-100 mm, Dieback, Sparse canopy, Vines, Wound(s) trunk		Mngmt - Install TPZ fencing/signs	Neighbouring land tree observed to be in a declining state. Excavation of below ground structure is to be performed with care. Root severance of any size is not permitted.	High	MEDIUM	Retain
23	Group of Trees	Group of Trees	4	12	14	2	12.56	1.45	3	2	Good	Average	Semi-Mature	Medium (15-40 years)	No	Inappropriate location	Within group	Removal - Whole tree	Group of trees, Skilledia nicotae, Syzygium cascade stump and Macadamia integrifolia require removal at the immediate rear of the residential building structure.	Low	LOW	Remove









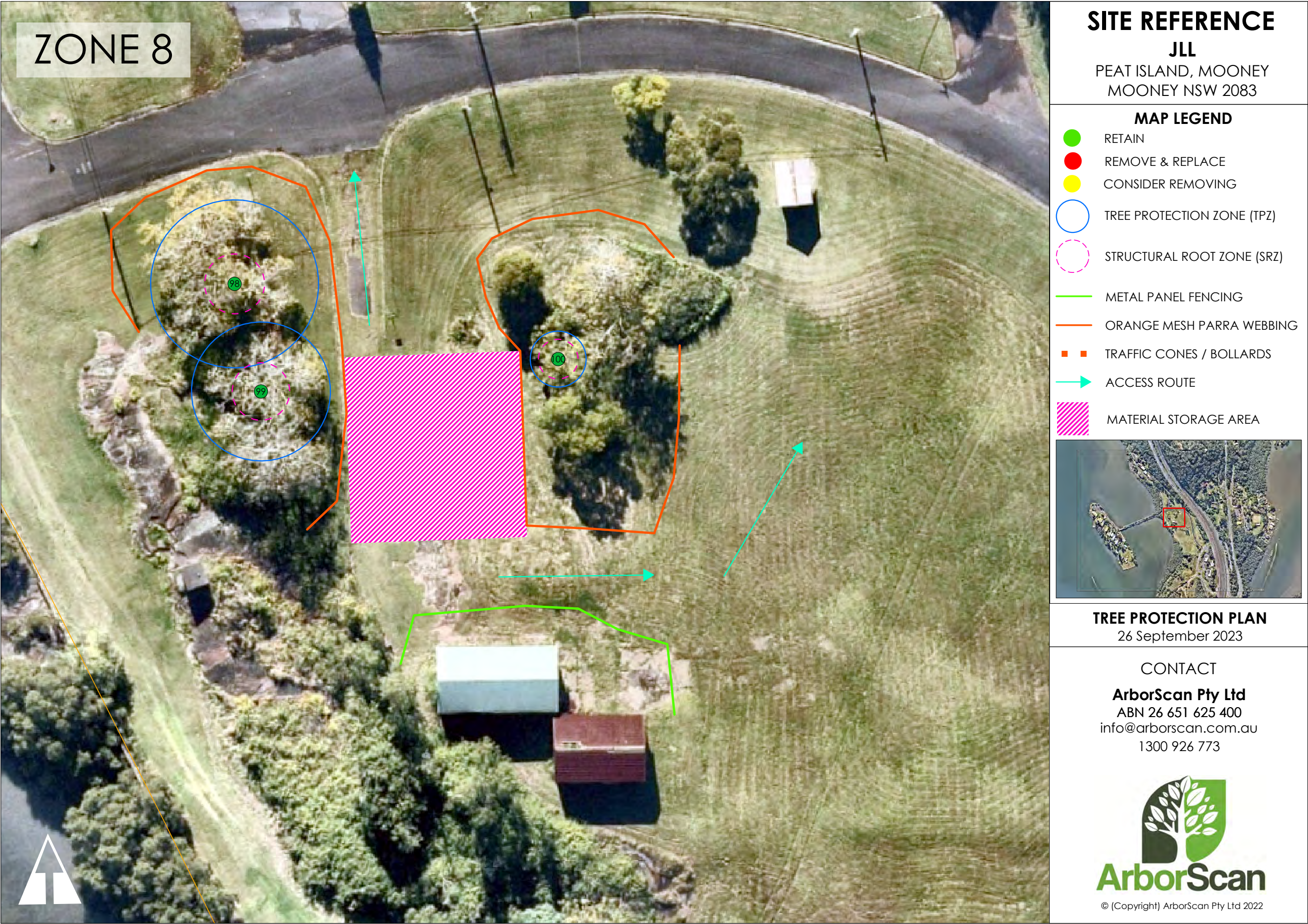


Tree Protection Plan Data Schedule – Zone 7  
Report Reference - R6378836  
JLL Project Development Services  
Peat Island Mooney Mooney NSW



Tree Id	Botanical Name	Common Name	Trees In Group	DBH [cm]	Diameter at Root Crown (DRC) [cm]	Radial TPZ [m]	TPZ Area [m2]	SRZ Radius [m]	Tree Height [m]	Canopy Spread [m]	Health	Structure	Tree Age	ULE [Yrs.]	Habitat Features	Observations-Characteristics	General Significance	Tree Work Recommendations Inspective Of Development	Arborist Notes	Landscape Significance Rating (STARS)	Retention Value (STARS)	Development Retention Status
72	Jacaranda mimosifolia	Jacaranda	1	26	38	3.12	30.57	2.2	8	9	Good	Average	Semi-Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Deadwood <25 mm, Infrastructure contact, Vines	Amenity tree	Prune - Shape branches 2 m from infrastructure, Other - Remove vine(s)	Tree positioned up from roadway, away from the possibility of vehicle or equipment impact. Canopy in contact with powerlines.	Medium	MEDIUM	Retain
73	Casuarina glauca	Swamp she-oak	1	63	60	7.56	179.46	2.67	12	10	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm, Vines	Amenity tree	Other - Remove vine(s)	Tree positioned up from roadway, away from the possibility of vehicle or equipment impact.	Medium	MEDIUM	Retain
74	Syagrus romanzoffiana	Cocos Palm	1	24	35	3	28.27	2.13	7	5	Good	Good	Mature	Medium (15-40 years)	No	Dead palm fronds/full, Underside/Weed species			Bitumen surface protects palm root area. Vehicles are to remain on the existing bitumen surface.	Low	LOW	Retain
75	Grevillea robusta	Silky Oak	1	78	100	9.36	275.09	3.31	16	13	Average	Average	Mature	Short (5-15 years)	No	Branch failure(s), Co-dominant stems, Deadwood >50 mm, Deciduous no leaf, Epicormic shoots, Hanging branch(s), Vines	Age/size	Prune - Crown raise for large sized vehicle access, Prune - Deadwood >25 mm, Prune - Hanging limb(s), Other - Remove vine(s)	Tree on embankment, metal rail fence protects tree from damage. Cut vines at base. Remediate deadwood and hanging limbs over edge of roadway. Reduced canopy foliage limits ability to determine general tree condition.	High	MEDIUM	Retain
76	Cleodion berrandii	Cheese Tree	1	90	120	10.8	366.25	3.57	14	15	Good	Average	Over-Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Crossing branches, Deadwood <25 mm, Epicormic shoots, Hanging branch(s), Pest(s)/Insect(s)	Age/size, Amenity tree, Landscape feature	Prune - Hanging limb(s), Mngmt. - Install TPZ fencing/signs	Hanger positioned in mid-canopy over roadway towards bridge. Install TPZ fencing around tree out to the extent of the canopy on the East, North and West, and by at least 2m on the South East, enough for vehicle access.	High	HIGH	Retain
77	Grevillea robusta	Silky Oak	1	110	120	13.2	547.11	3.57	18	16	Average	Average	Over-Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Deadwood 25-50 mm, Deciduous no leaf, Epicormic shoots, Vines	Age/size, Landscape feature	Other - Remove vine(s)	Outstanding size example for species. Metal rail fencing protects tree. Reduced canopy foliage limits ability to determine general tree condition. Deadwood and hanging limbs over road are of minor consequence. Cut vines at base.	High	HIGH	Retain
78	Liquidambar styraciflua	Sweet Gum	1	70	73	8.4	221.56	2.9	16	17	Good	Average	Mature	Long (Over 40 years)	No	Branch end weight, Branch failure(s), Co-dominant stems, Deadwood 25-50 mm, Epicormic shoots, Vines	Amenity tree, Shade value, Tree within avenue	Other - Remove vine(s)	Canopy over upper road presents sufficient clearance. Metal fence railing protects the tree. Vehicles are to remain on the existing bitumen surfaces. Area beneath tree is not to be used for contractor parking or material storage.	High	HIGH	Retain
79	Liquidambar styraciflua	Sweet Gum	1	54	67	6.48	131.85	2.8	17	14	Good	Good	Mature	Long (Over 40 years)	No	Branch end weight, Co-dominant stems, Epicormic shoots, Vines	Amenity tree, Shade value, Tree within avenue	Prune - Crown raise for large sized vehicle access, Other - Remove vine(s)	Selectively prune low branches over upper roadway back to a suitable point of terminal growth, in line with the metal fence railing which protects the tree. Vehicles are to remain on the existing bitumen surfaces. Area beneath tree is not to be used for contractor parking or material storage.	High	HIGH	Retain
80	Liquidambar styraciflua	Sweet Gum	1	72	69	8.64	234.4	2.83	16	13	Good	Average	Mature	Medium (15-40 years)	No	Branch end weight, Branch failure(s), Epicormic shoots, Vines	Amenity tree, Shade value, Tree within avenue	Prune - Crown raise for large sized vehicle access, Other - Remove vine(s)	Selectively prune low branches over upper roadway back to a suitable point of terminal growth, in line with the metal fence railing which protects the tree. Vehicles are to remain on the existing bitumen surfaces. Area beneath tree is not to be used for contractor parking or material storage.	High	HIGH	Retain
81	Jacaranda mimosifolia	Jacaranda	1	39	45	4.68	68.77	2.37	8	9	Good	Good	Semi-Mature	Medium (15-40 years)	No	Co-dominant stems, Epicormic shoots, Infrastructure contact	Amenity tree	Prune - Shape branches 1 m from infrastructure	Tree is protected by rock boulders. The limited projection onto the bitumen area is not likely to hinder access. No specific tree protection is deemed necessary.	Medium	MEDIUM	Retain
84	Leptospermum petersonii	Lemon-scented Tea Tree	1	17	19	2.04	13.07	1.65	5	3	Good	Average	Mature	Medium (15-40 years)	No	Co-dominant stems, Deadwood <25 mm	Amenity tree, Within group		The two trees are positioned on a dirt mound, making them unlikely to be contacted by moving vehicles. The small canopies have limited projection and unlikely to hinder access. No specific tree protection is deemed necessary.	Low	LOW	Retain
85	Eucalyptus saligna	Sydney Blue Gum	1	71	88	8.52	227.93	3.14	16	12	Good	Average	Mature	Long (Over 40 years)	No	Bird browsing damage, Crossing branches, Deadwood <25 mm, Epicormic shoots, Poor pruning, Sap exudation, Structural faults, Wound(s) branches, Wound(s) trunk	Age/size, Amenity tree	Mngmt. - Install TPZ fencing/signs	Large, significant tree positioned on soil embankment, to prevent contact with low canopy, install fencing to limit vehicles driving directly into the low foliage. Fence is to be installed no closer to the tree than 3m from the bitumen edge. The wounds at the location of major unions can increase the potential for branch failure.	High	HIGH	Retain
86	Callistemon viminalis	Weeping Bottlebrush	1	18	22	2.16	14.65	1.75	4	3	Good	Good	Semi-Mature	Medium (15-40 years)	No	Co-dominant stems	Amenity tree, Within group		The two trees are positioned on a dirt mound, making them unlikely to be contacted by moving vehicles. The small canopies have limited projection and unlikely to hinder access. No specific tree protection is deemed necessary.	Low	LOW	Retain
87	Group of Trees	Group of Trees	10	45	55	5.4	91.56	2.57	8	7	Good	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Deadwood <25 mm	Amenity tree, Screen value, Within group	Other action	Trees in group are set back from informal access way which will be used to remove demolition materials from the demolition site. Contractors are to maintain distance from the trees when accessing the area by vehicle, no materials are to be stored nor vehicles parked within 6 m of the tree. No formal signage or fencing is required, management should, however, include general advice regarding tree protection methods within the site induction for all applicable contractors.	Medium	MEDIUM	Retain







Tree Protection Plan Data Schedule – Zone 8  
Report Reference - R6378836  
JLL Project Development Services  
Peat Island Mooney Mooney NSW



Tree Id	Botanical Name	Common Name	Trees In Group	DBH [cm]	Diameter at Root Crown (DRC) [cm]	Radial TPZ [m]	TPZ Area [m2]	SRZ Radius [m]	Tree Height [m]	Canopy Spread [m]	Health	Structure	Tree Age	ULE [Yrs.]	Habitat Features	Observations-Characteristics	General Significance	Tree Work Recommendations Irrespective Of Development	Arborist Notes	Landscape Significance Rating (STARS)	Retention Value (STARS)	Development Retention Status
98	<i>Erythrina x sykesii</i>	Common Coral Tree	2	75	93	9	254.34	3.21	11	12	Good	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Epicormic shoots, Wound(s) branches, Wound(s) trunk	Amenity tree, Shade value, Within group	Mngmt - Install TPZ fencing/signs	If the area is used for temporary storage, TPZ fencing to be installed no closer than the edge of the canopy extent.	Medium	MEDIUM	Retain
99	<i>Erythrina x sykesii</i>	Common Coral Tree	2	62	84	7.44	173.81	3.08	11	12	Good	Average	Mature	Medium (15-40 years)	No	Branch failure(s), Co-dominant stems, Epicormic shoots, Wound(s) branches, Wound(s) trunk	Amenity tree, Shade value, Within group	Mngmt - Install TPZ fencing/signs	If the area is used for temporary storage, TPZ fencing to be installed no closer than the edge of canopy extent.	Medium	MEDIUM	Retain
100	<i>Group of Trees</i>	Group of Trees	1	25	35	3	28.26	2.13	8	6	Good	Good	Semi Mature	Medium (15-40 years)	No	Co-dominant stems, Suckers	Amenity tree, Within group	Mngmt - Install TPZ fencing/signs	If the area is used for temporary storage, TPZ fencing to be installed no closer than the edge of the canopy extent of each tree in group.	Medium	MEDIUM	Retain

## APPENDICIES

Appendix 1. Assumptions & Limiting Conditions

Appendix 2. Definition of Survey Assessment Terms

Age / Maturity Class

Tree Health

Tree Origin

Tree Form

Vigour

Structure

Estimated Useful Life Expectancy

Appendix 3. General Arboricultural Terms

Appendix 4. STARS® Tree Retention Value Matrix

**IACA Significance of a Tree, Assessment Rating System (STARS) (IACA 2010)®**

Tree Significance – Assessment Criteria

**Tree Retention Value – Priority Matrix**

Tree Retention Value – Priority Matrix STARS® (IACA 2010)

Legend for Matrix Assessment STARS® (IACA 2010)



## APPENDIX 1. ASSUMPTIONS AND LIMITING CONDITIONS

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Unless expressed otherwise: i) Information contained in this report covers only those items that were covered in the project brief or that were examined during the assessment and reflect the condition of those items at the time of inspection; and ii) The inspection is limited to visual examination of accessible components without dissection, excavation, further testing or probing unless otherwise stipulated.

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Where the evaluation of tree risk is included within the parameters of the report, it is limited in scope to the specific risks of interest and does not include any and all risks. The tree risk assessment will consider significant known and/or assigned targets and visible or detectable tree conditions, the risk assessment will represent the assessed tree and site at the time of the inspection. For the purpose of this report, the timeframe considered for likelihood of failure is 12 months. It is important to note that **the timeframe should not be considered a 'guarantee period'** for the risk assessment.



## APPENDIX 2. DEFINITION OF SURVEY ASSESSMENT TERMS

The trees assessed by visual examination which form the survey reflect an impartial assessment by the assessor and is based on the **assessor's arboriculture** experience and on the condition of the tree on the day of its survey. The following definitions have been provided to guide a better understanding on the assessment categories included within the issued report. Depending on the report type, all categories may not be applicable.

- **Tree Number** – Number assigned to the tree, often referenced on an aerial site map, depending on the project scope, a physical tag with the trees corresponding number may also be installed.
- **Tree Location Coordinates** – Easting and northing coordinates Geocentric Datum of Australia 1994 (GDA94) will be collected for each tree surveyed and will be displayed within the reports inventory. Coordinates unless otherwise specified are +/- 4 m in accuracy.
- **Tree Height & Canopy Spread** – Estimated size range in metres on its broadest axis. Where required tree height and crown spread will be estimated to the nearest metre. Heights and spreads will only be measured where required by the scope.
- **Diameter At Breast Height (DBH)** – Estimated trunk diameter size range in 'mm' at its broadest axis at 1.4m from ground level for a single trunked tree. DBH will be accurately measured as per the Australian Standard AS 4970–2009: Protection of Trees on Development Sites when defined in the projects scope.
- **Diameter At Root Crown (DRC)** – Estimated trunk diameter size range in 'mm' at its broadest axis at immediately above the buttress. The DRC will be accurately measured as per the Australian Standard AS 4970–2009: Protection of Trees on Development Sites when defined in the projects scope.
- **Tree Species** – The accepted common name and botanical name (genus and species) will be identified and documented in the report where reproductive material and features of the tree are available to the assessor. Where species cannot be accurately identified, the assessor will identify the genus, where the genus cannot be identified, a family or general identification reference will be otherwise assigned.

### Definition – Age / Maturity Class

Term	
Young	Establishing tree which has been planted or self-seeded within the last 5 years, in situ.
Juvenile	Tree aged less than 90% of its life expectancy, in situ.
Semi Mature	Tree aged less than 80% of its life expectancy, in situ.
Mature	Tree aged 20–80% of its life expectancy, in situ.
Over-mature	Tree aged greater than >80% of its life expectancy, in situ, or senescent with or without reduced vigour, and declining gradually or rapidly but irreversibly to death.



**Definition – Tree Health**

Term	
Excellent	Perfect specimen with excellent form and vigour, along with a well-balanced crown. Trunk is sound and solid. No apparent pest problems. Normal to exceeding shoot length on new growth. Normal leaf size and colour. Exceptional life expectancy for the species.
Good	The tree should exhibit a full canopy of foliage. May lack natural symmetry. Good growth rate and minor deficiency in leaf development. Few pest issues or damage, and controllable if present. Normal branch and stem development with healthy growth. Typical life expectancy for the species.
Average	The tree is in reasonable condition but growing well. Crown decline and dieback up to 25% of the canopy. Average overall symmetry. Leaf size smaller and colour somewhat chlorotic. There may be some deadwood present in the crown. Minor decay in the trunk and major branches. Minor pathogen damage. Shoot extensions indicate some stunting and stressed growing conditions. Some signs of pest problems contributing to a lesser condition. Moderate life expectancy for the species.
Poor	Lacking a full crown, with more than 50% decline and dieback that especially affects larger branches. Not growing to its full capacity. Stunting obvious, with little evidence of growth on smaller stems. Large amounts of deadwood may be evident throughout the crown. Moderate decay in the trunk and major branches. Moderate pathogen damage. Leaf size and colour reveals overall stress in the plant. Insect or disease infestation may be severe. Low life expectancy for the species.
Very Poor	More than 70% of the canopy is in severe decline or dead. Canopy density is extremely low, with chlorotic and necrotic tissue dominating the canopy. Significant/Severe decay in the trunk and major branches. Significant/Severe pathogen damage. Root plate damage with a majority of roots damaged, diseased, or missing. Very low life expectancy for the species.
Dead	No live plant material observed.

**Definition – Tree Origin**

Term	
Exotic	A plant introduced from another country or region to a place where it was not indigenous. Such plants may become naturalised and often originate as garden escapees.
Native	A plant found to occur as an endemic or indigenous species where it is growing or a plant known to have originated as an endemic or indigenous species from a particular place, e.g. continent, country, region, mountain or island.
Endemic	A native plant usually with a restricted occurrence limited to a particular country, geographic region or area and often further confined to a specific habitat.
Invasive / Noxious weed	A plant species of any taxa declared a weed by legislation. Treatment for the control or eradication of such weeds is usually prescribed by the legislation.

**Definition – Tree Form**

Term	
Excellent	Ideal tree for that species, including shape and canopy symmetry, health, and density. Outstanding function on the site or location.
Good	Tree of typical crown shape and habit with proportions representative of the taxa considering constraints such as origin, e.g. indigenous or exotic, but does not appear to have been adversely influenced in its development by environmental factors in situ such as soil water availability, prevailing wind, or cultural practices such as lopping and competition for space and light.
Average	Acceptable tree for that species. Tree shape and symmetry are adequate, with some substantial asymmetry in shape and canopy form. May have considerable concerns for its use and function on the site or location.
Poor	Poor tree for that species. Highly irregular canopy shape and undesirable form make it unattractive and dysfunctional on the site or location.
Very Poor	Disagreeable tree for that species, with highly diminished function and aesthetic appeal on the site or location.
Dead	No live plant material observed.

**Definition – Vigour**

Term	
Good	Accelerated growth of a tree due to incidental or deliberate artificial changes to its growing environment that are seemingly beneficial, but may result in premature aging or failure if the favourable conditions cease or promote prolonged senescence if the favourable conditions remain, e.g. water from a leaking pipe; water and nutrients from a leaking or disrupted sewer pipe; nutrients from animal waste, a tree growing next to a chicken coop, or a stock feedlot, or a regularly used stockyard; a tree subject to a stringent watering and fertilising program, or some trees may achieve an extended lifespan from continuous pollarding practices over the life of the tree.
Normal	Ability of a tree to maintain and sustain its life processes. This may be evident by the typical growth of leaves, crown cover and crown density, branches, roots and trunk and resistance to predation. This is independent of the condition of a tree but may impact upon it, and especially the ability of a tree to sustain itself against predation.
Low	Reduced ability of a tree to sustain its life processes. This may be evident by the atypical growth of leaves, reduced crown cover and reduced crown density, branches, roots, and trunk, and a deterioration of their functions with reduced resistance to predation. This is independent of the condition of a tree but may impact upon it, and especially the ability of a tree to sustain itself against predation.



## Definition – Structure

Term	
Good	Root plate appears normal, with no damage. No trunk defects. Good branch habit and attachment; minor dieback with no visible structural defects. There may be some signs of previous pruning. Minimal deadwood. Codominant stem formation may be present. No fungal pathogens present.
Average	Root plate reveals previous minor damage or disturbance (TPZ Encroachment <10%). Evidence of minor trunk damage or cavities where decay could colonise. Less than 25% of bark sections missing. Included stems are present with no evidence of cracks or splits. Some branch unions may exhibit minor structural faults. Branching habit and attachments indicate poor pruning or damage, which requires moderate corrections. Minimal previous branch failures have occurred. Fungal pathogens may be present. Removal of surrounding trees and or the removal or the addition of buildings or structures has occurred partly exposing the tree or its parts to increased wind loads.
Poor	Root plate disturbance and defects indicate major damage (TPZ Encroachment >10%). Girdling roots around the trunk flare. Wounding evident with cavities and/or decay present. Trunk reveals more than 50% of bark section missing. Included stems are present and are considered likely to fail in 0–5 years. Branch structure has poor attachments, with several structurally important branches dead or broken. Branch unions may be poor or faulty at the point of attachment. Canopy reveals signs of damage or previous topping or lion-tailing, with major corrective action required. Fungal pathogens are present. Removal of surrounding trees and or the removal or the addition of buildings or structures has occurred fully exposing the tree or its parts to increased wind loads.
Very Poor	Failure imminent. Severe damage within the root plate and root collar exhibits major defects that could lead to tree death or failure. Partial root plate failure. A majority of the bark or trunk is affected, either decayed or missing. Branching is extremely poor or severely topped, with severe dieback in canopy. Active splits or partial failure. The tree has a very poorly structured crown. Little or no opportunity for mitigation of any tree parts. Fungal pathogens are severely impacting tree structure. Tree is significantly exposed to increased wind loads as a result of the removal of surrounding trees and or the removal or the addition of buildings or structures.

## Definition – Estimated Useful Life Expectancy

Term	
Dead	No live plant material observed
Limited Term	A period of time <5
Short Term	A period of time 5–15 years
Medium Term	A period of time 15–40 years
Long Term	A period of time greater than >40 years



### APPENDIX 3. GENERAL ARBORICULTURAL TERMS

**Abrasion wound**—Mechanical wound causing laceration of tissue by an abrasive impact episode, e.g. grazed by a motor vehicle or the continuous action of the rubbing of crossed branches or stems where no graft has formed.

**Aerial inspection**—Assessment of the crown of a tree by climbing within the crown or by the use of an elevating work platform, often to examine a particular defect, e.g. cavity or hollow.

**Arboriculture**—The science and culture of the growth, planning, management, care and maintenance of trees primarily for amenity and utility purposes.

**Asymmetrical**—Imbalance within a crown, where there is an uneven distribution of branches and the foliage crown or root plate around the vertical axis of the trunk. This may be due to crown form codominant or crown form suppressed as a result of natural restrictions, e.g. from buildings, or from competition for space and light with other trees, or from exposure to wind, or artificially caused by pruning for clearance of roads, buildings or power lines. An example of an expression of this may be, crown asymmetrical, bias to west.

**Basal flare**—Swelling at the root crown is usually uniform around the base of the trunk involving tissue from the trunk and root crown. Here first-order roots may not be evident at the root crown.

**Basal trunk wound**—A wound on the trunk extending to the root crown where the base of the wound is open at the ground and usually truncated. Dependent upon the width of its base, such a wound may not become occluded.

**Bracing**—Systems of cables and ropes, traditionally using metal wires but generally replaced by polypropylene, used to support and prolong the life of trees in part or full; systems are susceptible to failure due to evident weaknesses in branch unions. Examples of such proprietary systems are Cobra and Yale nylon webbing.

**Bracket fungus**—The rigid sporophore of some fungus species, especially those associated with live trees or the decay of wood. Structures comprised of hyphae for the dispersal of spores, often bracket-shaped, usually protruding from the roots, trunk or branches of a host tree when the fungus matures. The fruiting body may be ephemeral or persistent and may last for only one season or persist for many years, with the fruiting body growing incrementally larger and continuing to produce new spores. Such fruiting bodies may be solitary or gregarious.

**Cavity**—A void often localised initiated by a wound and subsequent decay within the trunk, branches or roots, or beneath the bark, and maybe enclosed or have one or more openings.

**Deadwooding**—Removing of dead branches by pruning. Such pruning may assist in the prevention of the spread of decay from dieback or for reasons of safety near an identifiable target.

**Dead Tree**—A tree that does not contain any live tissue, i.e., green leaves or live limbs.

**Decay**—Process of degradation of wood by micro-organisms and fungus.

**Deciduous**—A woody plant, e.g. tree, shrub or vine, that sheds all of its leaves in one season and enters a dormant period, usually during winter.

**Defect**—In relation to tree hazards, any feature of a tree which detracts from the uniform distribution of mechanical stress, or which makes the tree mechanically unsuited to its environment.

**Dieback**—The death of some areas of the crown. Symptoms are leaf drop, bare twigs, dead branches and tree death, respectively. This can be caused by root damage, root disease, bacterial or fungal canker, severe bark damage, intensive grazing by insects, abrupt changes in growth conditions, drought, water-logging or over-maturity. Dieback often implies reduced resistance, stress or decline which may be temporary. Dieback can be categorised as Low volume dieback, Medium volume dieback and High volume dieback.

**Dormant Tree**—Vigour presently indeterminable, assessment to take place at the time of leaf return.

**Emergency removal**—Tree removal as a matter of urgency due to its imminent potential to cause damage to people or property as a result of structural defects or modifications to its growing environment rendering it vulnerable to failure in full or part, e.g. a tree in adverse weather conditions suddenly developing a progressive lean and collapsing across a busy road.

**End weight**—Excessive formation of foliage concentrated at the distal end of a branch.

**Epicormic shoots**—Juvenile shoots produced at branches or trunk from epicormic strands in some Eucalypts (Burrows 2002, pp. 111–131) or sprouts produced from dormant or latent buds concealed beneath the bark in some trees. Production can be triggered by fire, pruning, wounding, or root damage but may also be as a result of stress or decline. Epicormic shoots can be categorised as low volume epicormic shoots, medium volume epicormic shoots and high volume epicormic shoots.

**Epicormic stem**—Branch derived from an epicormic shoot.

**Flush cut**—An incorrect cut that damages or removes the branch collar or branch bark ridge and, as a result, damages stem tissue.

**Formative pruning**—The pruning of young trees is usually to assist with the development of crown form and shape and to develop strong structure (Australian Standard 2007, p. 7). Such pruning may reduce developmental weaknesses, e.g. crossed branches, branches with branch bark inclusions, or to remove codominant first-order branches to extend the length of a trunk or to guide the crown form of a tree to a single first-order structural branch, or to encourage branching to make a crown shape excurrent or deliquescent, respectively.

**Habitat Features**—The habitat features described in this report are parts of the environment (living or non-living) that may provide native animals with food and shelter and sites for nesting, migration and social interaction.

**Included bark**—1. The bark on the inner side of the branch union or is within a concave crotch that is unable to be lost from the tree and accumulates or is trapped by acutely divergent branches forming a compression fork. 2. Growth of bark at the interface of two or more branches on the inner side of a branch union or in the crotch where each branch forms a branch collar, and the collars roll past one another without forming a graft where no one collar is able to subsume the other. The risk of failure is worsened where branching is acutely divergent or acutely convergent and ascending or erect.

**Lightning strike wound**—A wound from a lightning strike. Such a wound may kill a tree outright or cause it to catch fire or may destroy the tree in full or part, or no injury may be evident, and a tree gradually declines through resulting stress. Bark may be exploded from the tree by pressure radiating from the core of the lightning path resulting in further compounded damage through water heating and steam explosions in the tissues and the electrical disruption of living cells.



**Mixed-age population**—A population of trees that contains representatives of each age class, i.e., young, mature and over-mature, so that trees in the population will not all mature or become senescent at the same time. This is usually achieved by staggering planting and/or removal of trees in a systematic manner. This also spreads the cost of planting, maintenance and removal over time.

**Mulch**—Any organic or inorganic material placed over the soil or growing media near cultivated plants primarily to suppress weeds, modify soil temperature and retain soil moisture levels. This artificial process generally imitates the function of leaf litter in a forest environment.

**Nesting hollow**—A hollow or cavity within any part of a tree utilised as habitat or shelter for any part of the life cycle of Fauna, e.g., birds, reptiles or mammals.

**Non-invasive root mapping**—Any root mapping process that does not disturb or displace soil or growing media to locate roots, e.g. ground-penetrating radar.

**Occlusion Growth**—Processes where wound wood develops to enclose the wound face by the merging of wound margins concealing the wound and restoring the growing surface of the structure with each growth increment gradually realigning fibres in the wood longitudinally along the stem to maximise uniform stress loading.

**Occupancy rating**—The frequency of use of a likely target and the possibility that people will be present when tree failure or collapse occurs.

**Pathogen**—Any organism is causing disease, e.g. fungus, bacterium, mycoplasma, virus, viroid, nematode or protozoan.

**Pruning**—Removal of any branch or root, dead or alive, by severance across the stem, back to the intersection of another live stem to a swollen area at the intersection called a branch collar where such a structure exists, with a final cut at the outer edge of the collar leaving no stub, or to undamaged woody tissue for roots. Also, the severing of any part of a tree so as to cause a reduction of the air space occupied by the branches and foliage in the crown or roots in the root plate. Examples of pruning are dead wooding, crown lifting, formative pruning, reduction pruning, selective pruning, crown thinning, and remedial and restorative pruning (Australian Standards 2007, p. 6). Pruning should conform to recognised standards, e.g. Australian Standard® AS 4373 'Pruning of Amenity Trees'. The following are not recognised as pruning: lop, lopping, top, topping, top lopping.

**Pruning wound**—A wound created by the act of pruning.

**Radial trenching**—A series of excavated trenches near to the trunk, usually between first-order roots, allowing space for the introduction of improved growing media. This process is designed to stimulate new root growth through reduced compaction, improved aeration and removal of contaminated soil.

**Mitigations/Recommendations/Actions**—A list of arboricultural and/or plant health care works that are aimed at maintaining or improving the tree's health, structural condition or form. Actions may also directly or indirectly reduce the risk potential of the tree, such as via the removal of a particular branch or the moving of infrastructure from under its canopy.

**Resistance Drilling**—A self-powered drilling device that operates a thin spade drill bit at a constant forward speed to record soundness of wood by measuring resistance to drilling that is plotted on graph paper or with an electronic unit that gives clear support in taking, documenting and evaluating measurements. Examples of such proprietary devices are the IML-RESI PowerDrill® and Resistograph®.

**Structural Root Zone (SRZ)**—An zone which defines the structural root zone which is an area required for tree stability. The SRZ is located within the TPZ.

**Tree Protection Zone (TPZ)**—An exclusion area that allows for protection of canopy and roots. The radius of the TPZ is normally calculated for each tree by multiplying the DBH × 12. The minimum distance will be 2m and maximum 15m as stipulated in the Australian Standard 4970:2009: Protection of trees on development sites.

**Tree significance**—Includes environmental, social or historical reasons why the tree is significant to the site. The tree may also be rare under cultivation or have a rare or localised natural distribution.

**Ultrasonic tomography**—Electronic devices that measure the transmissibility of ultrasound waves through a given section of a tree by detecting pulses through multiple sensors placed around a stem to indicate areas with the same density. An example of such a proprietary device is the Picus® Tomograph.

**Visual tree assessment (VTA)**—A visual inspection of a tree from the ground-based on the principle that, when a tree exhibits apparently superfluous material in its shape, this represents repair structures to rectify defects or to reinforce weak areas in accordance with the axiom of uniform stress. Such assessments should only be undertaken by suitably competent practitioners.

**Weed species**—Any plant species exotic or native that is known to spread by the production of viable progeny often in large numbers, outcompeting and disrupting existing vegetation, e.g. in gardens, parks or bushland. The species concerned may be introduced from outside its area of natural distribution to an area where there are few or no natural predators, or it may have an ability to spread due to changes in land use creating a favourable habitat.

Information Source: Draper, Danny B. Dictionary for Managing Trees in Urban Environments. CSIRO PUBLISHING. Kindle Edition.

## **APPENDIX 4 – STARS® TREE RETENTION VALUE MATRIX**

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### **IACA Significance of a Tree, Assessment Rating System (STARS) (IACA 2010)®**

In the development of this assessment rating system, the Institute of Australian Consulting Arboriculturists (IACA) acknowledges the contribution and original concept of the Footprint Green Tree Significance & Retention Value Matrix, developed by Footprint Green Pty Ltd in June 2001. The landscape significance of a tree is an essential criterion to establish the importance that a particular tree may have on a site. However, rating the significance of a tree becomes subjective and difficult to ascertain in a consistent and repetitive fashion due to assessor bias. It is, therefore, necessary to have a rating system utilising structured qualitative criteria to assist in determining the retention value for a tree. To assist this process, all definitions for terms used in the Tree Significance – Assessment Criteria and Tree Retention Value – Priority Matrix are taken from the IACA Dictionary for Managing Trees in Urban Environments 2009.

This rating system will assist in the planning processes for proposed works, above and below ground, where trees are to be retained on or adjacent to a development site. The system uses a scale of High, Medium and Low significance in the landscape. Once the landscape significance of an individual tree has been defined, the retention value can be determined.



## Tree Significance – Assessment Criteria

1. High Significance in landscape	2. Medium Significance in landscape	3. Low Significance in landscape
<p>The tree is in good condition and good vigour,</p> <p>The tree has a form typical for the species,</p> <p>The tree is a remnant or is a planted locally indigenous specimen and/or is rare or uncommon in the local area or of botanical interest or of substantial age,</p> <p>The tree is listed as a Heritage Item, Threatened Species or part of an Endangered ecological community or listed on Councils significant Tree Register,</p> <p>The tree is visually prominent and visible from a considerable distance when viewed from most directions within the landscape due to its size and scale and makes a positive contribution to the local amenity,</p> <p>The tree supports social and cultural sentiments or spiritual associations, reflected by the broader population or community group or has commemorative values,</p> <p>The tree's growth is unrestricted by above and below ground influences, supporting its ability to reach dimensions typical for the taxa in situ – the tree is appropriate to the site conditions.</p>	<p>The tree is in fair-good condition and good or low vigour,</p> <p>The tree has form typical or atypical of the species,</p> <p>The tree is a planted locally indigenous or a common species with its taxa commonly planted in the local area,</p> <p>The tree is visible from surrounding properties, although not visually prominent as partially obstructed by other vegetation or buildings when viewed from the street,</p> <p>The tree provides a fair contribution to the visual character and amenity of the local area,</p> <p>The tree's growth is moderately restricted by above or below ground influences, reducing its ability to reach dimensions typical for the taxa in situ.</p>	<p>The tree is in fair-poor condition and good or low vigour,</p> <p>The tree has form atypical of the species,</p> <p>The tree is not visible or is partly visible from surrounding properties as obstructed by other vegetation or buildings,</p> <p>The tree provides a minor contribution or has a negative impact on the visual character and amenity of the local area,</p> <p>The tree is a young specimen that may or may not have reached dimension to be protected by local Tree Preservation orders or similar protection mechanisms and can easily be replaced with a suitable specimen,</p> <p>The tree's growth is severely restricted by above or below ground influences, unlikely to reach dimensions typical for the taxa in situ – the tree is inappropriate to the site conditions,</p> <p>The tree is listed as exempt under the provisions of the local Council Tree Preservation Order or similar protection mechanisms,</p> <p>The tree has a wound or defect that has the potential to become structurally unsound.</p>
		<p><b>Environmental Pest / Noxious Weed Species</b></p> <p>The tree is an Environmental Pest Species due to its invasiveness or poisonous/ allergenic properties,</p> <p>The tree is a declared noxious weed by legislation.</p>
		<p><b>Hazardous/Irreversible Decline</b></p> <p>The tree is structurally unsound and/or unstable and is considered potentially dangerous,</p> <p>The tree is dead, or is in irreversible decline, or has the potential to fail or collapse in full or part in the immediate to short term.</p>

The tree is to have a minimum of three criteria in a category to be classified in that group. Note: The assessment criteria are for individual trees only; however, they can be applied to a monocultural stand in its entirety





## 9.2 Tree Retention Value – Priority Matrix

Tree Retention Value – Priority Matrix STARS® (IACA 2010)

		Landscape Significance Rating				
		High	Medium	Low		
		Significance in Landscape	Significance in Landscape	Significance in Landscape	Environmental Pest / Noxious Species	Hazardous / Irreversible Decline
Estimated Life Expectancy (Years)	Long >40 Years					
	Medium 15-40 Years					
	Short <1-15 Years					
	Dead					



Legend for Matrix Assessment STARS® (IACA 2010)

	<b>Priority for Retention (High)</b> – These trees are considered important for retention and should be retained and protected. Design modification or relocation of buildings should be considered to accommodate the setbacks as prescribed by the Australian Standards AS 4970: <i>Protection of trees on development sites</i> . Tree sensitive construction measures must be implemented, e.g., pier and beam etc, if works are to proceed within the TPZ.
	<b>Consider for Retention (Medium)</b> – These trees may be retained and protected. These are considered less critical; however, their retention should remain a priority with removal considered only if adversely affecting the proposed building/works and all other alternatives have been considered and exhausted.
	<b>Consider for Removal (Low)</b> – These trees are not considered important for retention, nor require special works or design modification to be implemented for their retention.
	<b>Priority for Removal</b> – These trees are considered hazardous or in irreversible decline or weeds and should be removed irrespective of development.

IACA, 2010, IACA Significance of a Tree, Assessment Rating System (STARS®), Institute of Australian Consulting Arboriculturists, Australia, [www.iaca.org.au](http://www.iaca.org.au)



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URBIS

# HERITAGE & ARCHAEOLOGICAL IMPACT STATEMENT

Former Peat Island Centre, Peat  
Island and Part Mooney Mooney  
NSW 2083

Prepared for  
**PROPERTY AND DEVELOPMENT NSW**  
3 October 2023

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**Urbis acknowledges the important contribution that  
Aboriginal and Torres Strait Islander people make in  
creating a strong and vibrant Australian society.**

**We acknowledge, in each of our offices, the Traditional  
Owners on whose land we stand.**

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## EXECUTIVE SUMMARY

Urbis have been engaged by Property and Development New South Wales (PDNSW) to prepare the following Heritage and Archaeological Impact Statement for the former Peat Island Centre site at Mooney Mooney (hereafter referred to as 'the site' or 'the subject site'). This Heritage and Archaeological Impact Statement provides an assessment of the proposed demolition of two structures as part of the ongoing management of the site.

The subject site comprises the former Rabbit Island (Peat Island), causeway and land parcels along the northern banks of the Hawkesbury River at Mooney Mooney, as well as approximately sixty built structures within the boundaries, constructed as part of the site's time as a government facility for the treatment of people with mental illness.

The subject site is a listed heritage item on the Department of Ageing, Disability and Home Care Section 170 Heritage and Conservation Register (DADHC s170 register) under the *NSW Heritage Act 1977* (the Heritage Act). The site is not currently listed as a built heritage item on any other statutory registers.

Urbis have been the lead heritage consultants engaged by the client on this project to date, preparing a number of heritage management documents. This includes the 2020 Conservation Management Plan (CMP) prepared to provide policies for owners and users to appropriately manage the site into the future.

Four structures on the site, the Former Volunteer Rescue Building, Bindaree (former staff quarters), and two basic dwellings at 2 Possum Close and 60 Pacific Highway, have been identified by the client as being in poor condition. It is proposed to partially demolish elements of the Former Volunteer Rescue Building and demolish the Bindaree building in its entirety along with the two dwellings. Further details of these proposed works are included in Section 1.5.

Given that the subject site is listed on the (DADHC s170 register) under the *NSW Heritage Act 1977*, Heritage NSW is required to be notified 14 days prior to undertaking any demolition. An assessment of the proposed works under the Heritage Division Guidelines and the relevant policies of the Former Peat Island Centre Conservation Management Plan has been undertaken in Section 6.2 of this report.

Urbis have determined that the proposed works would not result in adverse impacts to the heritage significance of the subject site and thus are considered acceptable from a heritage perspective.

Key aspects of the proposal are as follows:

- The proposed works comprise the demolition of the Bindaree building and the post-1960s timber extension of the Former Volunteer Rescue Building, identified as being of moderate significance and intrusive respectively in the Former Peat Island Centre Conservation Management Plan.
- The subject structures have been assessed by Woolacotts Consulting Engineers as being in poor condition and unsafe for occupation, with extensive structural issues present in both structures. Hazardous materials, including non-friable asbestos and lead containing paint have been identified within the subject structures by Prensa Pty Ltd. The retention of both structures, therefore, poses a health and safety risk for site users that must be addressed for successful future management of the site.
- The proposed works have been assessed as being compliant with the statutory requirements for the s170 listed site. The proposed works also comply with the approved heritage and planning documents for the site, including the Conservation Management Plan.
- All viable options for retention and remediation of these structures have been assessed by the client in consultation with Urbis and the relevant experts. As well as being prohibitive in terms of cost, the remediation of the structures would require the removal of substantial amounts of original fabric containing hazardous materials, such that meaningful restoration is not likely to be feasible. The structures are regarded as a safety hazard with demolition the most appropriate option from a safety and heritage perspective.
- The aspect of the Former Volunteer Rescue Building proposed for demolition comprises the timber rear extension constructed post-1960s and identified in the CMP as an intrusive structure which does not contribute to the overall significance of the site. This extension has been identified as being of very poor condition and containing hazardous materials, posing a possible safety risk if retained. The fabric of the c.1910 brick veneer structure, identified as being of high significance, would be retained in situ as part of the proposal. Therefore, the proposed demolition would restore the original form of the c.1910 structure while removing intrusive fabric, which is considered a positive heritage outcome. The structure will be

secured in accordance with the minimum standards of maintenance and repair, to enable future adaptive reuse and conservation as part of future site master planning.

- The Bindaree building proposed for demolition comprises a mid-twentieth century addition that has been assessed as being in poor condition and containing substantial amounts of hazardous materials including asbestos. The Bindaree building is also extensively damaged from a termite infestation. While Bindaree has some heritage value (moderate significance) and makes some contribution to the collective site values, its meaningful restoration is not considered feasible, and demolition is supported on that basis.
- The music shell was constructed in the 1950s as a miniature version of those music amphitheatres often constructed in landscaped settings. While representative of therapeutic activities associated with the former Centre, this element is not considered to provide a substantial contribution to the heritage significance of the place and has been graded as a 'Neutral' element in the Conservation Management Plan. Its retention and restoration is acceptable from a heritage perspective but is not considered necessary from a heritage perspective.
- The dwellings at 2 Possum Close and 60 Pacific Highway have been selected for demolition for safety and health reasons. The buildings are in a poor dilapidated state of repair, especially internally, and access is not currently available due to health and safety risks. The buildings have remained vacant for some time and poses a risk to the site.
- The buildings are identified as being of 'Little' significance, for their broader contribution to the general heritage significance of the place, in their capacity demonstrating the way of life for staff and users of the place over time, constructed as staff living quarters. The Urbis Conservation Management Plan provides policy which permits the demolition of these dwellings if necessary. The demolition of these buildings is not considered to have an adverse impact on the significance of the broader former Peat Island Centre, and will have no impact on elements of High or Exceptional significance.
- The proposed demolition works would not adversely impact the significant views and vistas identified in the CMP, as follows:
  - The removal of the intrusive timber extension would restore the original layout of the c.1910 building, identified as being of high significance and contributing to the overall significance of the heritage item. The CMP identified the view from the mainland north to Peat Island as significant (V3) with the timber extension of the structure prominently visible due to its blue painted façade. The timber extension is regarded as a piece of intrusive fabric. The removal of this item, therefore, would be considered as enhancing the significance of View 3 and the setting of the Former Volunteer Rescue Building.
  - The Bindaree building is surrounded by structures identified as being of moderate or neutral significance to the Former Peat Island Centre item. Though visible from the Hawkesbury River, the structure is not identified as a significant view corridor in the CMP. The proposed demolition of the building, therefore, would not impact views of the item from within the island or from the mainland or Hawkesbury River.
- Urbis notes that no excavation is required as part of the proposal. However, the CMP makes note of possible under-floor deposits in structures onsite; therefore, a Historical Archaeological Assessment of the subject structures has been prepared and submitted alongside this report as part of the Development Application.
- As part of this preparation of this Development Application, a Photographic Archival Recording of the Bindaree building and Former Volunteer Rescue Building has been undertaken in accordance with the NSW OEH Heritage Division Guidelines for 'Photographic Archival Recording of Heritage Items Using Film or Digital Capture'.
- The assessment of archaeological potential found there was generally low potential for historical archaeological resources associated with the earlier phases of the site including general discard items and artefactual deposits to be retained within the subject sites due to later disturbance. There is high potential for archaeological resources associated with the later phases of the site including general discard items and structural remains to be retained on the site due to the buildings remaining extant.
- If any historical archaeological resources associated with the earlier phases of the sites history are found, they would not be considered to have significance at a local or state level.

- The historical archaeological resources of 20<sup>th</sup> Century structural remains and general discard items are also unlikely to contain information that would render them significant at a local or state level.

For the reasons above, this project is recommended for approval from a heritage perspective.

## RECOMMENDATIONS

Urbis recommends the following actions be undertaken to mitigate risk to the project:

### Recommendation 1 – Retain Documentation

The documentation prepared as part of this proposal, including this Heritage and Archaeological Impact Statement, Photographic Archival Recording, Historical Archaeological Assessment and other specialist reports on the subject structures should be retained by the client as part of the existing archive on the Former Peat Island Centre heritage item.

### Recommendation 2 – Heritage Interpretation

The Bindaree building and its role in the history of the Former Peat Island Centre should form part of future heritage interpretation of the site.

### Recommendation 3 – Unexpected Finds Procedure

If any archaeological deposits or features are unexpectedly discovered during any site works, an unexpected finds procedure must be implemented and the following steps carried out:

- All works within the vicinity of the find must immediately stop. The find must not be moved 'out of the way' without assessment. The find must be cordoned-off and signage installed to avoid accidental impact.
- The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
- The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and notification to Heritage NSW of the discovery of the find in accordance with S146 of the Heritage Act 1977.
- Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.
- Reporting may need to be prepared regarding the find and approved management strategies.
- Works in the vicinity of the find would only recommence upon receipt of approval from Heritage NSW.

### Recommendation 4 – Part Demolition of the former Volunteer Rescue Building

The following is provided as a process for the removal of the weatherboard addition to the former Volunteer Rescue Building:

- The following recommendations assume the original external wall is enclosed within the later addition. Contractor to advise Urbis and client if this is not the case.
- Contractor to carefully remove the weatherboard addition to the former Volunteer Rescue Building, noting that the original building and the addition are highly likely to contain asbestos containing materials (ACMs).
- Contractor to retain the existing partition wall between the original and later volumes. If this wall requires an internal lining, the contractor is to provide such.
- Contractor to ensure that the roof appropriately covers the new external wall and provide or continue rainwater goods (e.g. guttering and downpipes, appropriately connected) and eaves/ soffit as appropriate.
- Contractor to make good any damage, openings or perforations in the partition (now external) wall and ensure that the wall and roof are weatherproof and insect proof.
- We assume that the flooring is continuous to the external walls of the original volume. Contractor to inspect and ensure there are no openings allowing animals or insects to enter.

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# 1. INTRODUCTION

## 1.1. BACKGROUND

Urbis have been engaged by Property and Development New South Wales (PDNSW) to prepare the following Heritage and Archaeological Impact Statement for the former Peat Island Centre site at Mooney Mooney (hereafter referred to as 'the site' or 'the subject site'). This Heritage and Archaeological Impact Statement provides an assessment of the proposed demolition of two structures as part of the ongoing management of the site.

The subject site comprises the former Rabbit Island (Peat Island), causeway and land parcels along the northern banks of the Hawkesbury River at Mooney Mooney, as well as approximately sixty built structures within the boundaries, constructed as part of the site's time as a government facility for the treatment of people with mental illness.

The subject site is a listed heritage item on the Department of Ageing, Disability and Home Care Section 170 Heritage and Conservation Register (DADHC s170 register) under the *NSW Heritage Act 1977* (the Heritage Act). The site is not currently listed as a built heritage item on any other statutory registers.

Urbis have been the lead heritage consultants engaged by the client on this project to date, preparing a number of heritage management documents. This includes the 2020 Conservation Management Plan (CMP) prepared to provide policies for owners and users to appropriately manage the site into the future.

Two structures on the site, the Former Volunteer Rescue Building and Bindaree (former staff quarters) have been identified by the client as being in poor condition. It is proposed to partially demolish elements of the Former Volunteer Rescue Building and demolish the Bindaree building in its entirety. Further details of these proposed works are included in Section 1.5.

The demolition of structures listed on the s170 Register requires notification to the NSW Heritage Council in accordance with the Heritage Act. This Heritage and Archaeological Impact Statement has been prepared to determine the potential heritage impact of the proposed works on the heritage item, assessing these impacts against the relevant local statutory instrument and the site-specific CMP. The Heritage and Archaeological Impact Statement will accompany a Development Application to the Central Coast Council, and notification to the NSW Heritage Council.

## 1.2. SITE LOCATION

The subject site is known as the former Peat Island Centre at Mooney Mooney. The site is located approximately 50 kilometres north of the Sydney Central Business District and 30 kilometres south-west of Gosford. The site is located within the Central Coast Local Government Area (LGA) and is culturally administered by the Darkinjung Local Aboriginal Land Council (DLALC).

The subject site comprises the former Rabbit Island (Peat Island), causeway and land parcels along the northern banks of the Hawkesbury River. The site is accessible from both the Pacific Motorway and the Pacific Highway. Peat Island is also accessible via the Hawkesbury River, with a wharf located on the north-western side of the island. Access to the island is currently restricted.

The subject structures are located in Precinct A within the former Rabbit Island (Peat Island). Precinct A is legally described as Lot 10 Deposited Plan (DP) 1157280.

The location of the site and the subject structures are provided below.

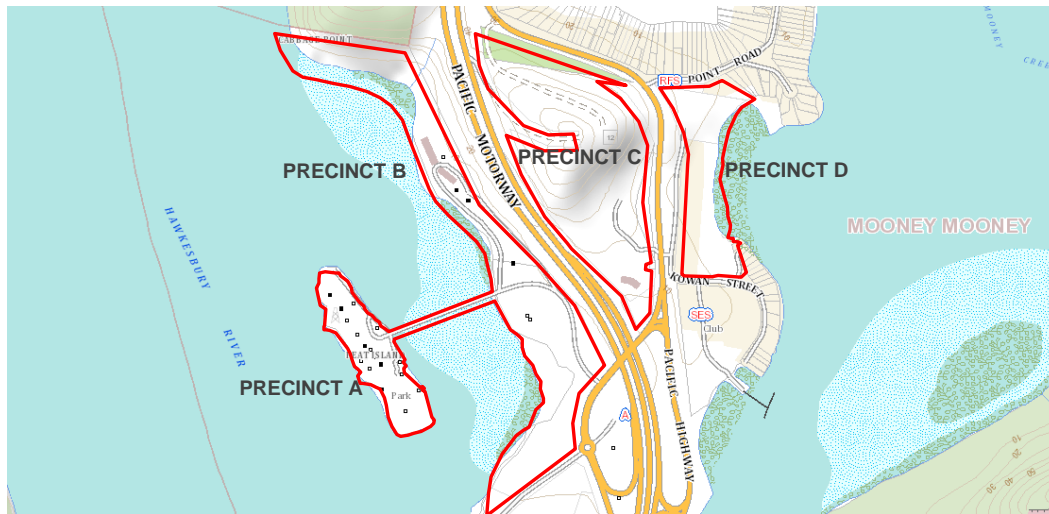


Figure 1 – Location map showing the outline of the subject site in red

Source: SIX Maps 2020

### 1.3. METHODOLOGY

This Heritage and Archaeological Impact Statement has been prepared in accordance with the NSW Heritage Division guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by the Australia ICOMOS Burra Charter 1999 (revised 2013).

The proposal has been considered with reference to relevant controls and provisions contained within the *Central Coast Consolidated Local Environmental Plan (LEP) 2022* as well as the policies and guidelines in the site-specific CMP.

This Heritage and Archaeological Impact Statement should be read in conjunction with the Structural and Building Fabric Condition Audits for the subject structures prepared by Woolacotts Consulting Engineers and the Hazardous Buildings Materials Assessment for Peat Island prepared by Prensa Pty Ltd for Jones Lang LaSalle.

### 1.4. AUTHOR IDENTIFICATION

The following report has been prepared by Darrienne Wyndham (Heritage Consultant), and Kirsten Downey (Consultant Archaeologist). Fiona Binns (Associate Director, Heritage) has reviewed and endorsed its content.

Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

### 1.5. THE PROPOSAL

The proposed works for the former Peat Island Centre involve the partial demolition of the Former Volunteer Rescue Building (being the timber addition) and the full demolition of the Bindaree building as well as two basic dwellings in poor condition on the mainland. It is also proposed to undertake remediation works on the shell music bowl structure on the Island.

This Heritage and Archaeological Impact Statement addresses the demolition works only, with future Development Applications planned for subsequent stages of the urban renewal of the site. The proposed works for the structures at the subject site are summarised hereunder and illustrated in the maps below.

Table 1 – Proposed works

Structure	Building Reference	Significance	Proposed works
Former Volunteer Rescue Building	B20	High	Demolish non-significant addition
Bindaree	B1	Moderate	Demolish
2 Possum Close	B32	Little	Demolish
60 Pacific Highway	Part of group 40-41	Little	Demolish
Shell music bowl	N/A	Neutral	Remediate and reconstruct

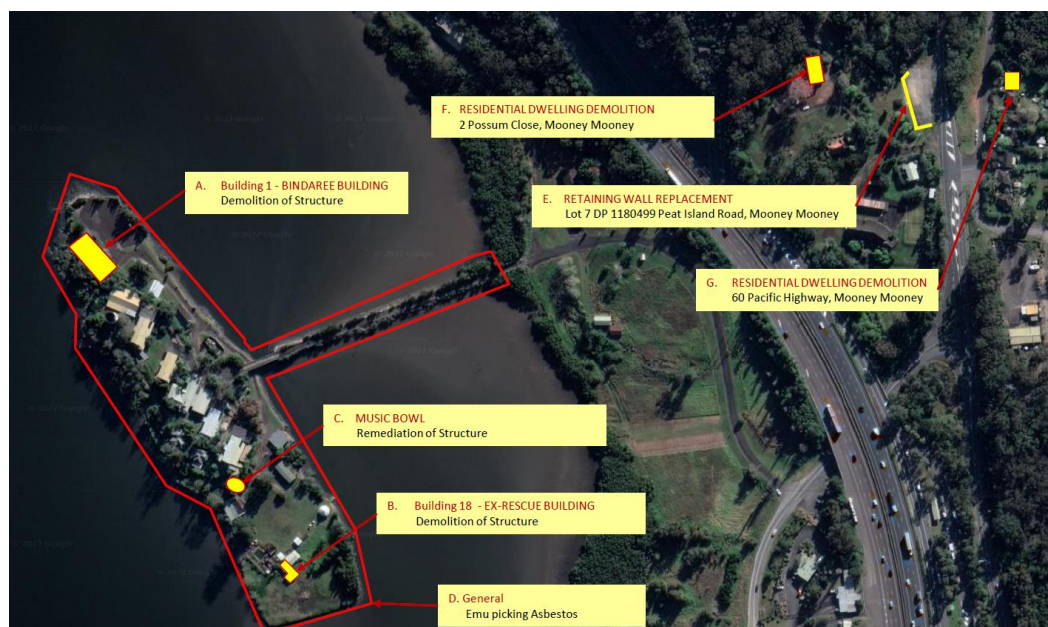


Figure 2 – Location of the works.

Source: SIX Maps 2022

## 2. SITE DESCRIPTION

### 2.1. SITE SETTING – PRECINCT A

Precinct A comprises the Peat Island (former Rabbit Island) landmass and causeway, located on the northern side of the Hawkesbury River. Access to the island is currently restricted.

The island comprises approximately 100 metres of reclaimed land at the southern end of the island, approximately 70 metres of reclaimed land to the north and some reclaimed land to the east and west. The reclaimed level land to the south is turfed and used for recreation. Areas to the east and north has been utilised for parking and access ways. A rocky causeway connects the island to the mainland.

A total of 22 buildings have been constructed within this precinct as part of the former asylum site. The buildings are located along the central ridge of the island and provided residential accommodation to the early occupants. In addition, the precinct contains a number of recreational areas, including a swimming pool and concrete shell shelter. The northern end of the island contains established trees, shrubs and lawns.



Figure 3 – View towards Precinct A from Mooney Mooney, looking south-west.



Figure 4 – View of Precinct A from causeway, looking north.



Figure 5 – General overview of structures on southern portion of Precinct A, looking south.



Figure 6 – General overview of structures on northern portion of Precinct A, looking north.

## 2.2. THE SUBJECT STRUCTURES

### 2.2.1. Former Volunteer Rescue Building (B20)

The Former Volunteer Rescue Building, also known as the 'Garden Program Building', is the southernmost structure on Peat Island. The building, constructed in 1910, was utilised for various functions within the Peat Island Centre including as a swimming hut, a greenhouse and a general shelter building. A swimming pool, pool fencing and lean-to structure are located just west of the building, suggesting its use as part of the recreational grounds of the centre.

The structure comprises a single storey masonry veneer building built with a timber framed half hipped and gabled roof clad in corrugated metal sheeting. The original building features a suspended timber framed floor and timber framed doors and windows.

The main entrance is located on the north-eastern elevation, which comprises a central doorway, a second doorway with mismatched timber doors and a band of timber-framed windows. There is currently no glass present in the timber-framed windows. The south-western elevation comprises a brick veneer, and a band of timber framed six-paned windows. The south-eastern elevation comprises a brick veneer with four sets of timber-framed windows of varying sizes. Mature shrubs are planted underneath the windows.

A timber clad extension is a demountable-style rectangular structure attached to the south-western wall of the building, likely in the 1960s or 1970s. This timber extension is painted blue, with a flat sloped roof clad in corrugated metal sheeting. The entrance to the extension is located on the south-eastern elevation with a brick ramp leading to a metal door. The extension is mounted on brick piers.

Internally, the building comprises two large rooms with timber sheet walls and fibre cement sheet ceiling. The ceiling is in poor condition with extensive water damage and mould. The floor is linoleum over a timber foundation.

#### 2.2.1.1. Structural and Building Fabric Condition Audit

A Structural and Building Fabric Condition Audit prepared by Woolacotts Consulting Engineers in 2021 assessed the building as unsafe for occupation due to structural issues, the possible presence of asbestos in the roof, internal walls and internal tiles, cracked masonry and roof issues.<sup>1</sup>

#### 2.2.1.2. Hazardous Building Materials Assessment

A Hazardous Building Materials Assessment prepared by Presna in 2019 identified a number of materials hazardous to human health on Peat Island. This includes the presence of non-friable asbestos.<sup>2</sup> Asbestos containing materials were identified in the eaves, fascia, fibre cement sheeting in ceiling and vinyl floor tiles of the Former Volunteer Rescue Building. Synthetic Mineral Fibre Materials were also found in the hot water heaters in the south elevation of the building and Lead Containing Paint was located in the form of the blue paint in the exterior of the timber extension and the north elevation fascia.<sup>3</sup>

<sup>1</sup> Woolacotts Consulting Engineers, 2021. Ex River Rescue Building Peat Island: Structural and Building Fabric Condition Audit. Report prepared for Property Development NSW.

<sup>2</sup> Non-friable asbestos is defined by Worksafe Victoria as 'a form of asbestos that may not be crumbled, pulverised or reduced to powder by hand pressure (for example materials containing asbestos that have been mixed with cement or other hard bonding materials).' Urbis notes that non-friable asbestos may become friable as a result of work processes over time (for example, degradation due to chemical exposure) or due to other factors (for example, damage by fire). See <https://www.worksafe.vic.gov.au/what-friable-and-non-friable-asbestos>

<sup>3</sup> Presna and Jones Lang LaSalle, 2019. Hazardous Building Materials Assessment: Peat Island and Surrounding Area. Report prepared for Property NSW.





Figure 7 – View of the Former Volunteer Rescue Building looking south-west.



Figure 8 – View of the Former Volunteer Rescue Building and extension looking south-west.



Figure 9 – View of the south-western elevation of the building.



Figure 10 – Detail of the south-western elevation of the building.



Figure 11 – View of the south-eastern elevation of the building.



Figure 12 – View of the north-eastern elevation and main entrance of the building.





Figure 13 – View of the internals of the original building.



Figure 14 – View of the internals of the original building.

### 2.2.2. Bindaree Building (B1)

The Bindaree building, a former staff quarters building, is the northernmost structure on Peat Island. Bindaree was constructed in c.1946 as accommodation for extra staff arriving on the island.

Bindaree comprises a single-storey weatherboard building with corrugated metal half hipped and gabled roof. The building features verandahs supported by timber posts on the east, west and north elevations. Most of the windows are timber framed, with some later addition aluminium framed windows. The exterior of the building is overgrown with vegetation.

The north-eastern elevation faces a car park, with a concrete ramp with metal balustrades leading to the timber verandah. This elevation comprises timber weatherboard with six windows in the main building, with two aluminium windows present on small weatherboard wings positioned at either end of the main building. The south-eastern elevation features aluminium framed windows currently covered with timber sheeting. The south-western elevation and north-western elevations are matching wings supported on brick piers, with aluminium framed windows currently covered with timber sheeting.

Internally, the building features thin timber sheeting walls and ceiling, possibly including asbestos due to the age of the structure. The flooring is of various materials throughout the building, including tiles and linoleum. The building contains a later addition fitout including offices and communal rooms at the northern end. A central corridor within the building leads south, providing access to rooms and bathrooms.

#### 2.2.2.1. Structural and Building Fabric Condition Audit

A Structural and Building Fabric Condition Audit prepared by Woolacotts Consulting Engineers in 2022 assessed the building as unsafe for occupation due to structural issues, including extensive termite damage and large nests throughout the building, the possible presence of asbestos in the roof and internal walls, heavily deteriorated timber façade and roof issues.<sup>4</sup>

#### 2.2.2.2. Hazardous Building Materials Assessment

A Hazardous Building Materials Assessment prepared by Presna in 2019 identified a number of materials hazardous to human health on Peat Island. This includes the presence of non-friable asbestos. Asbestos containing materials were identified in the eaves, walls, awning and in debris in the Bindaree building.<sup>5</sup>

<sup>4</sup> Woolacotts Consulting Engineers, 2022. Bindaree Building Peat Island: Structural and Building Fabric Condition Audit. Report prepared for Property Development NSW.

<sup>5</sup> Presna and Jones Lang LaSalle, 2019. Hazardous Building Materials Assessment: Peat Island and Surrounding Area. Report prepared for Property NSW.



Figure 15 – View of north-eastern elevation.



Figure 16 – View of north-eastern elevation.



Figure 17 – View of western elevation, facing south-east.



Figure 18 – View of northern elevation.



Figure 19 – View of eastern verandah



Figure 20 – View of south elevation.

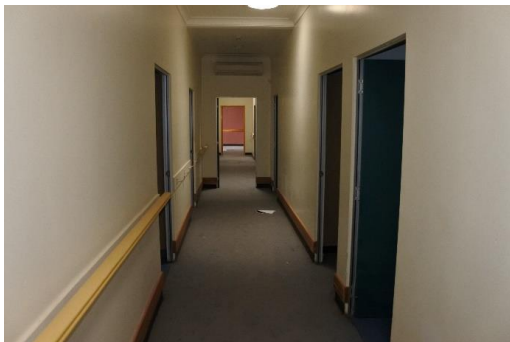


Figure 21 – View south of internal central corridor.



Figure 22 – View of entry room.



Figure 23 – View within south bathroom, note termite nest.



Figure 24 – View of timber framed windows in typical room.



## 2.3. 2 POSSUM CLOSE

The dwelling at 2 Possum Close is also known as Building 32 within the former Centre. It is a pedestrian example of a brick veneer dwelling, and has been graded as being of 'Little' significance in the Urbis Conservation Management Plan for the former Peat Island Centre. The current condition is demonstrated in the reports included at Appendix D and Appendix E, which shows its uninhabitable condition internally and evidence of black mould throughout.

Table 2 – Peat Island Gradings of Condition – Individual Elements Precinct C – extracted from CMP

Element	Date	Condition
<b>PRECINCT C: CHAPEL PRECINCT</b>		
<i>Precinct C: Built Elements</i>		
32 Caddia Cottage	c.1947-56	Exterior inspection only. Good condition.

## 2.4. 60 PACIFIC HIGHWAY

The dwelling at 60 Pacific Highway is also known as part of the group of dwellings known as '40-41' within the former Centre. It is a pedestrian example of a brick veneer dwelling, and has been graded as being of 'Little' significance in the Urbis Conservation Management Plan for the former Peat Island Centre. The current condition is demonstrated in the reports included at Appendix F, which shows its uninhabitable condition internally.

Table 3 – Peat Island Gradings of Condition – Individual Elements Precinct D – extracted from CMP

Element	Date	Condition
<b>PRECINCT D: RESIDENTIAL PRECINCT</b>		
<i>Precinct D: Built Elements</i>		
40 & 41 Staff Cottages	c.1947-56	Good

## 2.5. SHELTER (MUSIC SHELL)



Figure 25 – View north showing music shell.



Figure 26 – View of music shell looking north-east.

An unusual open shelter constructed in a decorative 'shell' form. The shelter is located on the ridge, overlooking the southern open parkland of Peat Island. It is constructed from sandstone with a cantilevered concrete 'roof'. A sandstone retaining wall surrounds the shelter to the west and south. A sandstone plinth is located in the centre of the shelter. The design is reminiscent of larger 'music shells/ bowls'.

### 3. HISTORICAL OVERVIEW

This section contains a summary history of the former Peat Island site only for the purposes of this Heritage and Archaeological Impact Statement. See the site-specific Conservation Management Strategy for a full detailed history.

*Note: The terms 'mental illness', 'mentally ill', 'disabled', 'developmental disability' and 'developmentally disabled' are used throughout this report in accordance with the Australian Government's definition adopted by the NSW Ministry of Health. Earlier terminology is used throughout this report where context requires it, in particular throughout the following Historical Overview. Where previous terms are not direct quotes, inverted commas are provided to distinguish these terms from current Australian Government adopted and acceptable mental health related terminology. Earlier and outdated terms used in this CMP, which are now considered to be inappropriate in describing mental illness, include 'insane', 'lunatic', 'lunacy', 'insanity', 'idiocy' etc.*

*URBIS recognises the sensitive nature of mental illness and has endeavoured to use previous terminology only where it is necessary for context. Otherwise throughout this report every care has been taken to use appropriate and respectful language to refer to the people who have called the Peat Island Centre their home.*

#### 3.1. SITE HISTORY

##### 3.1.1. Phase 1: Preparation of the Island (1901-1910)

Prior to colonisation, Rabbit Island (now Peat Island) bore the Aboriginal name *Kooroowall-Undi* (the place of bandicoots). The island is one of six located in the lower reaches of the Hawkesbury River, near the river mouth.

The earliest reference to the island is contained in an advertisement in October 1841, where William Ternen, on behalf of George Peat, advertised in the *Sydney Herald* "a farm of sixty acres, with a new and substantial Stone House, situated on the Hawkesbury River" for sale or lease. To the east and west of the property lay two small islands less than 220 yards from the farm:

*That to the east [of Mooney Mooney Point] is termed Goat Island, having many of those animals grazing thereon, the other Rabbit Island, which is numerous stocked as a Rabbit Warren.<sup>6</sup>*

In 1897, JM Creed introduced into parliament an "inebriates" bill to "provide for the care, control and treatment" of persons with problems of alcohol and drug addiction. The *Inebriates Act 1900* passed into law in December 1900. By November the following year, the Government had purchased Milson Island in the Hawkesbury for treatment of chronic male patients, while Rabbit Island was set aside for the treatment of women.<sup>7</sup> The institutions were developed under the provisions of the *Inebriates Act 1900* and administered by the Chief Secretary's Department.

Construction of facilities on the islands began in 1902. The Minister for Works paid a visit to Rabbit and Milson Islands in early December 1904, accompanied by Mr. Davis (Under-Secretary for Works), Mr. Vernon (Government Architect) and Dr Creed. The party observed the following:

*What will be handed over to the Chief Secretary's Department this month will be a modified institution on Rabbit Island, capable of at first accommodating 72 patients. The buildings include two pavilions with bedrooms, temporary dining-room, sewing room, reception house for special observation of patients, matron's quarters, kitchens, laundry, &c. Other works include the partial reclamation of an area which will be suitable eventually for gardening, thus giving patients the necessary out-door work.<sup>8</sup>*

The construction process took two years to complete due to a shortage of funds, the isolation of the site and the difficulty of transporting materials. The expense of establishing the facility in such an isolated location

<sup>6</sup> "Hawkesbury. Genteel Residence and Farm", *Sydney Herald*, 30 October 1841, p.1.

<sup>7</sup> "Notes of the week", *Sydney Mail and New South Wales Advertiser*, 19 November 1902, p.1297.

<sup>8</sup> "Inebriates' Home", *Australian Star*, 6 December 1904, p.7.

prompted much public criticism and upon completion in 1905, the *Windsor and Richmond Gazette* reported drily that: "The Asylum for Inebriates at Rabbit Island, Hawkesbury River, has been completed, at a cost of £6,500. A few of our dipsomaniacs in Parliament should be sent thither."<sup>9</sup>

The facility sat idle for the next few years as the new Government was reluctant to outlay further funding for equipment and management of the Peat Island facility and completion of the Milson Island establishment. Apart from visits from various government officials on picnics or social occasions, the property lay vacant except for the caretaker and his family.

By 1907, the Government decided to set aside space in Darlinghurst gaol for the treatment of inebriates.<sup>10</sup> However, in the second half of September 1908, the Government reversed its previous decision and announced plans to occupy the facility for the treatment of male "habitual inebriates".<sup>11</sup> The following year, tenders were invited for the erection of new buildings on Rabbit Island<sup>12</sup> comprising another dormitory block, workroom, hospital, reading and recreation room, and several smaller apartments. The contract was awarded in April 1909 to D Featherstone of Camdenville for the sum of £3,584.<sup>13</sup> These works included the original Former Volunteers Rescue Building, constructed on the southernmost point of the island by 1910.

### 3.1.2. Phase 2: Peat Island Mental Hospital (1910-1945)

In 1910, the Government once again had a change of heart and reversed its decision to house male "inebriates" on Rabbit Island. Instead, the Island was transferred to the Lunacy Department and gazetted on 29 December that year as a "hospital for the insane" under the direction of Dr Eric Sinclair, Inspector General for the Insane.

The first intake of patients and staff were transferred from Newcastle Mental Hospital in March 1911, with superintendent Mr J Dawson assisted by Mr JCA Cross. By the end of 1911, there were 106 patients on Rabbit Island, comprising what the health department termed chronic and "mentally defective" patients.

On 24 August 1924, the Crown land on Peat and Milson Islands was formally dedicated as a mental hospital. Within ten years, the total number of patients at both islands numbered 523. In this period, the department undertook minor repairs, maintenance and upgrades to buildings on the islands.

### 3.1.3. Phase 3: Modernisation and Expansion (1945-1960)

In the 1940s, Peat Island was dedicated for the treatment of male juvenile patients, with developmentally disabled patients of school age being transferred to Peat Island. The original accommodation blocks were upgraded and improvements were made in education and vocational training for patients and the provision of shelters and sports facilities. These improvements included a single storey staff quarters known as 'Bindaree'.

At the end of 1947, Wyndhams Pty Ltd was awarded the contract for new construction on Peat and Milson Islands including accommodation for relatives of patients, lavatory block for staff and farm hands, residence for electrical mechanics, new staff dining room and staff amenities block for the sum of £11,590.<sup>14</sup> In 1951, a permanent school was opened and a full-time teacher was appointed by the Department of Education.

Despite the infusion of money for maintenance and building projects, the living situation at Peat and Milson Islands did not improve. In April 1954, the *Daily Telegraph* published a scathing and sensational article on Peat and Milson Islands, calling the hospital "an affront to civilisation".<sup>15</sup> The Health Minister O'Sullivan and Director General of Mental Hygiene hit back at allegations of overcrowding, understaffing and lack of adequate treatment for the patients.

Following the unfavourable publicity and the 1954 release of a report on state mental health institutions, the Commonwealth Government committed financial assistance to the States to provide modern accommodation in their mental hospitals. At Peat Island, general repair work was undertaken, new buildings constructed and old ones remodelled. During 1956/57, the Inspector General for Mental Hospitals reported that during the

<sup>9</sup> "Scissors and Paste", *Windsor and Richmond Gazette*, 2 December 1905, p. 13.

<sup>10</sup> *The Register*, 2 March 1907, p.8

<sup>11</sup> "The State in Business", *Sydney Morning Herald*, 7 September 1908, p.6.

<sup>12</sup> Advertising, *Daily Telegraph*, 3 March 1909, p.16.

<sup>13</sup> "New public works", *The Star*, 14 April 1909, p.4.

<sup>14</sup> "Contracts signed", *Construction*, 17 December 1947, p.14.

<sup>15</sup> "Disgraceful conditions on Hawkesbury Islands", *Daily Telegraph*, 11 April 1954, p.3.



year, several major works were completed at Peat Island, including erection of twelve staff cottages, new residences for medical officers and manager, new single men's quarters and a new sewing room. Other construction work in this period included the construction of a causeway and road linking Peat Island with the mainland, carried out by the residents under the supervision of the staff.

### **3.1.4. Phase 4: Decline (1960-2000)**

Following building activity in the 1950s, there was little new work on the site the following decade. Apart from minor repairs and maintenance, the principal work in the 1960s comprised the construction of sewerage treatment works and three pumping stations to service Peat and Milson Islands.

By 1967, there were about 600 boys housed at the Peat Island institution. During this time, there was an active Ladies Auxiliary, Parents & Citizen Welfare Association and Staff & Patients Welfare Committee who collaboratively worked to improve the facilities, conditions and well-being of the boys.

A site plan from 1974 indicates several major changes were proposed in the 1970s, but never implemented. The 1974 plan shows both subject structures in place, with the timber extension present at the Former Volunteers Rescue Building (Figure 38).

In 1984, David Richmond advocated the complete closure of Peat Island Hospital. He was highly critical of the complex which he described as follows:

*The main hospital facility is Peat Island Hospital (174 places) which is an extremely isolated facility largely consisting of old barrack style buildings reflecting its original purpose as an isolation facility. Physically the hospital is an anachronism and typifies the isolationist and segregationist philosophies which underpinned the provision of these "services" in the past. The facility has no place in a modern service but fortunately due to progressive management the hospital is well advanced in the process of placing clients in a planned way in the community. Therefore, the opportunity exists to facilitate this process by adequate funding of community services and to close the hospital by 1984 and utilise the savings achieved to fund services not only in this Region but as indicated before in others.*

Management of Peat Island was transferred in 1989 to the Department of Community Services (DOCS). It was renamed Peat Island Centre to reflect a new focus on care and provision of services for disabled people. Several of the Walter Liberty Vernon era buildings were renovated in this period, with the installation of new services and institutional fitouts. Former staff accommodation houses were converted to Group Houses for clients in pursuit of the policy of deinstitutionalisation of some of the residents.

In 1998, the New South Wales Government announced the closure of all Large Residential Centres (LRCs) and no further admissions allowed in LRCs after 2002, including the Peat Island Centre.

### **3.1.5. Phase 5: Closure (2000-Present)**

In late 2010, local press reported rumours that the island was being considered as a detention centre for asylum seekers, a claim denied by the state and federal governments. The Peat Island Centre was finally decommissioned in October 2010, with the last remaining residents moved to new facilities on the Central Coast at Hamlyn Terrace and Wadalba.

Coinciding with the closure of the facility, the Department of Ageing, Disability & Home Care published a book by Laila Ellmoos titled *Our Island Home: a History of Peat Island*.

As part of the Stronger Together Program with the relocation of clients to group home accommodation, the site was transferred from ADAC (Aging Disability and Home Care) to Property NSW for divestment on 25 February 2011.

In 2014, Property NSW prepared a revised draft planning proposal to support the rezoning of the site and proposed land uses to revitalise Peat Island and Mooney Mooney. The Peat Island Centre was transferred from ADHC to NSW Property Ownership. The following year, the plan was endorsed by the Central Coast Council. Subject to finalisation of further technical studies, the planning proposal was granted Gateway Determination by the Department of Planning in August 2017.



Figure 27 – View to Rabbit Island from Fairview Point, pre-1903.

Source: SLNSW, Digital order no. a116440h.jpg

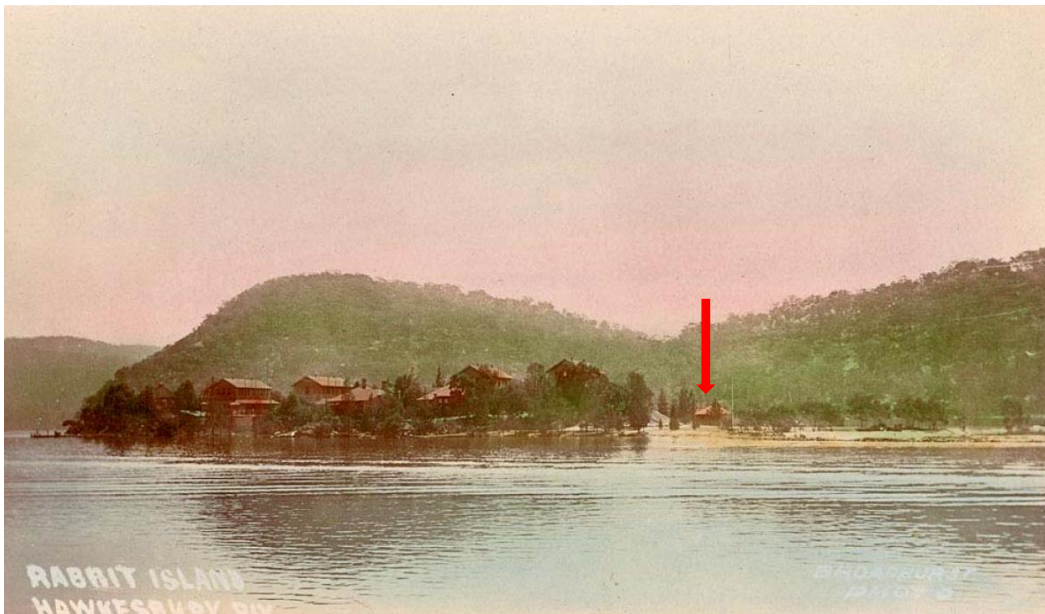


Figure 28 – William Henry Broadhurst postcard of Rabbit Island, c.1910. A structure, possibly the Former Volunteer Rescue Building, is visible in the image (marked with red arrow).

Source: State Library of NSW, Digital order no. a105346h.jpg



Figure 29 – View of Peat Island and Hawkesbury River, c.1945 by EW Searle.

Source: NLA, nla.obj-142048131

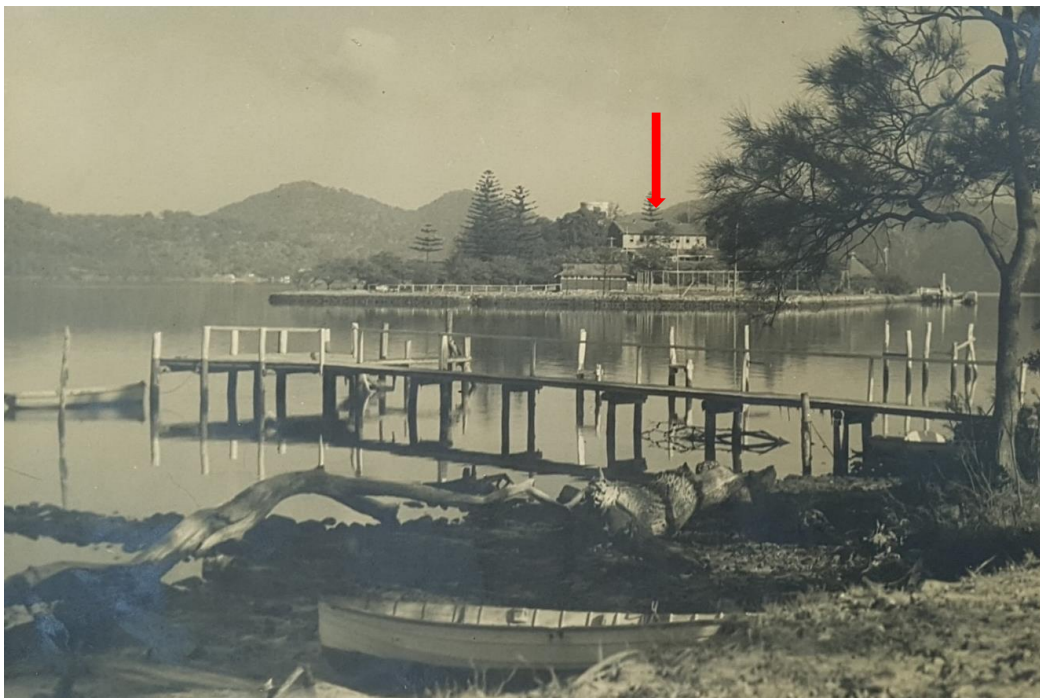


Figure 30 – Peat Island, c1940-50. Bindaree is visible in the background of this image (marked with red arrow).

Source: State Library of NSW, PXE786/8 or PXE786/11

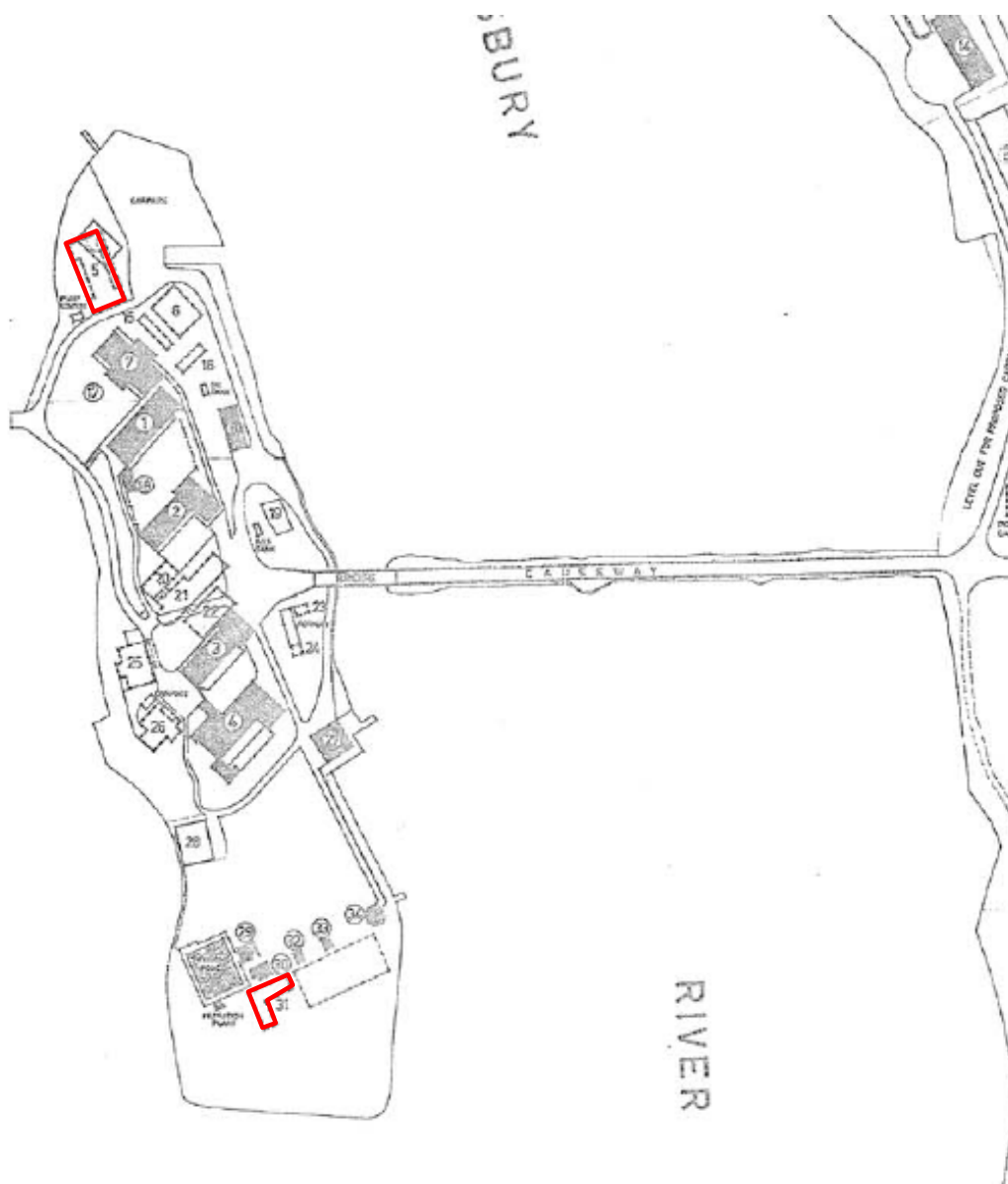


Figure 31 – Detail from proposed site plan, Peat Island, 1974. The subject structures are marked in red.

Source: Plan Services, NSW Finance Services & Innovation– MH6/187



## 4. HISTORICAL ARCHAEOLOGY

### 4.1. HISTORICAL ARCHAEOLOGICAL POTENTIAL

Historical archaeological potential is defined as:

*The degree of physical evidence present on an archaeological site, usually assessed on the basis of physical evaluation and historical research (Heritage Office and Department of Urban Affairs and Planning 1996).*

Archaeological research potential of a site is the extent to which further study of relics likely to be found is expected to contribute to improved knowledge about NSW history which is not demonstrated by other sites, archaeological resources or available historical evidence. The potential for archaeological relics to survive in a particular place is significantly affected by later activities that may have caused ground disturbance. These processes include the physical development of the site (for example, phases of building construction) and the activities that occurred there. The archaeological potential of the subject site is assessed based on the background information presented in Section 3, and graded as per:

- **Nil Potential:** the land use history demonstrates that high levels of ground disturbance have occurred that would have completely destroyed any archaeological remains. Alternatively, archaeological excavation has already occurred, and removed any potential resource;
- **Low Potential:** the land use history suggests limited development or use, or there is likely to be quite high impacts in these areas, however deeper sub-surface features such as wells, cesspits and their artefact bearing deposits may survive;
- **Moderate Potential:** the land use history suggests limited phases of low to moderate development intensity, or that there are impacts in the area. A variety of archaeological remains is likely to survive, including building footings and shallower remains, as well as deeper sub-surface features;
- **High Potential:** substantially intact archaeological deposits could survive in these areas.

The potential for archaeological remains or 'relics' to survive in a particular place is significantly affected by land use activities that may have caused ground disturbance. These processes include the physical development of the site (for example, phases of building construction) and the activities that occurred there. The following definitions are used to consider the levels of disturbance:

- **Low Disturbance:** the area or feature has been subject to activities that may have had a minor effect on the integrity and survival of archaeological remains;
- **Moderate Disturbance:** the area or feature has been subject to activities that may have affected the integrity and survival of archaeological remains. Archaeological evidence may be present, however it may be disturbed;
- **High Disturbance:** the area or feature has been subject to activities that would have had a major effect on the integrity and survival of archaeological remains. Archaeological evidence may be greatly disturbed or destroyed.

#### 4.1.1. Archaeological Studies

Previous archaeological investigations may provide information on the potential nature and distribution of archaeological resources in a given area. While there are no readily available assessments of the subject site itself, there have been several studies undertaken of contextually similar sites. A summary of relevant assessments is provided in Table 4 below.

Table 4 – Previous archaeological studies relevant to subject site

Author, Year & Site	Summary	Relevance to Subject Site
Casey & Lowe, 2014.	Historical archaeological assessment and statement of heritage impact for the Cumberland Precinct, Parramatta	<ul style="list-style-type: none"> <li>• Site used as a 'lunatic asylum'</li> </ul>

Author, Year & Site	Summary	Relevance to Subject Site
Cumberland Precinct, Parramatta North. <sup>16</sup>	<p>North (approximately 35km south-west of the present subject site). Part of the site was the location of a Female Factory, which was repurposed as the Parramatta Lunatic Asylum in 1848.</p> <p>Potential archaeological remains associated with the asylum include building and wall footings, occupation-related deposits and artefacts in building cavities (e.g. underfloor spaces, skirting boards and window frames), site drainage, and artefacts in wells, cesspits, rubbish pits, dumps and other features. Accumulation of artefacts in building cavities is common for institutions where there may be an incentive to hide material.</p> <p>Archaeological potential assessed as moderate to high.</p>	<ul style="list-style-type: none"> <li>Archaeological potential associated with both extant and demolished structures</li> <li>Potential for artefacts to have been deliberately hidden</li> </ul>
Tanner Architects, 2011. Callan Park, Rozelle <sup>17</sup>	<p>Conservation Management Plan for Callan Park, Rozelle (approximately 37km south of the present subject site), including a historical archaeological assessment. The site was part of several grand estates dating to 1789. It was used as a psychiatric hospital, with purpose-built facilities built between 1877 and 1884.</p> <p>Archaeological potential is associated with the standing buildings and sites of demolished buildings and outbuildings. The capacity of these structures to provide information about their original configurations is relevant to the development of care for the mentally ill. There is also potential for artefacts to occur in underfloor and yard area deposits.</p> <p>Refurbishment of buildings is likely to reduce the archaeological potential for extant buildings.</p>	<ul style="list-style-type: none"> <li>Site used a psychiatric hospital</li> <li>Archaeological potential associated with both extant and demolished structures</li> <li>Yard areas utilised by patients may yield archaeological deposits</li> <li>Refurbishment of buildings may have reduced archaeological potential</li> </ul>

#### 4.1.2. Assessment of Archaeological potential

The below table presents a summary of potential archaeological resources and conditions of remains within the subject site. The historical phases have been adapted from Section 3 and the 2020 Conservation Management Plan undertaken for the subject site.

<sup>16</sup> Casey & Lowe Pty Ltd, 2014. *Baseline Archaeological Assessment & Statement of Heritage Impact Historical Archaeology. Cumberland Precinct Sports & Leisure Precinct Parramatta North Urban Renewal – Rezoning Parramatta.*

<sup>17</sup> Tanner Architects, 2011. *Callan Park, Rozelle. Conservation Management Plan.*



Table 5 – Assessment of Archaeological Potential

Historical Phase	Potential Archaeological Resource	Integrity of Archaeological Resource	Historical Archaeological Potential
Phase 1: Preparation of the Island (1901-1910)	General discard items.	It is considered unlikely that evidence relating to this phase would be found as the island was not inhabited during this time and later development would have likely decreased potential of any ephemeral archaeological resources to be found.	Nil – Low potential for general discard items.
Phase 2: Peat Island Mental Hospital (1910-1945)	General discard items and artefactual deposits in underfloor locations and building cavities.	<p>During this phase, Peat Island was occupied with various buildings for the purposes of a mental hospital. The original Former Volunteers Building was constructed in 1910 and was used for recreational purposes by the patients of the mental hospital while the timber veranda addition was not yet constructed in this time.</p> <p>Potential archaeological resources relating to this phase include artefactual deposits in underfloor locations and building cavities within the original Former Volunteers Building. The potential of the resources to be retained is likely to have been reduced by disturbance in later phases.</p>	Low potential for general discard items and artefactual deposits in underfloor locations and building cavities.

Historical Phase	Potential Archaeological Resource	Integrity of Archaeological Resource	Historical Archaeological Potential
Phase 3: Modernisation and Expansion (1945-1960)	Artefactual deposits in underfloor locations and building cavities, extant 20 <sup>th</sup> Century structural remains.	During this phase, the buildings on the island underwent upgrades and improvements. One of the subject sites, the Bindaree building was constructed in 1946. The occupation of the subject site as a mental hospital continued during this phase and there may have been potential for artefactual deposits to be located in underfloor locations and building cavities. It is considered unlikely for artefactual deposits to be located in the Bindaree building as it was used for staff accommodation and not for patient use. Subsequent disturbance in the form of refurbishments may have reduced the likelihood of any artefactual deposits to be found.	Low potential for artefactual deposits.  High potential for extant 20 <sup>th</sup> Century structural remains.
Phase 4: Decline (1960-2000)	General discard items, extant 20 <sup>th</sup> Century structural remains.	During this phase, there was general refurbishment of older buildings undertaken across Peat Island. The Bindaree building from the previous phase was still extant at this time. The timber addition to the Former Volunteers Building was constructed in the 1960's and there is generally potential for discard items to be located in the subject site relating to the use of the site as a recreational space from this time that are retained with a high degree of integrity.	High potential for general discard items and extant 20 <sup>th</sup> Century structural remains.

### 4.1.3. Summary of Archaeological potential

The subject sites of the Bindaree building and the later addition of the Former Volunteers Building relate to Phase 3 (1945-1960) and Phase 4 (1960-2000) of the occupation of Peat Island. Likely archaeological resources associated with these phases of historical development and use are general discard items, artefactual deposits and the extant 20<sup>th</sup> Century buildings.

There is nil to low potential for archaeological resources relating to the earlier phases of the history due to subsequent disturbance and the ephemeral character of the expected resources.

There is low potential for artefactual deposits to be located in the Bindaree building during Phase 3 (1945-1960). While the island was in use as a psychiatric hospital at the time, there is unlikely to be any archaeological resources. Intentional secreting of objects within underfloor areas and building cavities is unlikely in the case of Bindaree owing to its use as staff quarters, while patient access to the Former Volunteers Building was limited. Furthermore, subsequent refurbishment of the buildings would have decreased the likelihood of any resources being retained.

There is high potential for the structural remains of 20<sup>th</sup> Century buildings to be located within the subject sites as the buildings are still extant in the present day. The 1960's addition to the Former Volunteers building likely contains general discard items relating to this phase that are retained with a high degree of integrity.

## 4.2. HISTORICAL ARCHAEOLOGICAL SIGNIFICANCE

The concept of archaeological significance is independent of archaeological potential. For example, there may be 'low potential' for certain relics to survive, but if they do, they may be assessed as being of 'high (State) significance'.

Archaeological significance has long been accepted as linked directly to archaeological (or scientific) research potential: a site or resource is said to be scientifically significant when its further study may be expected to help answer questions. Whilst the research potential of an archaeological site is an essential consideration, it is one of a number of potential heritage values which a site or 'relic' may possess. Recent changes to the Heritage Act 1977 (Section 33(3) (a)) reflect this broader understanding of what constitutes archaeological significance by making it imperative that more than one criterion be considered.

The below assessment of archaeological significance considers the criteria, as outlined in the NSW Heritage Branch publication *Assessing Significance for Historical Archaeological Sites and 'Relics'*. Sections which are extracted verbatim from this document are italicized.

For the purposes of this assessment, significance is ranked as follows:

- **No Significance** – it is unlikely that any archaeological resources recovered will be attributed significance in accordance with the assessment criteria on a state or local level.
- **Local Significance** – it is likely that archaeological resources recovered will be significant on a local level in accordance with one or more of the assessment criteria.
- **State Significance** – it is likely that archaeological resources recovered will be significant on a state level in accordance with one or more of the assessment criteria.

The following Criteria are used to assess archaeological significance (from *Assessing Significance for Sites and 'Relics'*, Heritage Branch NSW).

Table 6 – Significance criteria

Criterion	Criterion	Definition
E	<b><i>Archaeological Research Potential</i></b>	<i>Archaeological research potential is the ability of archaeological evidence, through analysis and interpretation, to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site and its 'relics'</i>

Criterion	Criterion	Definition
A, B & D	<b>Associations with individuals, events or groups of historical importance</b>	Archaeological remains may have particular associations with individuals, groups and events which may transform mundane places or objects into significant items through the association with important historical occurrences.
C	<b>Aesthetic or technical significance</b>	Whilst the technical value of archaeology is usually considered as 'research potential' aesthetic values are not usually considered to be relevant to archaeological sites. This is often because until a site has been excavated, its actual features and attributes may remain unknown. It is also because aesthetic is often interpreted to mean attractive, as opposed to the broader sense of sensory perception or 'feeling' as expressed in the Burra Charter. Nevertheless, archaeological excavations which reveal highly intact and legible remains in the form of aesthetically attractive artefacts, aged and worn fabric and remnant structures, may allow both professionals and the community to connect with the past through tangible physical evidence.
A, C, F & G	<b>Ability to demonstrate the past through archaeological remains</b>	Archaeological remains have an ability to demonstrate how a site was used, what processes occurred, how work was undertaken and the scale of an industrial practice or other historic occupation. They can demonstrate the principal characteristics of a place or process that may be rare or common.

#### 4.2.1. Assessment of Archaeological significance

The following table assesses the significance of potential archaeological resources across the site in accordance with the definitions in Table 6 above.

Table 7 – Assessment of significance

Criterion	Discussion	Assessed significance
<b>Archaeological Research Potential</b>	<p>There is nil to low potential for general discard items and artefactual deposits to be located within the subject sites that are associated with Phase 1.</p> <p>There is low potential for general discard items and artefactual deposits to be located within the subject sites associated with the occupation of the island as a psychiatric institution.</p> <p>There is high potential for general discard items and 20<sup>th</sup> Century structural remains to be located on the subject sites associated with Phase 4.</p> <p>These potential archaeological resources are generally unlikely to provide information about the subject site that cannot already be obtained through</p>	Archaeological resources associated with Phases 1-4: <b>No significance</b>

Criterion	Discussion	Assessed significance
	historical records or which is important at a local or state level.	
<b>Associations with individuals, events or groups of historical importance</b>	No associations with individuals, events or groups of historical importance have been identified.	Archaeological resources associated with Phases 1-4: <b>No significance</b>
<b>Aesthetic or technical significance</b>	<p>There is generally low potential for archaeological resources relating to the earlier phases of the sites history to be retained. Given the subsequent disturbance and the ephemeral nature of the resources, it is unlikely the resources associated with these phases would be sufficiently intact to retain any aesthetic or technical value.</p> <p>Archaeological resources relating to Phase 3 and 4 that consist of 20<sup>th</sup> Century structural remains are presently extant. However, any aesthetic character is likely to relate to its built form (addressed separately in the present report) rather than as an archaeological resource. Furthermore, they do not embody a technology which is the first or last of its kind and they do not demonstrate a range of, or change in, technology.</p>	Archaeological resources associated with Phases 1-4: <b>No significance</b>
<b>Ability to demonstrate the past through archaeological remains</b>	<p>There is generally low potential for historical archaeological resources associated with the early phases of the site as a mental institution. Due to later disturbance, these resources are unlikely to have been retained within the subject site and would not be rare examples of occupation as they are ancillary to the primary functioning of the Peat Island facility as staff accommodation.</p> <p>There is high potential for historical archaeological resources associated with the mid 20<sup>th</sup> Century Peat Island facility (Phases 3 and 4) as the structural remains of the buildings are still intact and general discard items are likely to be retained. While these resources associated with these phases are highly intact, they are not rare examples of occupations and are ancillary to the primary functioning of the Peat Island facility. They are therefore unlikely to meet this criterion.</p>	Archaeological resources associated with Phases 1-4: <b>No significance</b>

## 4.2.2. Statement of Significance

There is generally low potential for historical archaeological resources associated with the early phases of Peat Island as a psychiatric institution to occur, including general discard items and artefactual deposits. There is high potential for general discard items to occur within the subject site relating to Phase 4 of the sites history. However, should the resources from the earlier phases survive, they are unlikely to demonstrate information that would qualify for local or state significance. There is also high potential for 20<sup>th</sup> Century structural remains to occur as the buildings are currently extant. The structural remains of the buildings are not considered to have importance at a local or state level in regard to historical archaeology.

Owing to use of the subject buildings being ancillary to the primary function of the Peat Island facility as a psychiatric institution and the well-documented recent history of the subject area, it is unlikely that any archaeological material retained within the footprint or structure of these buildings would meet any of the criteria for local or State heritage significance.

## 4.3. UPDATED ARCHAEOLOGICAL ASSESSMENT FOR ADDITIONAL WORKS

A Development Application (DA/982/2023) was lodged in 2022 for the demolition of structures within the former Peat Island Centre at Mooney Mooney NSW. A Response for Further Information (RFI) has been received from the Central Coast Council (CCC) seeking clarification on a number of items and requesting that this HAIS be updated to consider the potential impacts associated with the additional demolition works of the following structures, which were not originally addressed in this report:

- Dwelling at 2 Possum Close, Mooney Mooney
- Dwelling at 60 Pacific Highway, Mooney Mooney
- Shell Music Bowl, Peat Island (remediation and restoration works)

The potential impacts of the proposal are discussed separately below.

### 4.3.1. Historical Archaeology

The following section discusses the potential impacts of the proposed demolition works on potential historical archaeological resources. This impact assessment has drawn from the 2020 CMP prepared by Urbis for the established historical archaeological potential of Peat Island and Mooney Mooney (partial).

#### 4.3.1.1. 60 Pacific Highway

It is proposed to demolish the existing dwelling at 60 Pacific Highway, Mooney Mooney. The current structure proposed for demolition was built in 1977 and prior to its construction, the area was undeveloped. This is reflected in the 2020 CMP, which locates this property within an area of low historical archaeological potential (Figure 32). In relation to the archaeological potential of Precinct D (of which 60 Pacific Highway is part), the CMP states the following:

*Precincts C and D are considered to have low archaeological potential, with minimal historical land use prior to the middle of the 20th century. The exception is the site of the former school in Precinct D, which is considered to have high archaeological potential for sub-surface deposits.*

Evidence of the historical European occupation of the site would be confined to general discard items and the extant structure dating to *Phase 4: Modernisation and Expansion*. These potential archaeological resources are unlikely to provide additional information about the site and its historical occupation. This is confirmed by the assessment of historical archaeological significance, as contained in Section 4.2 of this report, which identifies the potential significance of archaeological resources as 'nil'.

The assessed impact associated with the proposed demolition of 60 Pacific Highway on historical archaeological resources is nil.

#### 4.3.1.2. 2 Possum Close

It is proposed to demolish the existing dwelling at 2 Possum Close, Mooney Mooney. The current structure was built in 1952 and prior to its construction the area was undeveloped. This is reflected in the 2020 CMP, which locates this property within an area of low historical archaeological potential (Figure 32). In relation to the archaeological potential of Precinct C (of which 2 Possum Close is part), the CMP states the following:



*Precincts C and D are considered to have low archaeological potential, with minimal historical land use prior to the middle of the 20th century. The exception is the site of the former school in Precinct D, which is considered to have high archaeological potential for sub-surface deposits.*

Evidence of the historical European occupation of the site would be confined to general discard items and the extant structure dating to *Phase 3: Decline*. These potential archaeological resources are unlikely to provide additional information about the site and its historical occupation. This is confirmed by the assessment of historical archaeological significance, as contained in Section 4.2 of this report, which identifies the potential significance of archaeological resources as 'nil'.

The assessed impact associated with the proposed demolition of 2 Possum Close on historical archaeological resources is nil.

#### **4.3.1.3. Shell Music Bowl**

It is proposed to remediate and repair the Shell Music Bowl including repair or replacement of the damaged sandstone retaining wall, removal or reconstruction of the stone table, demolition of the existing concrete roof structure and reconstruction to match the original.<sup>18</sup>

The 2020 CMP identifies the Shell Music Bowl as being located within an area of moderate historical archaeological potential (Figure 32). In relation to the archaeological potential of Precinct A (of which the Shell Music Bowl is part), the CMP says the following:

*Precinct A includes the early 20th century asylum buildings, most of which remain in place. Owing to their long use as part of the asylum and limited refurbishment, the buildings and the areas between them have a high potential to include archaeological deposits. More recent buildings are considered to have low archaeological potential as their construction and, where relevant, demolition is likely to have removed earlier archaeological materials. The remainder of the island is considered to have moderate archaeological potential associated with its use as an asylum. The causeway and bridge connecting Peat Island to the mainland have nil archaeological potential.*

Should archaeological resources be present, however, these are assessed as having no significance on the basis that they are unlikely to demonstrate information that would qualify for local or state significance (see Section 4.2 for additional discussion).

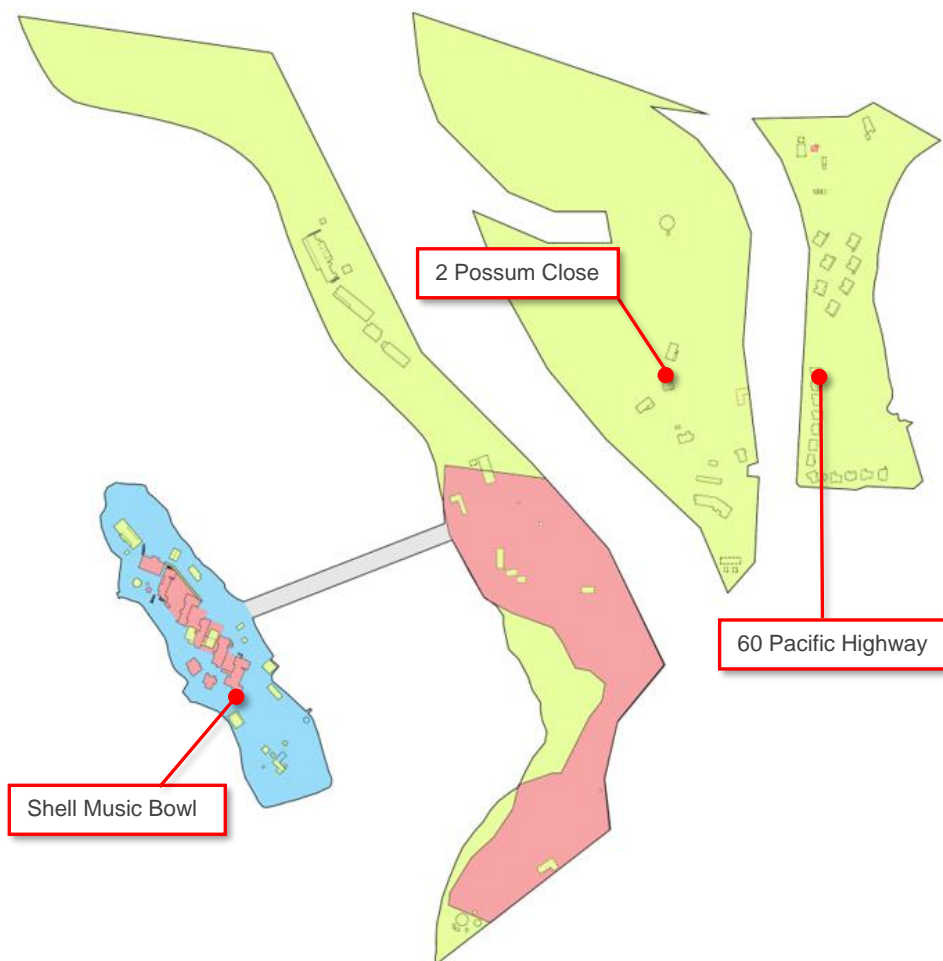
The majority of the proposed remediation and repair works would be confined to the extant structure and would not therefore present a threat to potential archaeology. A noteworthy exception includes the upgrade works to the retaining wall, which would that a services search be undertaken, as well as excavation and demolition.<sup>19</sup> These works would involve disturbance of the ground surface and may therefore result in an impact to potential archaeological resources in this location.

As these potential resources are assessed as having no significance, however, the assessed impact associated with the proposed demolition of the Shell Music Bowl is nil.

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<sup>18</sup> SCIS Property Group, 'Music Bowl Understanding'

<sup>19</sup> SCIS Property Group, 'Retaining Wall Understanding'



## HISTORICAL ARCHAEOLOGICAL POTENTIAL



Figure 32 – CMP map of Peat Island and Mooney Mooney indicating areas of historical archaeological potential with location of proposed demolition indicated.

Source: Urbis 2020 Conservation Management Plan: Former Peat Island Centre, Peat Island and Part Mooney Mooney, p.111

#### 4.3.1.4. Summary

The above assessment has established that:

- The proposed demolition of the dwellings at 2 Possum Close and 60 Pacific Highway would result in no impact to significant historical archaeological resources on the basis that they are located within an area of low archaeological potential.
- The proposed remediation and repair works to the Shell Music Bowl would result in no impact to significant historical archaeological resources. Although the site is located within an area of moderate archaeological potential, potential resources have been assessed as having no significance on the basis that they are unlikely to demonstrate information that would qualify for local or state significance.

Conclusions and recommendations outlined in the following section therefore remain unchanged.

## 5. HERITAGE SIGNIFICANCE

### 5.1. WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place – why it is important and why a statutory listing was made to protect these values.

### 5.2. HERITAGE LISTING

Peat Island (Precinct A) is listed as a heritage item on the DADHC s170 register under the Heritage Act.

Part of Precinct B is identified as an 'George Peat's Inn, Mooney Mooney Point' Archaeological Heritage Item under Schedule 5 of the Central Coast Consolidated LEP 2022. Precinct B is located outside the scope of this report.

Urbis notes that no sections of the former Peat Island Centre are currently listed as a built (European) heritage item under the Central Coast Consolidated LEP 2022 or on the NSW State Heritage Register.

The relationship between the current heritage listings and the subject site is shown below.

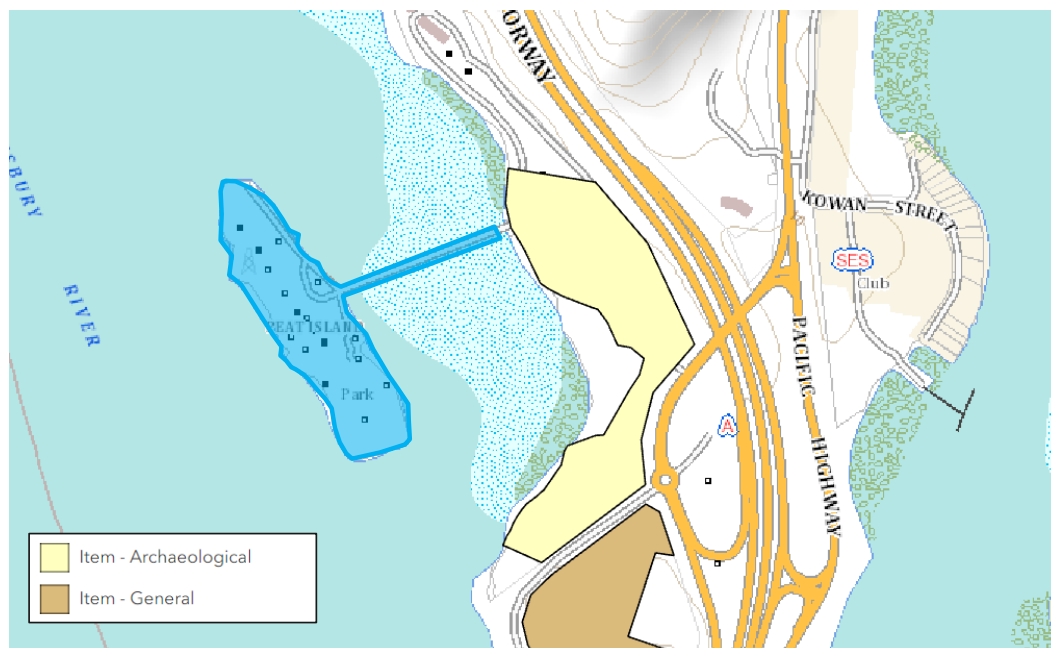


Figure 33 – Detail from heritage mapping of the subject site. The s170 curtilage of the subject site is indicated in blue.

Source: NSW Planning Spatial Viewer

### 5.3. ESTABLISHED STATEMENT OF SIGNIFICANCE

The statement of significance for the former Peat Island Centre, as extracted from the site-specific CMP, is as follows:

*The Peat Island precinct has heritage significance at the state level for its historic, associative, aesthetic, rarity and representative values.*

*The subject site has significance for its historical uses, firstly as a purpose built government institution for the treatment and management of inebriates – a use which was never realised – and its revised use as a government institution for the management and care of mentally ill patients. The development of Peat Island for this institutional facility use demonstrates the changing attitudes towards the care of the mentally ill and addicts in the early twentieth century and the governmental response to management of these people.*

*The existing buildings on the Island dating from c. 1900-1910 demonstrate the early twentieth century architectural response to the development of institutional ward buildings and are associated with Government Architects Walter Liberty Vernon and George McRae. These early buildings are substantially intact despite later minor alterations and directly contribute to the historical and aesthetic values of the place.*

*The development of the institutional facility within a picturesque setting high on a promontory in the Hawkesbury River with unstructured water views, together with the provision of outdoor therapy including swimming pools, playing fields and gardening programs, is representative of the shift in attitudes towards the care of mentally ill patients from the mid nineteenth century onwards. The Peat Island facility, including its location, early buildings and approach to planned landscaping, is representative of the importance of nature, landscaping, fresh air and scenic vistas which underpinned the philosophy regarding the treatment of mentally ill patients.*

*The development of Peat Island as an isolated land body within the Hawkesbury is rare in the context of government built institutional facilities as its isolation and difficult access directly supported the intended use and function of the facility. Other examples of government institutions developed around the same period are all located on the mainland and utilise walls and ha-has to control access and manage patients.*

*Later areas of development along the Mooney Mooney foreshore associated with the operations of the facility have a contributory but overall lower level of significance to the precinct in comparison to the principal Peat Island site. These areas are restricted to ancillary buildings and facilities to support the overall operations of the institution. The Chapel and associated memorial gardens are likely to have a level of significance to the local community and former patients and staff of the institution.*

*Peat Island, the adjacent mainland and associated foreshore areas have been identified as having high Aboriginal cultural heritage value and high potential for Aboriginal archaeology. The precinct contains a number of registered Aboriginal sites including rock engravings and grinding grooves associated with Aboriginal occupation along the Hawkesbury River.<sup>20</sup>*

<sup>20</sup> Urbis. 2020. Former Peat Island Centre Conservation Management Plan. Report prepared for PDNSW.

## 5.4. SIGNIFICANCE OF THE SUBJECT STRUCTURES

Different components of a place may make a different relative contribution to its heritage value. Loss of integrity or condition may diminish significance. The site-specific CMP identified the significance of each structure within the former Peat Island Centre to understand how each structure contributes to the overall significance of the subject site. The relative significance of each subject structure has been extracted from the CMP and assessed below.<sup>21</sup>

The CMP for the Former Peat Island Centre utilised the following definitions for the assessment of significance of built structures within the subject site.

Table 8 – Gradings of significance for the Former Peat Island Centre<sup>22</sup>

Grading	Definition applied in this Assessment of Significance
Exceptional	Rare or outstanding elements that directly contribute to and enhance the overall heritage significance of the place. These elements are the most significant on the site, and are integral to the understanding of the site as a whole. They retain a high degree of integrity and intactness in fabric or use. Any changes must be minimal and retain significant fabric and values.
High	Elements that demonstrate a key aspect of the overall heritage significance of the place. These elements are highly significant as they strongly contribute to the understanding of the site as a whole and are related to the primary institutional use of the place. They may be early modifications, secondary or ancillary elements, which contribute to the significance of the place. These elements have a high degree of intact fabric or they retain their original use. If changes are necessary, they must be minimal and should retain significant fabric and values.
Moderate	Elements that contribute to the overall heritage significance and understanding of the place. They are able to demonstrate the use and function of the place. These elements are generally not original elements or are highly modified. Change is permitted where it will not detract from the significance of the place.
Little	Elements may be difficult to interpret or have been substantially modified, which detract from heritage significance. They may also include sympathetic later additions or modifications which contribute to the overall understanding of the place. Change or removal is allowed so long as it does not adversely affect the overall heritage significance of the element or place.
Neutral	Elements do not contribute to or detract from the overall heritage significance of the place. Change or removal is allowed so long as it does not adversely affect the overall heritage significance of the place.
Intrusive	Elements detract from the overall heritage significance of the place and should be considered for removal.

This table provides the identified significance of the subject structures within the subject site, which are illustrated in the figure below. Urbis notes that the Former Volunteer Rescue Building is graded as being of high significance, however this grading is associated with the original c.1910 fabric only and excludes the timber extension. This timber extension is graded as intrusive, as seen on the figure below.

<sup>21</sup> NSW Heritage Division (2001), Assessing Heritage Significance Guideline, Parramatta, p.11.

<sup>22</sup> Urbis. 2020. Former Peat Island Centre Conservation Management Plan. Report prepared for PDNSW.



Table 9 – Former Peat Island Centre Gradings of Significance – Individual Elements

Element	Date	Grading of Significance
1 Bindaree – former staff quarters	c.1946	Moderate
20 Former Volunteer Rescue Building – garden program building – former original swimming hut / greenhouse / shelter	c.1910	High
32 Caddia Cottage (2 Possum Close)	c.1947-56	Little
40 & 41 Staff Cottages (60 Pacific Highway)	c.1947-56	Little
Music Shelter	C.1947-56	Neutral

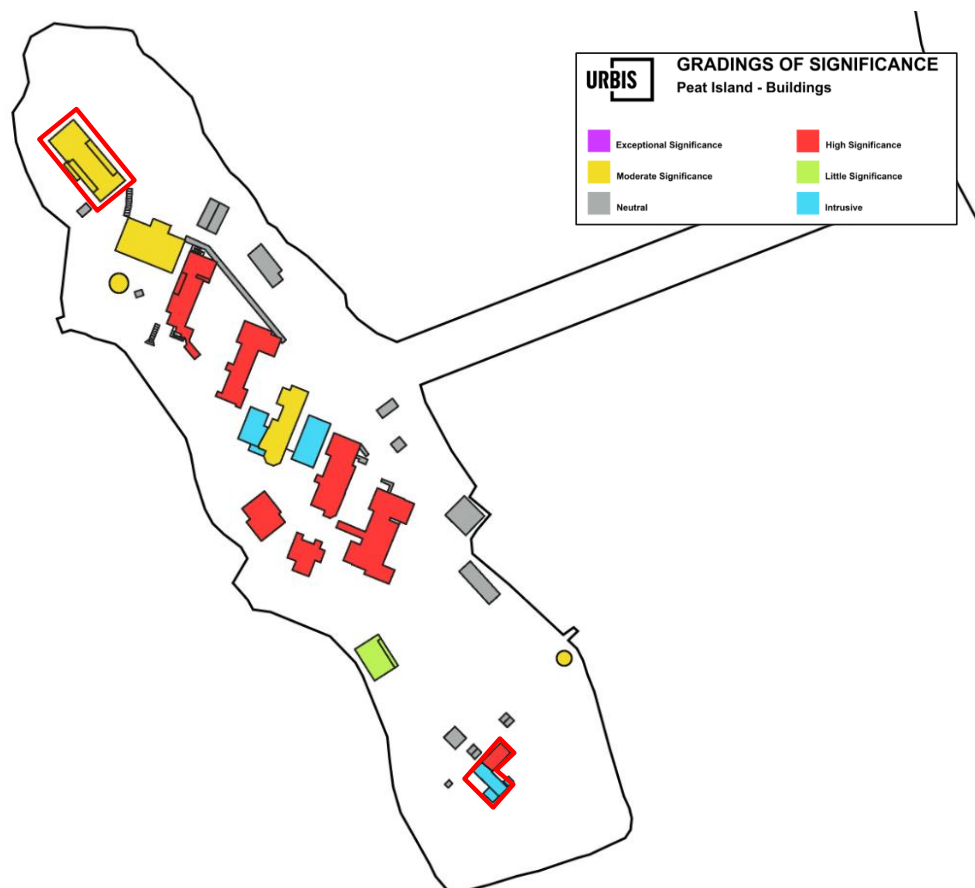


Figure 34 – Detail from heritage mapping of the subject site, with the subject structures outlined in red.

Source: Urbis, Former Peat Island Conservation Management Plan



## GRADINGS OF SIGNIFICANCE

### Peat Island - Buildings

<span style="display: inline-block; width: 15px; height: 15px; background-color: #FF00FF; border: 1px solid black;"></span> Exceptional Significance	<span style="display: inline-block; width: 15px; height: 15px; background-color: #FF0000; border: 1px solid black;"></span> High Significance
<span style="display: inline-block; width: 15px; height: 15px; background-color: #FFFF00; border: 1px solid black;"></span> Moderate Significance	<span style="display: inline-block; width: 15px; height: 15px; background-color: #00FF00; border: 1px solid black;"></span> Little Significance
<span style="display: inline-block; width: 15px; height: 15px; background-color: #808080; border: 1px solid black;"></span> Neutral	<span style="display: inline-block; width: 15px; height: 15px; background-color: #00FFFF; border: 1px solid black;"></span> Intrusive

Figure 35 Close View of Gradings of Significance for buildings within the Peat Island precincts with the subject structures outlined in red

Source: Urbis

## 5.5. SIGNIFICANT VIEWS AND VISTAS

The Former Peat Island Centre CMP contains an analysis of views and vistas of the subject site identified as significant, contributing to the integrity and overall significance of the heritage item.

The CMP did not identify any view corridors that prominently feature the Bindaree building. View 3, identified as the view from the mainland north to Peat Island, does feature the Former Volunteer Rescue Building, with the timber extension of the structure prominently visible due to its blue painted façade. The timber extension is regarded as intrusive fabric which does not contribute to the overall significance of the heritage item. The removal of this item, therefore, would be considered as enhancing the significance of View 3.

The significant views and vistas relevant to this Heritage and Archaeological Impact Statement are shown below.



Figure 36 – Aerial showing significant views. View 3 is marked in red.

Source: Near Map, Urbis markup via Urbis, Former Peat Island Centre Conservation Management Plan.

## 6. IMPACT ASSESSMENT

The potential impact of the proposed works is assessed against the applicable heritage-related statutory planning controls which relate to the site and the proposed development.

### 6.1. STATUTORY CONTROLS

#### 6.1.1. Central Coast Consolidated LEP 2022

The table below provides an assessment of the proposal against the relevant provision for heritage conservation as found in the Central Coast Consolidated LEP 2022.

Table 10 – Assessment against Central Coast Consolidated LEP 2022.

Clause	Discussion
<p><u>(1) Objectives</u></p> <p><i>The objectives of this clause are as follows:</i></p> <p>(a) <i>to conserve the environmental heritage of the Central Coast,</i></p> <p>(b) <i>to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></p> <p>(c) <i>to conserve archaeological sites,</i></p> <p>(d) <i>to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></p>	<p>The proposed works are in line with the objectives set out in the Central Coast Consolidated LEP 2022, as discussed below.</p>
<p><u>(2) Requirement for consent</u></p> <p><i>Development consent is required for any of the following:</i></p> <p>(a) <i>demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</i></p> <p>(i) <i>a heritage item,</i></p> <p>(ii) <i>an Aboriginal object,</i></p> <p>(iii) <i>a building, work, relic or tree within a heritage conservation area.</i></p>	<p>The subject site is not identified as a heritage item under the Central Coast Consolidated LEP 2022. Therefore, Development Consent in relation to heritage is not specifically required as part of the proposal and the proposed works will not be assessed against the development controls within the <i>Central Coast Development Control Plan (DCP) 2022</i>.</p> <p>The Heritage Impact Statement will accompany a Development Application to the Central Coast Council. This HIS will also be submitted to Heritage NSW in accordance with requirements for notification in accordance with the Heritage Act .</p>

## 6.2. FORMER PEAT ISLAND CENTRE CONSERVATION MANAGEMENT PLAN

The proposed works are addressed in relation to relevant policies within the Former Peat Island Conservation Management Plan.

Table 11 – Former Peat Island Centre Conservation Management Plan policies

Policy	Discussion
<p><u>Policy 1</u></p> <p>This conservation management plan should be adopted by present and future owners and occupants of the place, and used as a guide for management and conservation, and in conjunction with any proposals for future development or adaptive re-use of the place.</p>	<p>This Heritage Impact Statement has been prepared to assess the proposal with regard to its potential impact on the Former Peat Island Centre. The Heritage Impact Statement has been prepared to have regard for the CMP and comply with the policies of the Conservation Management Plan for the site regarding demolition and retention of structures onsite with consideration of their current condition and significance.</p>
<u>Is the above policy met?</u>	YES
<p><u>Policy 5</u></p> <p>This CMP should be submitted to Central Coast Council and Heritage NSW, DPC, as part of any application for new development or adaptive re-use proposals. Where appropriate or requested, it should be accompanied by a heritage impact statement that assesses the specific impacts of the proposal against relevant legislation and policies in this CMP.</p>	<p>An assessment of the proposed works against the relevant legislation is included above, with discussion regarding the specific impacts of the proposal against the CMP policies included below.</p> <p>This Heritage Impact Statement should be submitted alongside the Conservation Management Plan as part of the Development Application for the proposal.</p>
<u>Is the above policy met?</u>	YES
<p><u>Policy 6</u></p> <p>Any future proposed changes to the site need to be assessed in accordance with the relevant provisions of the <i>Gosford Local Environment Plan 2014</i> and <i>Gosford Development Control Plan 2013</i> (or the updated applicable instruments), the policies of this Conservation Management Plan, and the <i>NSW Heritage Act 1977</i> as applicable.</p>	<p>Urbis notes that the instruments included in this policy have been superseded by the Central Coast Consolidated LEP and DCP 2022 as of August 2022.</p> <p>This policy is a result of the CMP's recommendation to list the subject site as a heritage item under Part 1, Schedule 5 of the relevant local planning instrument. As of October 2022, this listing has not been gazetted; therefore, the provisions of the Central Coast Consolidated DCP 2022 are not relevant to the approval of the proposal.</p> <p>A discussion regarding the specific impacts of the proposal against the CMP policies is included below.</p>
<u>Is the above policy met?</u>	YES
<p><u>Policy 7</u></p> <p>This CMP should be submitted to the Central Coast Council and Heritage NSW, DPC as part of any application for new development proposals. Where</p>	<p>As above, an assessment of the proposed works against the relevant legislation is included above, with discussion regarding the specific impacts of the proposal against the CMP policies included below.</p>

Policy	Discussion
appropriate or requested, it should be accompanied by a heritage impact statement that assesses the specific impacts of the proposal against relevant legislation and policies in this CMP.	This Heritage Impact Statement will be submitted alongside the Conservation Management Plan as part of the Development Application for the proposal.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 10</u></p> <p>The Statement of Significance set out in this report is to be accepted as the basis for future conservation of the fabric and values of the place. All future works to the place should be cognisant of the significant built elements, fabric, spaces, views, landscape and archaeological resource identified in this CMP, together with any additional detailed research and assessment.</p>	<p>The demolition works to the Bindaree Building and the non-significant, intrusive extension of the Former Volunteer Rescue Building have been proposed as a result of extensive consultation with the client, structural engineers, hazardous materials experts and the Urbis heritage team, who have prepared detailed reports on the condition of both structures. The significance of each structure, and how they contribute individually to the overall significance of the subject site as described in the Former Peat Island Centre CMP Statement of Significance have been considered against requirements for safe present and future use of the site. The financial costs of remediation of both structures have also been considered, with emergency maintenance to address the structural issues alone being considered prohibitive.</p> <p>The structures proposed to be demolished comprise of mid to late twentieth century additions, with the Bindaree Building identified in the CMP as being of moderate significance and the extension of the Former Volunteer Rescue Building identified in the CMP as being intrusive.</p> <p>The aspects of the structures proposed for demolition are in very poor condition and contain hazardous materials such as asbestos, with both structures posing possible safety risks if retained. The removal of these structures, therefore, would not adversely impact the significance of the site while improving safety outcomes.</p> <p>The significant fabric of the former Volunteer Rescue building is retained and will be secured in accordance with the minimum standards of maintenance and repair, to enable future adaptive reuse and conservation as part of future site master planning. Proposed demolition of the rear addition is appropriate having regard for its grading as intrusive.</p> <p>Bindaree is assessed to be of moderate significance and forms part of the mi-20<sup>th</sup> century expansion and the In the use of Peat Island for the treatment of male juvenile patients, with developmentally disabled patients of school age. Although Bindaree is of moderate significance and makes a contribution to Peat Island as a whole, its proposed demolition is supported having regard for its poor condition.</p>



Policy	Discussion
	<p>The music shell was constructed in the 1950s as a miniature version of those music amphitheatres often constructed in landscaped settings. While representative of therapeutic activities associated with the former Centre, this element is not considered to provide a substantial contribution to the heritage significance of the place and has been graded as a 'Neutral' element in the Conservation Management Plan. Its retention and restoration is acceptable from a heritage perspective but is not considered necessary from a heritage perspective.</p> <p>The dwellings at 2 Possum Close and 60 Pacific Highway have been selected for demolition for safety and health reasons. The buildings are in a poor dilapidated state of repair, especially internally, and access is not currently available due to health and safety risks. The buildings have remained vacant for some time and poses a risk to the site.</p> <p>The buildings are identified as being of 'Little' significance, for their broader contribution to the general heritage significance of the place, in their capacity demonstrating the way of life for staff and users of the place over time, constructed as staff living quarters. The Urbis Conservation Management Plan provides policy which permits the demolition of these dwellings if necessary. The demolition of these buildings is not considered to have an adverse impact on the significance of the broader former Peat Island Centre, and will have no impact on elements of High or Exceptional significance.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><b><u>Policy 12</u></b></p> <p>Elements of high significance have a high degree of original fabric; they demonstrate a key aspect of the place's overall heritage significance and must be retained and conserved; retention should be considered in-situ; minor change is allowed so long as significant values and fabric are retained and conserved.</p>	<p>The subject structures at the Former Peat Island Centre were assessed for their significance and condition as part of the CMP for the site and further assessed by structural engineers, hazardous materials experts and the Urbis heritage team during the preparation of this report.</p> <p>The Former Volunteer Rescue Building is assessed to be of high significance while the later 20<sup>th</sup> century weatherboard extension is assessed as intrusive. The aspect of the structure proposed for demolition comprises the timber rear extension constructed post-1960s, identified in the CMP as an intrusive structure which does not contribute to the overall significance of the site. This extension has been identified as being of very poor condition and containing hazardous materials, posing a possible safety risk if retained.</p> <p>The aspects of the building identified as being of high significance, comprising of the c.1910 brick veneer structure, would be retained onsite as part of the proposal. Therefore, the proposed demolition would restore the original form of the</p>

Policy	Discussion
	<p>c.1910 structure while removing intrusive fabric, which is considered a positive heritage outcome for the site.</p> <p>The proposed works comply with the recommendation for elements of high significance onsite.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><b><u>Policy 13</u></b></p> <p>Elements of moderate significance have been altered or modified or do not demonstrate a key aspect of the significance of the place; they contribute to the place's overall heritage significance however change is allowed so long as it does not adversely affect values and fabric of exceptional or high significance.</p>	<p>As discussed above, the subject structures at the Former Peat Island Centre were assessed for their significance and condition as part of the CMP for the site and further assessed by structural engineers, hazardous materials experts and the Urbis heritage team during the preparation of this report.</p> <p>A structure identified as being of moderate significance, the Bindaree building, is proposed to be demolished. This structure comprises a mid-twentieth century addition that has been assessed as being in poor condition and containing substantial amounts of hazardous materials including asbestos. The Bindaree building is also extensively damaged from a termite infestation. The financial costs of remediation of the termite damage, hazardous materials and structural issues to bring the building to habitable standard are prohibitive, with a substantial amount of original material considered hazardous and necessary for removal. Should the building be repaired, it is likely that extensive fabric would be required to be replaced. Reconstruction or repair of the building, therefore, has not been considered as part of the ongoing management of the site.</p> <p>The Bindaree building is located in the northern portion of the island surrounded by structures identified as being of moderate or neutral significance to the Former Peat Island Centre item. The building is located on the lower reclaimed land, with the bulk of the buildings being located on the central ridge above the Bindaree building. The proposed demolition of the building, therefore, would not impact views of the item from within the island or from the mainland or Hawkesbury River. The removal of this structure would not adversely impact the significance of the site as a whole, while improving safety outcomes.</p> <p>Proposed demolition is supported having regard for the buildings very poor and derelict condition. Proposed demolition is mitigated by the recording of the building via an Archival Recording, which has been separately prepared by Urbis.</p>

Policy	Discussion
	The proposed works comply with the recommendation for elements of moderate significance onsite and has regard for the extensive poor condition of the place.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 15</u></p> <p>Intrusive elements are damaging to the place's overall heritage significance; they should be considered for removal or alteration.</p>	<p>As discussed above, the subject structures at the Former Peat Island Centre were assessed for their significance and condition as part of the CMP for the site and further assessed by structural engineers, hazardous materials experts and the Urbis heritage team during the preparation of this report.</p> <p>The timber extension of the c.1910 Former Volunteer Rescue Building was identified as being intrusive, damaging the heritage significance of the structure itself and the subject site. Furthermore, the extension has been assessed as being of very poor condition and containing hazardous materials, posing a safety risk to present and future users of the site. The proposed removal of this intrusive extension will restore the original form of the c.1910 Former Volunteer Rescue Building while removing hazardous materials from the site and therefore is considered a positive heritage outcome for the site.</p> <p>The proposed works comply with the recommendation for intrusive elements onsite.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 16</u></p> <p>A suitably qualified heritage consultant/architect should be engaged to guide and provide advice on any proposed works to the subject site.</p>	<p>The Urbis heritage team have been the lead consultants on the project for the Former Peat Island Centre to date, preparing various heritage documentation including the Conservation Management Plan for the site. The proposed works are a result of extensive consultation with Urbis and other qualified experts including Woolacotts Consulting Engineers and Prensa Pty Ltd.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 20</u></p> <p>Intervention for purposes other than conservation of the fabric is to occur in areas of lower rather than higher significance.</p>	<p>The proposed demolition works are occurring in areas of lower significance, with the fabric being demolished identified in the CMP as being of moderate significance to intrusive. The proposed removal of the intrusive extension to the Former Volunteer Rescue Building will restore a building of high significance to its original layout, as well as demolition of a structure in poor condition and containing hazardous materials.</p> <p>The financial costs of remediation of both structures have also been considered, with emergency maintenance to address the</p>

Policy	Discussion
	structural issues alone being considered prohibitive. Reconstruction or repair of the buildings, especially the Bindaree building, is not possible due to the substantial amount of original material considered hazardous and necessary for removal. The fabric cannot be conserved in a meaningful fashion and is appropriate to remove from site.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 21</u></p> <p>Any elements of significance proposed for demolition, removal or alteration, should be subject to archival photographic recording, copies of which should be retained on site and provided to the relevant consent authorities (the local Council and NSW Heritage). This should include photography and / or measured drawings as deemed necessary. Archival recordings should be undertaken in accordance with the former NSW OEH Heritage Division's Guidelines for 'Photographic Recording of Heritage Items Using Film or Digital Capture'.</p>	<p>As part of this preparation of this Development Application, a Photographic Archival Recording of the Bindaree building and Former Volunteer Rescue Building has been undertaken in accordance with the NSW OEH Heritage Division Guidelines for 'Photographic Archival Recording of Heritage Items Using Film or Digital Capture'.</p> <p>This Photographic Archival Recording should be submitted to the Central Coast Council and the NSW Heritage Council as part of the Development Application for the proposal.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 22</u></p> <p>The future conservation and management of the place should be carried out in accordance with the principles of The Burra Charter. The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.</p>	<p>The proposed demolition of the subject structures is intended to facilitate the future conservation and safe management of the Former Peat Island Centre heritage item in accordance with the principles of The Burra Charter. The proposal removes possible safety risks from the site while retaining the original fabric of the Former Volunteer Rescue Building (being the original brick building), a structure of high significance that contributes to the overall significance of the site. The financial costs of remediation of both structures have also been considered, with emergency maintenance to address the structural issues alone being considered prohibitive. Reconstruction or repair of the buildings are not possible due to the substantial amount of original material considered hazardous and necessary for removal. Removal of the Bindaree building also facilitates adaptive reuse and development in accordance with future site master planning.</p> <p>The proposal, therefore, does not adversely affect the cultural significance of the subject site, aligning with the principles and processes of the site-specific CMP and The Burra Charter.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 23</u></p>	<p>The documentation prepared as part of this Development Application has been undertaken by appropriately qualified</p>

<b>Policy</b>	<b>Discussion</b>
All contractors, consultants and project managers engaged to work on the place should have appropriate conservation skills, experience and techniques appropriate to the trade, fabric or services, and should work within the guidelines of this CMP.	specialists in heritage, structural engineering and hazardous materials. The demolition works comply with the guidelines of this CMP, as discussed in detail in this section.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 24</u></p> <p>A heritage impact statement and / or archaeological assessment should be prepared for all proposals for new development within the property. Where relevant, the HIS and/or archaeological assessment should assess impacts on the setting, views, built elements and potential archaeological resource as appropriate.</p>	<p>The Heritage Impact Statement has been prepared to accompany a Development Application to the Central Coast Council, which will also be submitted to Heritage NSW. This statement considers all relevant factors included in this policy, including setting, views and built elements.</p> <p>Urbis notes that no excavation is required as part of the proposal and it is proposed to demolish the structures to ground level only. However, the CMP makes note of possible under-floor deposits in structures onsite; therefore, a Historical Archaeological Assessment of the subject structures has been included in this report as part of the Development Application.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 31</u></p> <p>The results of further analysis and all new evidence uncovered during works to the place should be recorded to provide an on-going resource for reconstruction, repair and maintenance. This should be added to the existing archive on the place or incorporated into a report or addendum to this Conservation Management Plan, as appropriate.</p>	The documentation prepared as part of this proposal, including this Heritage Impact Statement, Photographic Archival Recording, Historical Archaeological Assessment and other specialist reports on the subject structures should be retained by the client as part of the existing archive on the Former Peat Island Centre heritage item.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 33</u></p> <p>All changes to buildings and landscape elements at Peat Island should be carefully recorded in report format and/or incorporated as an addendum to this Conservation Management Plan, as appropriate.</p>	The proposal has been extensively documented during the preparation of this development application, with this Heritage Impact Statement, Photographic Archival Recording, Historical Archaeological Assessment and other specialist reports prepared. As discussed above, these reports should be retained by the client as part of the existing archive on the Former Peat Island Centre heritage item.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 34</u></p> <p>Proposed works within the former Peat Island Centre must be assessed for their potential to impact the heritage significance of the place and/or</p>	This Heritage Impact Statement has been prepared to assess the potential heritage impacts of the proposed demolition works to the Bindaree building and the timber extension of the Former Volunteer Rescue Building to the overall significance

Policy	Discussion
<p>other heritage items and heritage conservation areas in the vicinity.</p>	<p>of the Former Peat Island Centre. The significance of these structures and their contribution to the heritage item has been considered against requirements for safe present and future use of the site.</p> <p>The significance of each structure was assessed in the site-specific CMP, with the former Bindaree building identified as being of moderate significance and the timber extension of the Former Volunteer Rescue Building (itself of high significance) identified as being intrusive. The structures proposed to be demolished comprise of mid to late twentieth century additions in very poor condition and containing hazardous materials. Neither structure was assessed as safe for occupation or future use with both structures posing possible safety risks if retained. The financial costs of remediation of both structures is prohibitive, while meaningful reconstruction or repair of the buildings not possible due to the substantial amount of original material considered hazardous and necessary for removal.</p> <p>Proposed removal of the intrusive addition to the former Volunteers Rescue building has a positive heritage impact. The removal of this structures, therefore, would not adversely impact the significance of the site while improving safety outcomes.</p> <p>While Bindaree has some heritage value (moderate significance) and makes some contribution to the collective site values, its meaningful restoration is not considered feasible, and demolition is supported on that basis.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><b><u>Policy 36</u></b></p> <p>Buildings and elements of Exceptional and High significance should be retained and conserved where possible. Modification may be permissible subject to heritage assessment and must be subject to a detailed archival recording.</p>	<p>The aspect of the Former Volunteer Rescue Building proposed for demolition comprises the post-1960s timber rear extension, identified in the CMP as an intrusive structure which does not contribute to the overall significance of the site.</p> <p>The proposed demolition would restore the original form of the c.1910 structure, a structure of high significance, while removing intrusive fabric and is regarded as a positive heritage outcome. The removal of this extension mitigates possible safety risks for the site and supports the ongoing management of the site.</p> <p>A Photographic Archival Recording of the Former Volunteer Rescue Building has been undertaken in accordance with the NSW OEH Heritage Division Guidelines for 'Photographic Archival Recording of Heritage Items Using Film or Digital Capture'.</p>



Policy	Discussion
	Following demolition of the rear wing, the building will be secured in accordance with the minimum standards of maintenance and repair, to enable future adaptive reuse and conservation as part of future site master planning.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 38</u></p> <p>Buildings and elements of Moderate or Little significance, or those graded as Neutral, may be altered or removed as required to support the conservation of buildings and elements of Exceptional and High significance and the former Peat Island Centre overall, subject to heritage assessment and archival recording.</p>	<p>The Bindaree building, a mid-twentieth century addition of moderate significance, is proposed to be demolished. The removal of this building mitigates possible safety risks for the site and supports the ongoing management of the site.</p> <p>A Photographic Archival Recording of the Bindaree building has been undertaken in accordance with the NSW OEH Heritage Division Guidelines for 'Photographic Archival Recording of Heritage Items Using Film or Digital Capture'.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 40</u></p> <p>All major changes and any demolition of buildings or elements identified as Exceptional, High, Moderate or Little significance in the CMP, must be subject to an archival recording. Copies of a photographic archival recording should be retained on site and issued to Central Coast Council, the consent authorities. This should include photography and / or measured drawings as deemed necessary. Archival recordings should be undertaken in accordance with Heritage NSW's (former Heritage Division of Office and Environment and Heritage) Guidelines for 'Photographic Recording of Heritage Items Using Film or Digital Capture'.</p>	<p>The proposal includes the demolition of the Bindaree building, a structure identified as being of moderate significance in the CMP, and the timber extension of the Former Volunteer Rescue Building, a structure identified as being intrusive in the CMP.</p> <p>As part of this preparation of this Development Application, a Photographic Archival Recording of the Bindaree building and Former Volunteer Rescue Building has been undertaken in accordance with the NSW OEH Heritage Division Guidelines for 'Photographic Archival Recording of Heritage Items Using Film or Digital Capture'.</p> <p>This Photographic Archival Recording should be submitted to the Central Coast Council and the NSW Heritage Council as part of the Development Application for the proposal. Additionally, the Photographic Archival Recording and other documentation prepared for the proposal will be retained by the client as part of the existing archive for the Former Peat Island Centre.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 74</u></p> <p>The physical condition and integrity of significant components must be monitored on a regular and ongoing basis to document physical deterioration and identify urgent repairs.</p>	<p>The proposed works are a result of extensive consultation between the client, Urbis and qualified experts including Woolacotts Consulting Engineers and Prensa Pty Ltd. Detailed assessments of the structural condition of the subject structures were undertaken by Woolacotts Consulting Engineers, which identified the structures as being in very poor condition and unsafe for occupation. The Bindaree building in particular was noted as extensively damaged from</p>

Policy	Discussion
	a termite infestation. A detailed assessment of the hazardous materials contained within the subject structures by Prensa Pty Ltd noted non-friable asbestos, lead containing paint and synthetic mineral fibre materials. Therefore, these structures and the hazardous materials contained wherein are suitable for demolition to mitigate safety risks for site users.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<u>Policy 79</u>  An experienced heritage consultant/architect should be engaged to guide and provide advice on any proposed works to Peat Island.	The Urbis heritage team have been the lead consultants on the project for the Former Peat Island Centre to date, preparing various heritage documentation including the Conservation Management Plan for the site.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<u>Policy 100</u>  Retain, conserve and interpret significant historical, functional and visual relationships between buildings and structures and within their immediate and wider settings.	<p>The proposed demolition works would not adversely impact the significant historical, functional or visual relationships between the Bindaree building and its setting. The Bindaree building is surrounded by structures identified as being of moderate or neutral significance to the Former Peat Island Centre item and is located on the lower northern section of the Island, on reclaimed land. Though visible from the Hawkesbury River, the structure is not identified as a significant view corridor in the CMP. The proposed demolition of the building, therefore, would not impact views of the item from within the island or from the mainland or Hawkesbury River.</p> <p>The proposed demolition works would not adversely impact the significant historical, functional or visual relationships between the Former Volunteer Rescue Building and its setting. The removal of the intrusive timber extension would restore the original layout of the c.1910 building, identified as being of high significance and contributing to the overall significance of the heritage item. The CMP identified the view from the mainland north to Peat Island as significant (V3) with the timber extension of the structure prominently visible due to its blue painted façade. The timber extension is regarded as intrusive fabric. The removal of this item, therefore, would be considered as enhancing the significance of View 3 and the setting of the Former Volunteer Rescue Building.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<u>Policy 101</u>  Proposals should incorporate opportunities to address the adverse impacts of inappropriate	The proposal involves the removal of an intrusive aspect of the highly significant Former Volunteer Rescue Building, addressing the adverse impact of intrusive fabric that is in poor condition and contains hazardous materials. The demolition of

Policy	Discussion
development including buildings and structures, car parking, services, poorly located plantings and inappropriate use of materials. The location of new buildings and structures or plantings should also be carefully considered to avoid adverse visual and landscape setting impacts.	this structure, therefore, is considered a positive outcome for heritage.
<b><u>Is the above policy met?</u></b>	<b>YES</b>
<p><u>Policy 110</u></p> <p>Prior to undertaking any demolition of buildings or excavation works as part of future development within the former Peat Island Centre, a detailed Historical Archaeological Assessment (HAA) should be prepared by a qualified archaeologist. This will further inform an understanding of the historical archaeological potential of the site, particularly in relation to the potential for underfloor deposits in the extant buildings. The HAA should also assess the significance of any identified archaeological resource and identify mitigation measures to appropriately manage and interpret the potential archaeological resource.</p>	<p>As previously discussed, Urbis notes that no excavation is required as part of the proposal. The structures proposed for demolition are built on brick piers and demolition is proposed to ground level only.</p> <p>However, the CMP makes note of possible under-floor deposits in structures onsite. An archaeological assessment of the timber extension of the Former Volunteer Rescue Building and the Bindaree building has been in this report as part of the Development Application.</p>
<b><u>Is the above policy met?</u></b>	<b>YES</b>

### 6.3. HERITAGE DIVISION GUIDELINES

The proposed works are addressed in relation to relevant questions posed in the Heritage Division's 'Statement of Heritage Impact' guidelines.

Table 12 – Heritage Division Guidelines

Clause	Discussion
The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:	<p>The proposed works comprise the demolition of the intrusive timber extension of the Former Volunteer Rescue Building and the Bindaree building, a structure of moderate significance on the Former Peat Island Centre. The subject site is listed on the DADHC s170 register under the Heritage Act.</p> <p>Both structures have been assessed as being in very poor condition and unsafe for occupation, with hazardous materials requiring the removal of substantial amounts of material from each structure, such that meaningful restoration is not feasible. The proposed demolition works, therefore, would facilitate the safe present and future management of the site, removing substantial safety risks to site users.</p>

Clause	Discussion
	<p>The proposal complies with the policies of the Conservation Management Plan for the site regarding demolition and retention of structures onsite with consideration of their current condition and significance. The proposed works are a response to the identified poor condition of the subject structures, removing hazardous materials present within the fabric from the site. The removal of the intrusive post-1960s extension of the Former Volunteer Rescue Building would also restore the original layout of the c.1910 building and improve significant views of the southern portion of Peat Island, regarded as a positive outcome for heritage.</p> <p>The proposed works are a design response to the assessed significance and condition of the subject structures would not result in an adverse impact to the significance of the heritage item.</p>
<p><b>Demolition of a building or structure</b></p> <ul style="list-style-type: none"> <li>▪ Have all options for retention and adaptive re-use been explored?</li> <li>▪ Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?</li> <li>▪ Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible?</li> <li>▪ Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not?</li> </ul>	<p>The proposal has been carefully designed to align with the current safety requirements and future needs of the site while responding to the overall significance of the Former Peat Island Centre.</p> <p>All viable options for retention, reconstruction or repair of the structures have been explored by the client in consultation with Urbis, Woolacotts Consulting Engineers and Presta Pty Ltd with the significance, condition and structural health of the built forms onsite assessed in the Conservation Management Plan and specialist reports. As well as being prohibitive in terms of cost, the remediation of the structures would require substantial amounts of original fabric containing hazardous materials to be removed from the subject site, further degrading the significance of the structures, and making meaningful restoration unlikely. The structures are regarded as a safety hazard onsite with demolition the most appropriate option from a safety and heritage perspective.</p> <p>The structures that have been selected for demolition are a direct response to these assessments and comply with the recommendations of the reports and site-specific local and State legislation.</p>

## 7. RESPONSE TO RFI COMMENTS

A request for information (RFI) was received from Central Coast Council on 16 August 2023. The heritage related issues raised and our responses are included in the table below.

Table 13 Responses to heritage related RFI comments

RFI comment	Urbis response
3 The map of the area covered by the s170 Register listing needs to be included in the HAIS and the HAIS is to be updated to include assessment of these areas, addressing all the works proposed within the development application. The current HAIS pertains to a previous planning proposal which encompasses a much larger scope of works. An amended HAIS is required that details how the current demolition and remediation/rectification works will impact the heritage significance of the site.	<p>The Urbis HAIS was prepared on the basis that the scope of works were confined to the Island itself, however the scope of works was expanded to include demolition of additional structures on the mainland before lodgement, and Urbis were not engaged to provide an updated assessment for these additional works.</p> <p>Following receipt of the RFI, Urbis has been engaged to update the assessment in this HAIS in relation to the additional works, being demolition of two dwellings and remediation works to the music shell. The updated archaeological assessment is included at Sections 4.3 of this report.</p> <p>Further, no 'map' of the Peat Island Centre s.170 heritage listing boundary has ever been found. However the description of the listing included on the NSW State Heritage Inventory record for the place discusses the broader Centre including areas on the mainland – this description informed the extent of the Urbis Conservation Management Plan for the Former Peat Island Centre, which extended across the mainland to the north of the Island. We understand that Council also have not found a 'map' of the listed area.</p> <p>In addition, the HAIS lodged with the original application was specific to the proposed demolition works on the Island, and did not relate to a Planning Proposal. We assume this comment is a mistake confusing this current application with a previous, separate Planning Proposal application pertaining to the site.</p>
4 A more detailed scope of work is required for the removal of the intrusive part of the Ex-Rescue Building and Shell Music Bowl.	<p>A scope of works prepared by SCIS has been included at Appendix B in relation to the shell music bowl. The shell music bowl is in a poor state of repair with concrete spalling evident. The intent is to remediate this structure, including demolition where necessary and reconstruction to match existing configuration with like for like materials.</p> <p>The music shell was constructed in the 1950s as a miniature version of those music amphitheatres</p>

RFI comment	Urbis response
	<p>often constructed in landscaped settings. While representative of therapeutic activities associated with the former Centre, this element is not considered to provide a substantial contribution to the heritage significance of the place and has been graded as a 'Neutral' element in the Conservation Management Plan. Its retention and restoration is acceptable from a heritage perspective but is not considered necessary from a heritage perspective.</p>
<p>5 The provided Scope of Works states that the proposed works for Building 18 – the Ex-Rescue Building assume that the external wall of the brick building (to be retained) is enclosed within the building addition. Confirmation is required as to whether all external walls of the building to be retained exist as the Scope of Works is based.</p>	<p>We understand that all original masonry walls associated with the Ex-Rescue building will be retained, and only intrusive later enclosing fabric will be removed. The building is currently unsafe for access and we have not been able to ascertain the full extent of the original building form. Urbis will be available during construction works for advice as required.</p>
<p><b>Shell Music Bowl</b></p> <p>6 The HAIS does not discuss the proposed works to the Music Bowl. Whilst the scope of works refers to the Structural Engineer's report for this information, council does not have this document to refer to. Further information is required in relation to the following:</p> <ul style="list-style-type: none"> <li>• A detailed scope of work and methodology for works proposed to the Music Bowl</li> <li>• Confirmation as to whether the concrete roof is to be replaced or not. Concern is raised if the restoration of the roof structure is not included in the "repair" works.</li> <li>• An assessment of the impacts of any/all works proposed to the music bowl should be provided in an updated HAIS.</li> </ul>	<p>See above comments regarding the shell music bowl. A scope of works prepared by SCIS has been included at Appendix B in relation to the shell music bowl. The shell music bowl is in a poor state of repair with concrete spalling evident. The intent is to remediate this structure, including demolition where necessary and reconstruction to match existing configuration with like for like materials.</p> <p>The music shell was constructed in the 1950s as a miniature version of those music amphitheatres often constructed in landscaped settings. While representative of therapeutic activities associated with the former Centre, this element is not considered to provide a substantial contribution to the heritage significance of the place and has been graded as a 'Neutral' element in the Conservation Management Plan. Its retention and restoration is acceptable from a heritage perspective but is not considered necessary from a heritage perspective.</p>
<p><b>Demolition of 2 Possum Close Mooney Mooney</b></p> <p>7 There is no discussion on this building in the HAIS. Furthermore, justification should be provided as to why this building, and not the other two buildings surrounding it, has been identified for demolition.</p>	<p>A description of this building has been included at Section 2 of this report. Additional information has been included in Appendix D and Appendix E.</p> <p>This building has been selected for demolition for safety and health reasons. The building is in a poor dilapidated state of repair, especially internally, and access is not currently available due to the health and safety risks posed by black mould and</p>



RFI comment	Urbis response
	<p>deteriorated fabric. The building has remained vacant for some time and poses a risk to the site.</p> <p>The building is identified as being of 'Little' significance, for its broader contribution to the general heritage significance of the place, in its capacity demonstrating the way of life for staff and users of the place over time, as it was constructed as staff living quarters. The Urbis Conservation Management Plan provides policy which permits the demolition of these dwellings if necessary. The dwelling at 2 Possum Close is the only one of three basic dwellings within the Chapel Precinct identified for demolition, and therefore the remaining dwellings will be able to provide an understanding of this phase of development.</p> <p>The demolition of this building is not considered to have an adverse impact on the significance of the broader former Peat Island Centre, and has no impact on elements of High or Exceptional significance.</p>
<p><b>Demolition of 60 Pacific Highway Mooney Mooney</b></p> <p>8 There is no discussion of this building in the HAIS, and the demolition of this dwelling house has not been assessed in the HAIS. Discussion as to why only one of these buildings has been singled out for demolition but not any others.</p> <p>It is considered that there is significance in the collective row of these dwellings as opposed to the significance they display as individual buildings. These buildings are important as evidence of the workers living on site and their important connection to the Island. This has not been assessed in the HAIS.</p>	<p>A description of this building has been included at Section 2 of this report. Additional information has been included in Appendix F.</p> <p>This building has been selected for demolition for safety and health reasons. The building is in a poor dilapidated state of repair, especially internally, and access is not currently available due to health and safety risks. The building has remained vacant for some time and poses a risk to the site.</p> <p>The building is identified as being of 'Little' significance, for its broader contribution to the general heritage significance of the place, in its capacity demonstrating the way of life for staff and users of the place over time, as it was constructed as staff living quarters. The Urbis Conservation Management Plan provides policy which permits the demolition of these dwellings if necessary. The dwelling at 60 Pacific Highway is one of numerous basic dwellings within the Residential Precinct, and is the only one identified for demolition, and therefore the remaining dwellings will be able to provide an understanding of this phase of development.</p> <p>The demolition of this building is not considered to have an adverse impact on the significance of the</p>

RFI comment	Urbis response
	broader former Peat Island Centre, and has no impact on elements of High or Exceptional significance.
9 It is also noted that these dwelling houses appear to be a form of affordable housing. The demolition of No. 60 has not been accompanied by a Social Impact Assessment or similar document, to address how the demolition of this dwelling may impact affordable housing for the area and displacement of residents.	The dwellings are not utilised for affordable housing and have remained vacant for an extended period.

## 8. CONCLUSION AND RECOMMENDATIONS

This Heritage and Archaeological Impact Statement has been prepared to determine the potential heritage impact of the proposed demolition works on the Former Peat Island Centre, a heritage item listed on the Department of Ageing, Disability and Home Care Section 170 Heritage and Conservation Register.

Given that the subject site is listed on the (DADHC s170 register) under the *NSW Heritage Act 1977*, Heritage NSW is required to be notified 14 days prior to undertaking any demolition. An assessment of the proposed works under the Heritage Division Guidelines and the relevant policies of the Former Peat Island Centre Conservation Management Plan has been undertaken in Section 6.2 of this report.

Urbis have determined that the proposed works would not result in adverse impacts to the heritage significance of the subject site and thus are considered acceptable from a heritage perspective.

Key aspects of the proposal are as follows:

- The proposed works comprise the demolition of the Bindaree building and the post-1960s timber extension of the Former Volunteer Rescue Building, identified as being of moderate significance and intrusive respectively in the Former Peat Island Centre Conservation Management Plan.
- The subject structures have been assessed by Woolacotts Consulting Engineers as being in poor condition and unsafe for occupation, with extensive structural issues present in both structures. Hazardous materials, including non-friable asbestos and lead containing paint have been identified within the subject structures by Prensa Pty Ltd. The retention of both structures, therefore, poses a health and safety risk for site users that must be addressed for successful future management of the site.
- The proposed works have been assessed as being compliant with the statutory requirements for the s170 listed site. The proposed works also comply with the approved heritage and planning documents for the site, including the Conservation Management Plan.
- All viable options for retention and remediation of these structures have been assessed by the client in consultation with Urbis and the relevant experts. As well as being prohibitive in terms of cost, the remediation of the structures would require the removal of substantial amounts of original fabric containing hazardous materials, such that meaningful restoration is not likely to be feasible. The structures are regarded as a safety hazard with demolition the most appropriate option from a safety and heritage perspective.
- The aspect of the Former Volunteer Rescue Building proposed for demolition comprises the timber rear extension constructed post-1960s and identified in the CMP as an intrusive structure which does not contribute to the overall significance of the site. This extension has been identified as being of very poor condition and containing hazardous materials, posing a possible safety risk if retained. The fabric of the c.1910 brick veneer structure, identified as being of high significance, would be retained in situ as part of the proposal. Therefore, the proposed demolition would restore the original form of the c.1910 structure while removing intrusive fabric, which is considered a positive heritage outcome. The structure will be secured in accordance with the minimum standards of maintenance and repair, to enable future adaptive reuse and conservation as part of future site master planning.
- The Bindaree building proposed for demolition comprises a mid-twentieth century addition that has been assessed as being in poor condition and containing substantial amounts of hazardous materials including asbestos. The Bindaree building is also extensively damaged from a termite infestation. While Bindaree has some heritage value (moderate significance) and makes some contribution to the collective site values, its meaningful restoration is not considered feasible, and demolition is supported on that basis.
- The music shell was constructed in the 1950s as a miniature version of those music amphitheatres often constructed in landscaped settings. While representative of therapeutic activities associated with the former Centre, this element is not considered to provide a substantial contribution to the heritage significance of the place and has been graded as a 'Neutral' element in the Conservation Management Plan. Its retention and restoration is acceptable from a heritage perspective but is not considered necessary from a heritage perspective.
- The dwellings at 2 Possum Close and 60 Pacific Highway have been selected for demolition for safety and health reasons. The buildings are in a poor dilapidated state of repair, especially internally, and access is not currently available due to health and safety risks. The buildings have remained vacant for some time and poses a risk to the site.

- The buildings are identified as being of 'Little' significance, for their broader contribution to the general heritage significance of the place, in their capacity demonstrating the way of life for staff and users of the place over time, constructed as staff living quarters. The Urbis Conservation Management Plan provides policy which permits the demolition of these dwellings if necessary. The demolition of these buildings is not considered to have an adverse impact on the significance of the broader former Peat Island Centre, and will have no impact on elements of High or Exceptional significance.
- The proposed demolition works would not adversely impact the significant views and vistas identified in the CMP, as follows:
  - The removal of the intrusive timber extension would restore the original layout of the c.1910 building, identified as being of high significance and contributing to the overall significance of the heritage item. The CMP identified the view from the mainland north to Peat Island as significant (V3) with the timber extension of the structure prominently visible due to its blue painted façade. The timber extension is regarded as a piece of intrusive fabric. The removal of this item, therefore, would be considered as enhancing the significance of View 3 and the setting of the Former Volunteer Rescue Building.
  - The Bindaree building is surrounded by structures identified as being of moderate or neutral significance to the Former Peat Island Centre item. Though visible from the Hawkesbury River, the structure is not identified as a significant view corridor in the CMP. The proposed demolition of the building, therefore, would not impact views of the item from within the island or from the mainland or Hawkesbury River.
- Urbis notes that no excavation is required as part of the proposal. However, the CMP makes note of possible under-floor deposits in structures onsite; therefore, a Historical Archaeological Assessment of the subject structures has been prepared and submitted alongside this report as part of the Development Application.
- As part of this preparation of this Development Application, a Photographic Archival Recording of the Bindaree building and Former Volunteer Rescue Building has been undertaken in accordance with the NSW OEH Heritage Division Guidelines for 'Photographic Archival Recording of Heritage Items Using Film or Digital Capture'.
- The assessment of archaeological potential found there was generally low potential for historical archaeological resources associated with the earlier phases of the site including general discard items and artefactual deposits to be retained within the subject sites due to later disturbance. There is high potential for archaeological resources associated with the later phases of the site including general discard items and structural remains to be retained on the site due to the buildings remaining extant.
- If any historical archaeological resources associated with the earlier phases of the sites history are found, they would not be considered to have significance at a local or state level.
- The historical archaeological resources of 20<sup>th</sup> Century structural remains and general discard items are also unlikely to contain information that would render them significant at a local or state level.

For the reasons above, this project is recommended for approval from a heritage perspective.

## RECOMMENDATIONS

Urbis recommends the following actions be undertaken to mitigate risk to the project:

### Recommendation 1 – Retain Documentation

The documentation prepared as part of this proposal, including this Heritage and Archaeological Impact Statement, Photographic Archival Recording, Historical Archaeological Assessment and other specialist reports on the subject structures should be retained by the client as part of the existing archive on the Former Peat Island Centre heritage item.

### Recommendation 2 – Heritage Interpretation

The Bindaree building and its role in the history of the Former Peat Island Centre should form part of future heritage interpretation of the site.

### **Recommendation 3 – Unexpected Finds Procedure**

If any archaeological deposits or features are unexpectedly discovered during any site works, an unexpected finds procedure must be implemented and the following steps carried out:

- All works within the vicinity of the find must immediately stop. The find must not be moved 'out of the way' without assessment. The find must be cordoned-off and signage installed to avoid accidental impact.
- The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
- The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and notification to Heritage NSW of the discovery of the find in accordance with S146 of the Heritage Act 1977.
- Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.
- Reporting may need to be prepared regarding the find and approved management strategies.
- Works in the vicinity of the find would only recommence upon receipt of approval from Heritage NSW.

### **Recommendation 4 – Part Demolition of the former Volunteer Rescue Building**

The following is provided as a process for the removal of the weatherboard addition to the former Volunteer Rescue Building:

- The following recommendations assume the original external wall is enclosed within the later addition. Contractor to advise Urbis and client if this is not the case.
- Contractor to carefully remove the weatherboard addition to the former Volunteer Rescue Building, noting that the original building and the addition are highly likely to contain asbestos containing materials (ACMs).
- Contractor to retain the existing partition wall between the original and later volumes. If this wall requires an internal lining, the contractor is to provide such.
- Contractor to ensure that the roof appropriately covers the new external wall and provide or continue rainwater goods (e.g. guttering and downpipes, appropriately connected) and eaves/ soffit as appropriate.
- Contractor to make good any damage, openings or perforations in the partition (now external) wall and ensure that the wall and roof are weatherproof and insect proof.
- We assume that the flooring is continuous to the external walls of the original volume. Contractor to inspect and ensure there are no openings allowing animals or insects to enter.

## 9. BIBLIOGRAPHY AND REFERENCES

### 9.1. BIBLIOGRAPHY

#### Newspapers and Periodicals

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[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]



## 10. DISCLAIMER

This report is dated 3 October 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of dsds (**Instructing Party**) for the purpose of Heritage and Archaeological Impact Statement (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

## **APPENDIX A**

## **DEMOLITION AND ASBESTOS METHODOLOGY**



## **Demolition & Asbestos Methodology**

### **PPE Requirements**

The following PPE requirements are mandated by the specific codes and regulations of Australia and NSW:

Safety helmet/hard hat compliant with AS/NZS 1801:2019 (Australian/New Zealand Standard) must be worn when working under structures to be demolished.

Safety footwear complying with AS/NZS 2210.3 (Australian/New Zealand Standard) is mandatory.

Eye protection/safety glasses meeting the requirements of AS/NZS 1337.1 (Australian/New Zealand Standard) must be worn.

Leather gauntlets are necessary for OXY-cutting activities, where applicable, in adherence to AS/NZS 2161.3 (Australian/New Zealand Standard).

Harnesses/fall arrest systems conforming to AS/NZS 1891.4 (Australian/New Zealand Standard) are to be used when working at heights.

Hi-Vis vests compliant with AS/NZS 4602.1 (Australian/New Zealand Standard) should be worn.

Hearing protection in accordance with AS/NZS 1270 (Australian/New Zealand Standard) should be used when necessary to control noise exposure.

### **Demolition Method**

The demolition activities will be conducted in full compliance with Australian and NSW laws, regulations, and guidelines, including the management of hazardous materials such as asbestos. The following methodology outlines the safe removal of various materials, as well as the control of site runoff during hazmat removal, in accordance with the relevant codes and regulations:

#### **Roof Removal**

The removal of roof sheets will be carried out in accordance with the approved removal control plan, complying with the requirements of the Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace (2018). The sheets will be carefully unscrewed and loaded onto trucks for transportation to an EPA-licensed waste facility. Measures will be implemented to control site runoff during this process, including the use of appropriate containment systems or sediment control barriers, as outlined in the NSW Environment Protection Authority (EPA) guidelines.

#### **Insulation**

The removal of insulation will be coordinated with the removal of roof sheeting and internal wall panels, following the guidelines outlined in the Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace. All materials will be deposited at an EPA-approved waste station, adhering to the requirements of the NSW Work Health and Safety



Regulation 2017. Site runoff control measures, such as the use of containment systems and sediment traps, will be implemented during this process to prevent the release of hazardous materials.

#### **Removal of All Floor Coverings and Fixtures**

Small machines and hand tools will be used to remove floor coverings and loose materials, following the guidelines of the NSW Work Health and Safety Regulation 2017. These materials will be transferred to a designated load-out area for loading and transportation to an EPA-licensed waste station. Site runoff control measures, including the use of appropriate containment systems or sediment barriers, will be employed to prevent the release of hazardous substances and control site runoff during the removal process, aligning with the NSW EPA guidelines for hazardous waste management.

#### **Removal of Glass Windows Glass**

windows will be removed by hand whenever practical, ensuring the safety of employees and following the guidelines of the NSW Work Health and Safety Regulation 2017. In cases where removal by hand poses a risk, such as potential glass breakage, an excavator will be utilized during the demolition operation. Adequate site runoff control measures, such as the use of containment systems or sediment control barriers, will be employed during the removal of glass windows to capture any debris or runoff, as specified in the NSW EPA guidelines.

#### **Walls and Ceilings (Bonded Asbestos)**

The removal of walls and ceilings containing bonded asbestos will be conducted from a mobile scaffolding or scissor lift, if required, and in compliance with the Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace. The materials will be manually removed in as large sections as possible and placed in plastic-lined trucks. The joints will be taped and sealed to prevent the release of asbestos fibres. The materials will be transported to an approved EPA waste station, complying with the NSW Work Health and Safety Regulation 2017 and the NSW Protection of the Environment Operations (Waste) Regulation 2014. Site runoff control measures, including the use of appropriate containment systems or sediment control barriers, will be implemented during the removal of bonded asbestos to prevent the release of hazardous substances.

#### **Roof and Ceiling Framework**

The dismantling of the roof and ceiling framework will be carried out manually whenever practical, following the guidelines of the NSW Work Health and Safety Regulation 2017. The dismantled materials will be lowered to the ground, loaded onto trucks, secured, and transported to an appropriate recycling station. All work at heights will be performed by trained personnel using proper PPE in accordance with the relevant codes and regulations. Access to roof spaces will be via ladders, scissor lifts, or scaffolding, adhering to the NSW Work Health and Safety Regulation 2017.

#### **Internal Strip-out**

The strip-out process will be conducted using small machines and manual means, utilizing hand and power tools as necessary. It will include the removal of cupboards, fittings, ceilings (plasterboard or



fibro plaster), floor covers, wall linings (plasterboards), wall linings (ceramic tiles), inside mouldings, doors, and internal wall framing (timber). All materials will be handled, stacked, loaded onto trucks, secured, and taken to EPA-approved waste stations or recycling facilities, complying with the NSW Protection of the Environment Operations (Waste) Regulation 2014 and relevant codes of practice.

#### **Site runoff control measures**

including the use of containment systems, sediment control barriers, or other appropriate measures, will be implemented throughout the internal strip-out process to prevent the release of hazardous substances and manage site runoff in accordance with NSW EPA guidelines.

To ensure proper site runoff control during hazmat removal, the SCIS Property Group will implement the following measures in accordance with the relevant Australian and NSW regulations, including the NSW Protection of the Environment Operations Act 1997 and the NSW EPA guidelines for site remediation:

#### **Containment Systems:**

All trucks and bins used for transporting hazardous materials will be lined with plastic to prevent any leakage or runoff during transportation.

Plastic drop sheets will be placed around the work area, including the vicinity of trucks and bins, to contain any potential spills or debris.

#### **Personal Protective Equipment (PPE):**

All workers involved in hazmat removal will be equipped with the correct PPE as required by the relevant codes and regulations. This includes safety helmets, safety footwear, eye protection, leather gauntlets, harnesses/fall arrest systems, hi-vis vests, and hearing protection.

SCIS Property Group understands the importance of using appropriate PPE to ensure the safety of workers and prevent any contamination or runoff during the hazmat removal process.

By implementing these measures, including the use of plastic lining in trucks/bins and the utilization of correct PPE, the SCIS Property Group aims to control site runoff effectively and maintain compliance with the specific codes and regulations outlined by the Australian and NSW authorities regarding hazmat removal and site environmental protection.

#### **Completion Upon**

completion of the demolition and removal tasks, the SCIS Property Group will ensure that the vacant land is thoroughly cleared of all debris, complying with the requirements of the NSW Protection of the Environment Operations Act 1997. Any remaining materials or waste will be disposed of at an EPA-approved waste depot or landfill site in accordance with the NSW Protection of the Environment Operations (Waste) Regulation 2014. All site runoff control measures will be removed, and appropriate cleanup measures will be implemented to restore the site to a clean and safe condition, in accordance with the NSW EPA guidelines for site remediation.

**Recycling of Demolition Materials**

SCIS Property Group will follow the relevant Australian and NSW regulations for the recycling of demolition materials. All timber and metal beams, such as timber purlins and metal beams, will be sold for second-hand building materials whenever practical, aligning with the NSW EPA guidelines for waste recycling. Concrete and brick materials will be transported to a concrete recycling plant to be crushed into road base material. Scrap metal will be recycled at authorized dealers, and glass will be transported to a glass recycler for recycling, following Australian and NSW regulations.

**Landfill/Waste**

Any materials that cannot be recycled will be disposed of at an EPA-approved waste depot or landfill site in compliance with Australian and NSW waste management regulations. Proper measures will be taken to prevent any runoff or contamination during the disposal process, in accordance with environmental guidelines. Additionally, site runoff control measures will be implemented to manage any potential runoff generated from the waste disposal area.



## **APPENDIX B**

## **SCIS MUSIC BOWL SCOPE**



SCIS Property Group understanding of the repairs needed to take place at the “music bowl” are as follows.

In line with *Woollacott’s Structural & Building Fabric Condition Audit Project No: 22-241 Date: 11th August 2022 Revision A*

SCIS will engage a structural engineer to peer review, site inspect and develop a scope of works to repair Music Bowl in line with Woollacott’s report.

**1. Retaining Wall:**

Repair or replace damaged sandstone: Identify areas where the sandstone has been damaged and take appropriate measures to repair or replace it.

RegROUT gaps: Address any gaps in the grouting between the sandstone blocks by regROUTing them to ensure structural integrity.

**2. Stone Table:**

Remove or reconstruct as necessary: Assess the condition of the stone table and determine if it needs to be completely removed and reconstructed due to damage or deterioration.

**3. Roof:**

Demolish existing concrete roof structure: Remove the current concrete roof structure in place at the Music Bowl.

Reconstruct to match the original as necessary: Rebuild the roof structure to closely resemble the original design, taking into account any necessary modifications or improvements for safety and functionality.

It is mentioned that SCIS will engage a structural engineer to peer-review the project, conduct site inspections, and develop a comprehensive scope of work based on Woollacott's report. This indicates that the structural engineer will assess the existing condition of the Music Bowl, review the repairs needed, and develop a detailed plan for the restoration process.

Please note that the provided information is based on the understanding you shared thus far.

## **APPENDIX C**

## **SCIS RETAINING WALL SCOPE**



SCIS Property Group understanding of the retaining wall in conjunction with ADW Johnson Proposed Retaining Wall Upgrade is to Engage Structural Engineer (prefer Consultant who provided the design) to complete the following.

**Engage Structural Engineer:**

- The first step is to engage a Structural Engineer, preferably the Consultant who provided the design for the retaining wall upgrade.
- The Structural Engineer will be responsible for completing the necessary tasks outlined below.

**Provide Design Certificate:**

- The Structural Engineer will provide a Design Certificate, which confirms that the design of the retaining wall meets the required structural standards and specifications.
- This certificate serves as documentation and verification of the adequacy and safety of the retaining wall design.

**Provide Structural Advice and Answer RFIs:**

- The Structural Engineer will be available to provide structural advice throughout the project.
- They will answer any Requests for Information (RFIs) related to the retaining wall, offering guidance and clarifications as needed.

**Provide Inspections for Structural Sign-Off:**

- The Structural Engineer will conduct inspections at various stages of the project to ensure compliance with the approved design and local building codes.
- These inspections are necessary to obtain a structural sign-off, which certifies that the retaining wall has been constructed according to the approved design and is structurally sound.

**Conduct Services Search and Demolition:**

- Before proceeding with the construction of the new retaining wall, a services search should be conducted in the area to be excavated and demolished.
- This search aims to identify any underground utility services (such as water, gas, electricity) that may be present to avoid any accidental damage.
- Once the services search is completed, the existing retaining wall that has partially collapsed should be demolished and properly disposed of.

**Prepare Ground and Foundations:**

- Following the demolition, the ground and slab/foundations should be prepared according to the specifications provided in the Structural Engineer's Design Certificate.



- This step ensures that the base for the new retaining wall is properly constructed and capable of supporting the structure.

**Procure, Deliver, and Construct New Retaining Wall:**

- The project includes the responsibility to procure the necessary materials and equipment for the construction of the new retaining wall.
- The materials and construction methods should align with the specifications outlined in the Structural Engineer's Design Certificate.
- The construction of the new retaining wall should be carried out in accordance with industry standards and local regulations, ensuring its stability and durability.

## **APPENDIX D**

## **2 POSSUM CLOSE PHOTO INSPECTION**






**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Entry</p> <p style="text-align: center;">09 June 2022 08:19</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Entry</p> <p style="text-align: center;">09 June 2022 08:19</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Entry</p> <p style="text-align: center;">09 June 2022 08:19</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Entry</p> <p style="text-align: center;">09 June 2022 08:19</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Lounge</p> <p style="text-align: center;">09 June 2022 08:20</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Lounge</p> <p style="text-align: center;">09 June 2022 08:20</p>







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**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Lounge</p> <p style="text-align: center;">09 June 2022 08:20</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Lounge</p> <p style="text-align: center;">09 June 2022 08:20</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Study</p> <p style="text-align: center;">09 June 2022 08:22</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Study</p> <p style="text-align: center;">09 June 2022 08:22</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Study</p> <p style="text-align: center;">09 June 2022 08:22</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Study</p> <p style="text-align: center;">09 June 2022 08:22</p>

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**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Dining</p> <p style="text-align: center;">09 June 2022 08:23</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Dining</p> <p style="text-align: center;">09 June 2022 08:23</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Dining</p> <p style="text-align: center;">09 June 2022 08:23</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Dining</p> <p style="text-align: center;">09 June 2022 08:23</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Kitchen</p> <p style="text-align: center;">09 June 2022 08:24</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Kitchen</p> <p style="text-align: center;">09 June 2022 08:24</p>

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<p style="text-align: center;">Property</p>  <p style="text-align: center;">Kitchen</p> <p style="text-align: center;">09 June 2022 08:24</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Kitchen</p> <p style="text-align: center;">09 June 2022 08:24</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Hall</p> <p style="text-align: center;">09 June 2022 08:26</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Hall</p> <p style="text-align: center;">09 June 2022 08:26</p>
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**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Laundry</p> <p style="text-align: center;">09 June 2022 08:28</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Laundry</p> <p style="text-align: center;">09 June 2022 08:28</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bathroom</p> <p style="text-align: center;">09 June 2022 08:29</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bathroom</p> <p style="text-align: center;">09 June 2022 08:29</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bathroom</p> <p style="text-align: center;">09 June 2022 08:29</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bathroom</p> <p style="text-align: center;">09 June 2022 08:30</p>

**Photos Report**

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**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p align="center">Property</p>  <p align="center">Bathroom</p> <p align="center">09 June 2022 08:30</p>	<p align="center">Property</p>  <p align="center">Bathroom</p> <p align="center">09 June 2022 08:30</p>
<p align="center">Property</p>  <p align="center">Bedroom 1</p> <p align="center">09 June 2022 08:31</p>	<p align="center">Property</p>  <p align="center">Bedroom 1</p> <p align="center">09 June 2022 08:31</p>
<p align="center">Property</p>  <p align="center">Bedroom 1</p> <p align="center">09 June 2022 08:31</p>	<p align="center">Property</p>  <p align="center">Bedroom 1</p> <p align="center">09 June 2022 08:31</p>



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**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p align="center">Property</p>  <p align="center">Bedroom 2</p> <p align="center">09 June 2022 08:33</p>	<p align="center">Property</p>  <p align="center">Bedroom 2</p> <p align="center">09 June 2022 08:33</p>
<p align="center">Property</p>  <p align="center">Bedroom 2</p> <p align="center">09 June 2022 08:33</p>	<p align="center">Property</p>  <p align="center">Bedroom 2</p> <p align="center">09 June 2022 08:33</p>
<p align="center">Property</p>  <p align="center">Bedroom 3</p> <p align="center">09 June 2022 08:34</p>	<p align="center">Property</p>  <p align="center">Bedroom 3</p> <p align="center">09 June 2022 08:34</p>

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**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 3</p> <p style="text-align: center;">09 June 2022 08:34</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 3</p> <p style="text-align: center;">09 June 2022 08:34</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Garage</p> <p style="text-align: center;">09 June 2022 10:50</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Garage</p> <p style="text-align: center;">09 June 2022 10:50</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Garage</p> <p style="text-align: center;">09 June 2022 10:50</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Garage</p> <p style="text-align: center;">09 June 2022 10:50</p>

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**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p align="center">Bathroom:Ceiling Finishes - Paint Finish</p>  <p align="center">16547336373337295004093506946735.jpg</p> <p align="center">09 June 2022 10:14</p>	<p align="center">Bathroom:Ceiling Finishes - Paint Finish</p>  <p align="center">16547336373337295004093506946735.jpg</p> <p align="center">09 June 2022 10:14</p>
<p align="center">Bathroom:Ceiling Finishes - Paint Finish</p>  <p align="center">16547336373337295004093506946735.jpg</p> <p align="center">09 June 2022 10:14</p>	<p align="center">Bathroom:Interior Doors - Paint Finish</p>  <p align="center">16547336808676855319475873685016.jpg</p> <p align="center">09 June 2022 10:14</p>
<p align="center">Bathroom:Interior Doors - Paint Finish</p>  <p align="center">16547336808676855319475873685016.jpg</p> <p align="center">09 June 2022 10:14</p>	<p align="center">Bathroom:Interior Doors - Paint Finish</p>  <p align="center">16547336808676855319475873685016.jpg</p> <p align="center">09 June 2022 10:14</p>



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**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p align="center">Bathroom:Lighting - Incandescent Lights</p>  <p align="center">16547335925832271567030786131953.jpg</p> <p align="center">09 June 2022 10:13</p>	<p align="center">Bathroom:Lighting - Incandescent Lights</p>  <p align="center">16547335925832271567030786131953.jpg</p> <p align="center">09 June 2022 10:13</p>
<p align="center">Bathroom:Lighting - Incandescent Lights</p>  <p align="center">16547335925832271567030786131953.jpg</p> <p align="center">09 June 2022 10:13</p>	<p align="center">Bathroom:Sanitary Plumbing - Bath</p>  <p align="center">16547337144335998850860681634611.jpg</p> <p align="center">09 June 2022 10:15</p>
<p align="center">Bathroom:Sanitary Plumbing - Bath</p>  <p align="center">16547337144335998850860681634611.jpg</p> <p align="center">09 June 2022 10:15</p>	<p align="center">Bathroom:Wall Finishes - Paint Finish</p>  <p align="center">16547337481055860952463623644116.jpg</p> <p align="center">09 June 2022 10:16</p>

**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Bathroom:Wall Finishes - Paint Finish</p>  <p>16547337481055860952463623644116.jpg</p> <p>09 June 2022 10:16</p>	<p>Bathroom:Wall Finishes - Render</p>  <p>16547337796572206965521284478413.jpg</p> <p>09 June 2022 10:16</p>
<p>Bathroom:Wall Finishes - Render</p>  <p>16547337796572206965521284478413.jpg</p> <p>09 June 2022 10:16</p>	<p>Bedroom 1:Air Conditioning - Air Conditioner (Wall/Window Mounted)</p>  <p>16547341373836644327341840149417.jpg</p> <p>09 June 2022 10:22</p>
<p>Bedroom 1:Air Conditioning - Air Conditioner (Wall/Window Mounted)</p>  <p>16547341373836644327341840149417.jpg</p> <p>09 June 2022 10:22</p>	<p>Bedroom 1:Air Conditioning - Air Conditioner (Wall/Window Mounted)</p>  <p>16547341373836644327341840149417.jpg</p> <p>09 June 2022 10:22</p>

**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Bedroom 1:Ceiling Finishes - Paint Finish</p>  <p>16547342439213296718259181910536.jpg</p> <p>09 June 2022 10:24</p>	<p>Bedroom 1:Ceiling Finishes - Paint Finish</p>  <p>16547342439213296718259181910536.jpg</p> <p>09 June 2022 10:24</p>
<p>Bedroom 1:Fixtures &amp; Fittings - Joinery Fttgs Built-In</p>  <p>16547342753658232647830918822829.jpg</p> <p>09 June 2022 10:24</p>	<p>Bedroom 1:Fixtures &amp; Fittings - Joinery Fttgs Built-In</p>  <p>16547342753658232647830918822829.jpg</p> <p>09 June 2022 10:24</p>
<p>Bedroom 1:Floor Finishes - Carpet</p>  <p>16547343090055762960708977457104.jpg</p> <p>09 June 2022 10:25</p>	<p>Bedroom 1:Floor Finishes - Carpet</p>  <p>16547343090055762960708977457104.jpg</p> <p>09 June 2022 10:25</p>



**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Bedroom 1:Interior Doors - Paint Finish</p>  <p>16547343395033378068683063617963.jpg</p> <p>09 June 2022 10:25</p>	<p>Bedroom 1:Interior Doors - Paint Finish</p>  <p>16547343395033378068683063617963.jpg</p> <p>09 June 2022 10:25</p>
<p>Bedroom 1:Wall Finishes - Paint Finish</p>  <p>16547343649695772400622932791316.jpg</p> <p>09 June 2022 10:26</p>	<p>Bedroom 1:Wall Finishes - Paint Finish</p>  <p>16547343649695772400622932791316.jpg</p> <p>09 June 2022 10:26</p>
<p>Bedroom 1:Wall Finishes - Render</p>  <p>16547343952031147783018407046522.jpg</p> <p>09 June 2022 10:26</p>	<p>Bedroom 1:Wall Finishes - Render</p>  <p>16547343952031147783018407046522.jpg</p> <p>09 June 2022 10:26</p>

**Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Bedroom 2:Ceiling Finishes - Paint Finish</p>  <p>20220609_103137.jpg 09 June 2022 10:43</p>	<p>Bedroom 2:Ceiling Finishes - Paint Finish</p>  <p>20220609_103137.jpg 09 June 2022 10:43</p>
<p>Bedroom 2:Floor Finishes - Carpet</p>  <p>20220609_103108.jpg 09 June 2022 10:44</p>	<p>Bedroom 2:Floor Finishes - Carpet</p>  <p>20220609_103108.jpg 09 June 2022 10:44</p>
<p>Bedroom 2:Interior Doors - Paint Finish</p>  <p>20220609_103121.jpg 09 June 2022 10:44</p>	<p>Bedroom 2:Interior Doors - Paint Finish</p>  <p>20220609_103121.jpg 09 June 2022 10:44</p>

**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Bedroom 2:Wall Finishes - Paint Finish</p>  <p>20220609_103118.jpg 09 June 2022 10:44</p>	<p>Bedroom 2:Wall Finishes - Paint Finish</p>  <p>20220609_103118.jpg 09 June 2022 10:44</p>
<p>Bedroom 3:Ceiling Finishes - Paint Finish</p>  <p>20220609_103215.jpg 09 June 2022 10:45</p>	<p>Bedroom 3:Ceiling Finishes - Paint Finish</p>  <p>20220609_103215.jpg 09 June 2022 10:45</p>
<p>Bedroom 3:Floor Finishes - Carpet</p>  <p>20220609_103159.jpg 09 June 2022 10:45</p>	<p>Bedroom 3:Floor Finishes - Carpet</p>  <p>20220609_103159.jpg 09 June 2022 10:45</p>



**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Bedroom 3:Interior Doors - Paint Finish</p>  <p>20220609_103255.jpg</p> <p>09 June 2022 10:46</p>	<p>Bedroom 3:Interior Doors - Paint Finish</p>  <p>20220609_103255.jpg</p> <p>09 June 2022 10:46</p>
<p>Bedroom 3:Wall Finishes - Paint Finish</p>  <p>20220609_103220.jpg</p> <p>09 June 2022 10:47</p>	<p>Bedroom 3:Wall Finishes - Paint Finish</p>  <p>20220609_103220.jpg</p> <p>09 June 2022 10:47</p>
<p>Bedroom 3:Wall Finishes - Paint Finish</p>  <p>20220609_103220.jpg</p> <p>09 June 2022 10:47</p>	<p>Dining:Air Conditioning - Air Conditioner (Wall/Window Mounted)</p>  <p>1654729575184566297080909719827.jpg</p> <p>09 June 2022 09:06</p>

**Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Dining:Air Conditioning - Air Conditioner (Wall/Window Mounted)</p>  <p>1654729575184566297080909719827.jpg</p> <p>09 June 2022 09:06</p>	<p>Dining:Air Conditioning - Air Conditioner (Wall/Window Mounted)</p>  <p>1654729575184566297080909719827.jpg</p> <p>09 June 2022 09:06</p>
<p>Dining:Ceiling Finishes - Gyprock</p>  <p>16547297286471869632237764095764.jpg</p> <p>09 June 2022 09:08</p>	<p>Dining:Ceiling Finishes - Gyprock</p>  <p>16547297286471869632237764095764.jpg</p> <p>09 June 2022 09:08</p>
<p>Dining:Ceiling Finishes - Gyprock</p>  <p>16547297286471869632237764095764.jpg</p> <p>09 June 2022 09:09</p>	<p>Dining:Ceiling Finishes - Gyprock</p>  <p>16547297286471869632237764095764.jpg</p> <p>09 June 2022 09:09</p>

**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Dining:Ceiling Finishes - Paint Finish</p>  <p>16547297591873382841667018866343.jpg</p> <p>09 June 2022 09:09</p>	<p>Dining:Ceiling Finishes - Paint Finish</p>  <p>16547297591873382841667018866343.jpg</p> <p>09 June 2022 09:09</p>
<p>Dining:Floor Finishes - Vinyl</p>  <p>1654729800997404670957393410405.jpg</p> <p>09 June 2022 09:10</p>	<p>Dining:Floor Finishes - Vinyl</p>  <p>1654729800997404670957393410405.jpg</p> <p>09 June 2022 09:10</p>
<p>Dining:Interior Doors - Paint Finish</p>  <p>16547298363554362556498763348021.jpg</p> <p>09 June 2022 09:10</p>	<p>Dining:Interior Doors - Paint Finish</p>  <p>16547298363554362556498763348021.jpg</p> <p>09 June 2022 09:10</p>



**Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Dining:Ventilation and Exhaust - Ceiling Fan</p>  <p>16547296671392798200372298686353.jpg</p> <p>09 June 2022 09:08</p>	<p>Dining:Ventilation and Exhaust - Ceiling Fan</p>  <p>16547296671392798200372298686353.jpg</p> <p>09 June 2022 09:08</p>
<p>Dining:Wall Finishes - Paint Finish</p>  <p>16547298712536893969958427289314.jpg</p> <p>09 June 2022 09:11</p>	<p>Dining:Wall Finishes - Paint Finish</p>  <p>16547298712536893969958427289314.jpg</p> <p>09 June 2022 09:11</p>
<p>Dining:Wall Finishes - Render</p>  <p>1654729906117500211552008332934.jpg</p> <p>09 June 2022 09:12</p>	<p>Dining:Wall Finishes - Render</p>  <p>1654729906117500211552008332934.jpg</p> <p>09 June 2022 09:12</p>

**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Dining:Wall Finishes - Render</p>  <p>1654729906117500211552008332934.jpg</p> <p>09 June 2022 09:12</p>	<p>Entry:Ceiling Finishes - Paint Finish</p>  <p>16547266125842898415682242461376.jpg</p> <p>09 June 2022 08:17</p>
<p>Entry:Ceiling Finishes - Paint Finish</p>  <p>16547266125842898415682242461376.jpg</p> <p>09 June 2022 08:17</p>	<p>Entry:Fire Alarm System - Fire Alarm Indicator Panel</p>  <p>16547265134458929966298437410790.jpg</p> <p>09 June 2022 08:15</p>
<p>Entry:Fire Alarm System - Fire Alarm Indicator Panel</p>  <p>16547265134458929966298437410790.jpg</p> <p>09 June 2022 08:15</p>	<p>Entry:Fire Alarm System - Fire Alarm Indicator Panel</p>  <p>16547265134458929966298437410790.jpg</p> <p>09 June 2022 08:15</p>

**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Entry:Floor Finishes - Carpet</p>  <p>1654726648132322233976378074550.jpg</p> <p>09 June 2022 08:17</p>	<p>Entry:Floor Finishes - Carpet</p>  <p>1654726648132322233976378074550.jpg</p> <p>09 June 2022 08:17</p>
<p>Entry:Floor Finishes - Carpet</p>  <p>1654726648132322233976378074550.jpg</p> <p>09 June 2022 08:17</p>	<p>Entry:Wall Finishes - Paint Finish</p>  <p>16547266770223238761147534827496.jpg</p> <p>09 June 2022 08:18</p>
<p>Entry:Wall Finishes - Paint Finish</p>  <p>16547266770223238761147534827496.jpg</p> <p>09 June 2022 08:18</p>	<p>Entry:Windows &amp; Doors - Paint Finish</p>  <p>16547264340221084845338884767069.jpg</p> <p>09 June 2022 08:14</p>



**Attachment 7****Photos Report**







**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Entry:Windows &amp; Doors - Paint Finish</p>  <p>16547264340221084845338884767069.jpg</p> <p>09 June 2022 08:14</p>	<p>Entry:Windows &amp; Doors - Timber Entrance Door</p>  <p>16547264632476270120390516314896.jpg</p> <p>09 June 2022 08:14</p>
<p>Entry:Windows &amp; Doors - Timber Entrance Door</p>  <p>16547264632476270120390516314896.jpg</p> <p>09 June 2022 08:14</p>	<p>External:Distribution Boards - Meter Box</p>  <p>20220611_101155.jpg</p> <p>11 June 2022 10:29</p>
<p>External:Distribution Boards - Meter Box</p>  <p>20220611_101155.jpg</p> <p>11 June 2022 10:29</p>	<p>External:External Stairs - Staircase - Brick</p>  <p>165490591242932905585706970147.jpg</p> <p>11 June 2022 10:05</p>

## Photos Report



**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>External:External Stairs - Staircase - Brick</p>  <p>165490591242932905585706970147.jpg</p> <p>11 June 2022 10:05</p>	<p>External:External Walls - Brick Cladding</p>  <p>20220611_101659.jpg</p> <p>11 June 2022 10:22</p>
<p>External:External Walls - Brick Cladding</p>  <p>20220611_101659.jpg</p> <p>11 June 2022 10:22</p>	<p>External:External Walls - Paint Finish</p>  <p>16549057065343467617389964674774.jpg</p> <p>11 June 2022 10:02</p>
<p>External:External Walls - Paint Finish</p>  <p>16549057065343467617389964674774.jpg</p> <p>11 June 2022 10:02</p>	<p>External:Fences/Gates - Gate - Metal</p>  <p>16549044780129217507001217597680.jpg</p> <p>11 June 2022 09:41</p>



## Photos Report



**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>External:Fences/Gates - Gate - Metal</p>  <p>16549044780129217507001217597680.jpg</p> <p>11 June 2022 09:41</p>	<p>External:Grounds - Clothes Lines - Fold</p>  <p>20220611_101111.jpg</p> <p>11 June 2022 10:30</p>
<p>External:Grounds - Clothes Lines - Fold</p>  <p>20220611_101111.jpg</p> <p>11 June 2022 10:30</p>	<p>External:Grounds - Clothes Lines - Hills Hoist</p>  <p>20220611_101013.jpg</p> <p>11 June 2022 10:31</p>
<p>External:Grounds - Clothes Lines - Hills Hoist</p>  <p>20220611_101013.jpg</p> <p>11 June 2022 10:31</p>	<p>External:Heating System - Hot Water Unit - Electric</p>  <p>20220611_101138.jpg</p> <p>11 June 2022 10:25</p>



## Photos Report



**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

External:Heating System - Hot Water Unit - Electric



20220611\_101138.jpg

11 June 2022 10:25

External:Hydrant/Hose Reel System - Fire Hose - Reel



20220611\_101018.jpg

11 June 2022 10:29

External:Hydrant/Hose Reel System - Fire Hose - Reel



20220611\_101018.jpg

11 June 2022 10:29

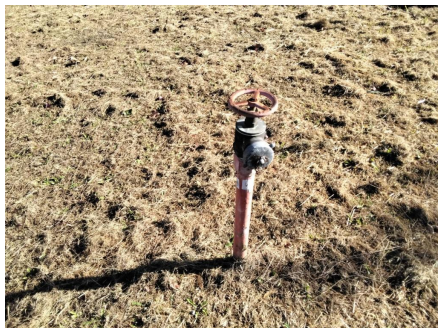
External:Hydrant/Hose Reel System - Fire Hydrant



20220611\_101627.jpg

11 June 2022 10:28

External:Hydrant/Hose Reel System - Fire Hydrant



20220611\_101627.jpg

11 June 2022 10:28

External:Roof - Eaves - Fibro



20220611\_101717.jpg

11 June 2022 10:24

**Attachment 7****Photos Report**






**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>External:Roof - Eaves - Fibro</p>  <p>20220611_101717.jpg</p> <p>11 June 2022 10:24</p>	<p>External:Roof - Fascia - Timber</p>  <p>20220611_101728.jpg</p> <p>11 June 2022 10:25</p>
<p>Garage:Ceiling Finishes - Paint Finish</p>  <p>20220609_104209.jpg</p> <p>09 June 2022 10:48</p>	<p>Garage:Ceiling Finishes - Paint Finish</p>  <p>20220609_104209.jpg</p> <p>09 June 2022 10:48</p>
<p>Garage:Wall Finishes - Paint Finish</p>  <p>20220609_104156.jpg</p> <p>09 June 2022 10:48</p>	<p>Garage:Wall Finishes - Paint Finish</p>  <p>20220609_104156.jpg</p> <p>09 June 2022 10:48</p>



**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Garage:Windows &amp; Doors - Window - Timber Framed</p>  <p>20220609_104153.jpg 09 June 2022 10:47</p>	<p>Garage:Windows &amp; Doors - Window - Timber Framed</p>  <p>20220609_104153.jpg 09 June 2022 10:47</p>
<p>Hallway:Ceiling Finishes - Paint Finish</p>  <p>16547330276427095447265683672368.jpg 09 June 2022 10:03</p>	<p>Hallway:Ceiling Finishes - Paint Finish</p>  <p>16547330276427095447265683672368.jpg 09 June 2022 10:03</p>
<p>Hallway:Fixtures &amp; Fittings - Joinery Fttgs Built-In</p>  <p>16547330715706997240103582893465.jpg 09 June 2022 10:04</p>	<p>Hallway:Fixtures &amp; Fittings - Joinery Fttgs Built-In</p>  <p>16547330715706997240103582893465.jpg 09 June 2022 10:04</p>



**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Hallway:Floor Finishes - Carpet</p>  <p>16547330977338046427350201111115.jpg</p> <p>09 June 2022 10:05</p>	<p>Hallway:Floor Finishes - Carpet</p>  <p>16547330977338046427350201111115.jpg</p> <p>09 June 2022 10:05</p>
<p>Hallway:Interior Doors - Paint Finish</p>  <p>16547331377005600062000823383721.jpg</p> <p>09 June 2022 10:05</p>	<p>Hallway:Interior Doors - Paint Finish</p>  <p>16547331377005600062000823383721.jpg</p> <p>09 June 2022 10:05</p>
<p>Hallway:Interior Doors - Paint Finish</p>  <p>16547331377005600062000823383721.jpg</p> <p>09 June 2022 10:05</p>	<p>Hallway:Wall Finishes - Paint Finish</p>  <p>16547331670536303942055131348467.jpg</p> <p>09 June 2022 10:06</p>

**Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Hallway:Wall Finishes - Paint Finish</p>  <p>16547331670536303942055131348467.jpg</p> <p>09 June 2022 10:06</p>	<p>Kitchen:Fire Extinguishers - Fire Extinguisher - Fire Blanket</p>  <p>16547310038276894719970750068064.jpg</p> <p>09 June 2022 09:30</p>
<p>Kitchen:Fire Extinguishers - Fire Extinguisher - Fire Blanket</p>  <p>16547310038276894719970750068064.jpg</p> <p>09 June 2022 09:30</p>	<p>Kitchen:Fixtures &amp; Fittings - Kitchen Bench &amp; Joinery</p>  <p>16547311038513982182874229955694.jpg</p> <p>09 June 2022 09:32</p>
<p>Kitchen:Fixtures &amp; Fittings - Kitchen Bench &amp; Joinery</p>  <p>16547311038513982182874229955694.jpg</p> <p>09 June 2022 09:32</p>	<p>Kitchen:Fixtures &amp; Fittings - Kitchen Bench &amp; Joinery</p>  <p>16547311038513982182874229955694.jpg</p> <p>09 June 2022 09:32</p>



**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
**Property Code:** 001694-C-PRP32  
**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Kitchen:Fixtures &amp; Fittings - Kitchen Bench &amp; Joinery</p>  <p>16547311038513982182874229955694.jpg</p> <p>09 June 2022 09:32</p>	<p>Kitchen:Fixtures &amp; Fittings - Kitchen Bench &amp; Joinery</p>  <p>16547313121882833709304635186377.jpg</p> <p>09 June 2022 09:35</p>
<p>Kitchen:Floor Finishes - Vinyl</p>  <p>16547311438887209895065081744378.jpg</p> <p>09 June 2022 09:32</p>	<p>Kitchen:Floor Finishes - Vinyl</p>  <p>16547311438887209895065081744378.jpg</p> <p>09 June 2022 09:32</p>
<p>Kitchen:Interior Doors - Paint Finish</p>  <p>16547311806584890271948231758785.jpg</p> <p>09 June 2022 09:33</p>	<p>Kitchen:Interior Doors - Paint Finish</p>  <p>16547312146365910489875266743337.jpg</p> <p>09 June 2022 09:33</p>



**Photos Report**

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<p>Kitchen:Interior Doors - Solid-Core Door</p>  <p>16547312513542373581620869546595.jpg</p> <p>09 June 2022 09:34</p>	<p>Kitchen:Interior Doors - Solid-Core Door</p>  <p>16547312513542373581620869546595.jpg</p> <p>09 June 2022 09:34</p>
<p>Kitchen:Kitchen Equipment - Domestic - Cook Top (Electric)</p>  <p>16547306374211463794588912155815.jpg</p> <p>09 June 2022 09:24</p>	<p>Kitchen:Kitchen Equipment - Domestic - Cook Top (Electric)</p>  <p>16547306374211463794588912155815.jpg</p> <p>09 June 2022 09:24</p>
<p>Kitchen:Kitchen Equipment - Domestic - Dishwasher</p>  <p>16547307465681575403293791701960.jpg</p> <p>09 June 2022 09:26</p>	<p>Kitchen:Kitchen Equipment - Domestic - Dishwasher</p>  <p>16547307465681575403293791701960.jpg</p> <p>09 June 2022 09:26</p>


**Photos Report**

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<p>Kitchen:Kitchen Equipment - Domestic - Dishwasher</p>  <p>16547307465681575403293791701960.jpg</p> <p>09 June 2022 09:26</p>	<p>Kitchen:Kitchen Equipment - Domestic - Dishwasher</p>  <p>16547307465681575403293791701960.jpg</p> <p>09 June 2022 09:26</p>
<p>Kitchen:Kitchen Equipment - Domestic - Rangehood</p>  <p>16547308279204094383378407306022.jpg</p> <p>09 June 2022 09:27</p>	<p>Kitchen:Kitchen Equipment - Domestic - Rangehood</p>  <p>16547308279204094383378407306022.jpg</p> <p>09 June 2022 09:27</p>
<p>Kitchen:Kitchen Equipment - Oven (Built In-Elec)</p>  <p>16547308904334028382444744141963.jpg</p> <p>09 June 2022 09:28</p>	<p>Kitchen:Kitchen Equipment - Oven (Built In-Elec)</p>  <p>16547308904334028382444744141963.jpg</p> <p>09 June 2022 09:28</p>

**Photos Report**




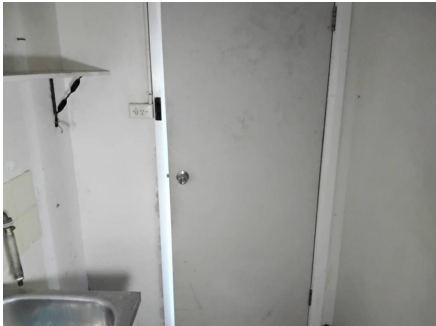
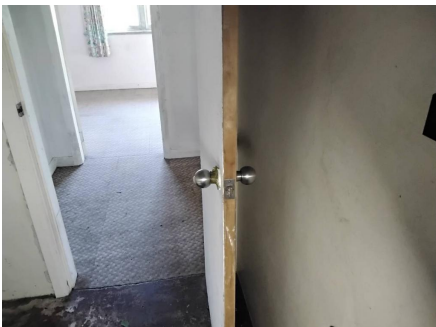

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**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
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<p>Kitchen:Kitchen Equipment - Oven (Built In-Elec)</p>  <p>16547308904334028382444744141963.jpg</p> <p>09 June 2022 09:28</p>	<p>Kitchen:Wall Finishes - Paint Finish</p>  <p>16547312863684639595815523914673.jpg</p> <p>09 June 2022 09:35</p>
<p>Kitchen:Wall Finishes - Paint Finish</p>  <p>16547312863684639595815523914673.jpg</p> <p>09 June 2022 09:35</p>	<p>Kitchen:Wall Finishes - Render</p>  <p>16547313670048151871320320600806.jpg</p> <p>09 June 2022 09:36</p>
<p>Kitchen:Wall Finishes - Render</p>  <p>16547313670048151871320320600806.jpg</p> <p>09 June 2022 09:36</p>	<p>Laundry:Ceiling Finishes - Paint Finish</p>  <p>16547324524214480951406912186857.jpg</p> <p>09 June 2022 09:55</p>



**Attachment 7****Photos Report**

**Property Name:** 2 Possum Close  
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**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
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<p>Laundry:Ceiling Finishes - Paint Finish</p>  <p>16547324524214480951406912186857.jpg</p> <p>09 June 2022 09:55</p>	<p>Laundry:Floor Finishes - Paint Finish</p>  <p>16547325286378105678218866280888.jpg</p> <p>09 June 2022 09:55</p>
<p>Laundry:Floor Finishes - Paint Finish</p>  <p>16547325286378105678218866280888.jpg</p> <p>09 June 2022 09:55</p>	<p>Laundry:Interior Doors - Paint Finish</p>  <p>16547325636206659763994437556648.jpg</p> <p>09 June 2022 09:56</p>
<p>Laundry:Interior Doors - Paint Finish</p>  <p>16547325636206659763994437556648.jpg</p> <p>09 June 2022 09:56</p>	<p>Laundry:Sanitary Plumbing - Laundry Tub</p>  <p>16547324139012317665773773836533.jpg</p> <p>09 June 2022 09:53</p>




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**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct  
**Address:** 2 Possum Close  
**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Laundry:Sanitary Plumbing - Laundry Tub</p>  <p>16547324139012317665773773836533.jpg</p> <p>09 June 2022 09:53</p>	<p>Laundry:Sanitary Plumbing - Laundry Tub</p>  <p>16547324139012317665773773836533.jpg</p> <p>09 June 2022 09:53</p>
<p>Laundry:Wall Finishes - Ceramic Tiles</p>  <p>16547325997461041118338094597883.jpg</p> <p>09 June 2022 09:56</p>	<p>Laundry:Wall Finishes - Ceramic Tiles</p>  <p>16547325997461041118338094597883.jpg</p> <p>09 June 2022 09:56</p>
<p>Laundry:Wall Finishes - Ceramic Tiles</p>  <p>16547325997461041118338094597883.jpg</p> <p>09 June 2022 09:56</p>	<p>Laundry:Wall Finishes - Paint Finish</p>  <p>16547326261086086331833369461787.jpg</p> <p>09 June 2022 09:57</p>

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**Address:** 2 Possum Close  
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<p>Laundry:Wall Finishes - Paint Finish</p>  <p>16547326261086086331833369461787.jpg</p> <p>09 June 2022 09:57</p>	<p>Laundry:Windows &amp; Doors - Paint Finish</p>  <p>16547323116568559753174228332144.jpg</p> <p>09 June 2022 09:52</p>
<p>Laundry:Windows &amp; Doors - Paint Finish</p>  <p>16547323116568559753174228332144.jpg</p> <p>09 June 2022 09:52</p>	<p>Laundry:Windows &amp; Doors - Solid-Core Door</p>  <p>1654732343422574694188433735362.jpg</p> <p>09 June 2022 09:52</p>
<p>Laundry:Windows &amp; Doors - Solid-Core Door</p>  <p>1654732343422574694188433735362.jpg</p> <p>09 June 2022 09:52</p>	<p>Laundry:Windows &amp; Doors - Window - Louvre</p>  <p>16547323693157188183483456686367.jpg</p> <p>09 June 2022 09:53</p>



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<p>Laundry:Windows &amp; Doors - Window - Louvre</p>  <p>16547323693157188183483456686367.jpg</p> <p>09 June 2022 09:53</p>	<p>Lounge:Ceiling Finishes - Gyprock</p>  <p>16547283980086396516033903241035.jpg</p> <p>09 June 2022 08:46</p>
<p>Lounge:Ceiling Finishes - Gyprock</p>  <p>16547283980086396516033903241035.jpg</p> <p>09 June 2022 08:46</p>	<p>Lounge:Ceiling Finishes - Paint Finish</p>  <p>16547281849696040988490095038322.jpg</p> <p>09 June 2022 08:43</p>
<p>Lounge:Ceiling Finishes - Paint Finish</p>  <p>16547281849696040988490095038322.jpg</p> <p>09 June 2022 08:43</p>	<p>Lounge:Ceiling Finishes - Paint Finish</p>  <p>16547281849696040988490095038322.jpg</p> <p>09 June 2022 08:43</p>







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**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p>Lounge:Fixtures &amp; Fittings - Fireplace</p>  <p>16547280949098193937321131751043.jpg</p> <p>09 June 2022 08:41</p>	<p>Lounge:Fixtures &amp; Fittings - Fireplace</p>  <p>16547280949098193937321131751043.jpg</p> <p>09 June 2022 08:41</p>
<p>Lounge:Fixtures &amp; Fittings - Fireplace</p>  <p>16547281115873793908860322940975.jpg</p> <p>09 June 2022 08:42</p>	<p>Lounge:Floor Finishes - Carpet</p>  <p>16547282262008825391634018067489.jpg</p> <p>09 June 2022 08:43</p>
<p>Lounge:Floor Finishes - Carpet</p>  <p>16547282262008825391634018067489.jpg</p> <p>09 June 2022 08:43</p>	<p>Lounge:Floor Finishes - Carpet</p>  <p>16547282262008825391634018067489.jpg</p> <p>09 June 2022 08:43</p>

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**Constr. Year:** 1952      **Floor Area (m2):** 180      **Survey Date:** 11 June 2022

<p align="center">Lounge:Heating System - Gas Heater</p>  <p align="center">16547299674431553379269531686839.jpg</p> <p align="center">09 June 2022 09:13</p>	<p align="center">Lounge:Heating System - Gas Heater</p>  <p align="center">16547299674431553379269531686839.jpg</p> <p align="center">09 June 2022 09:13</p>
<p align="center">Lounge:Interior Doors - Paint Finish</p>  <p align="center">16547282658042722916578881201417.jpg</p> <p align="center">09 June 2022 08:44</p>	<p align="center">Lounge:Interior Doors - Paint Finish</p>  <p align="center">16547282658042722916578881201417.jpg</p> <p align="center">09 June 2022 08:44</p>
<p align="center">Lounge:Wall Finishes - Paint Finish</p>  <p align="center">16547283189365435184783506177909.jpg</p> <p align="center">09 June 2022 08:45</p>	<p align="center">Lounge:Wall Finishes - Paint Finish</p>  <p align="center">16547283189365435184783506177909.jpg</p> <p align="center">09 June 2022 08:45</p>



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<p>Lounge:Wall Finishes - Paint Finish</p>  <p>16547283189365435184783506177909.jpg</p> <p>09 June 2022 08:45</p>	<p>Lounge:Wall Finishes - Render</p>  <p>16547284457037159778577543907118.jpg</p> <p>09 June 2022 08:47</p>
<p>Lounge:Wall Finishes - Render</p>  <p>16547284457037159778577543907118.jpg</p> <p>09 June 2022 08:47</p>	<p>Study:Ceiling Finishes - Paint Finish</p>  <p>16547288107793667281767810879145.jpg</p> <p>09 June 2022 08:54</p>
<p>Study:Ceiling Finishes - Paint Finish</p>  <p>16547288107793667281767810879145.jpg</p> <p>09 June 2022 08:54</p>	<p>Study:Floor Finishes - Carpet</p>  <p>1654728896054816258334291482109.jpg</p> <p>09 June 2022 08:55</p>

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<p>Study:Floor Finishes - Carpet</p>  <p>1654728896054816258334291482109.jpg</p> <p>09 June 2022 08:55</p>	<p>Study:Interior Doors - Paint Finish</p>  <p>16547289388392309244408468220414.jpg</p> <p>09 June 2022 08:55</p>
<p>Study:Interior Doors - Paint Finish</p>  <p>16547289388392309244408468220414.jpg</p> <p>09 June 2022 08:55</p>	<p>Study:Lighting - Incandescent Lights</p>  <p>16547287767058242800211219969493.jpg</p> <p>09 June 2022 08:53</p>
<p>Study:Lighting - Incandescent Lights</p>  <p>16547287767058242800211219969493.jpg</p> <p>09 June 2022 08:53</p>	<p>Study:Wall Finishes - Paint Finish</p>  <p>16547290001216790834518159931670.jpg</p> <p>09 June 2022 08:56</p>

**Photos Report****Property Name:** 2 Possum Close**Property Code:** 001694-C-PRP32**Categories:** Development - Mooney Mooney - Precinct C - Mooney Mooney Foreshore Precinct**Address:** 2 Possum Close**Constr. Year:** 1952**Floor Area (m2):** 180**Survey Date:** 11 June 2022

Study:Wall Finishes - Paint Finish



16547290001216790834518159931670.jpg

09 June 2022 08:56



## **APPENDIX E**

## **2 POSSUM CLOSE MOULD REPORT**



PO Box 190 Bentleigh VIC 3204

Phone: 1300 944 595

Email: [info@themoulddoctor.com.au](mailto:info@themoulddoctor.com.au)

Web: [www.themoulddoctor.com.au](http://www.themoulddoctor.com.au)

## Inspection Report 2 Possum Close, Mooney Mooney 2083





PO Box 190 Bentleigh VIC 3204

Phone: 1300 944 595

Email: [info@themoulddoctor.com.au](mailto:info@themoulddoctor.com.au)

## Inspection Report

<b>Client Name:</b>	Caelia Collins - Riverfront Real Estate Brooklyn	<b>Date of Inspection:</b>	7 Oct 2020
<b>Property Address:</b>	2 Possum Close, Mooney Mooney 2083	<b>Job No:</b>	35381

Dear Caelia

Further to our inspection, we are pleased to provide you with this report for consideration.

The report includes the following:

- Photos of rooms that have visible mould or obvious building defects.
- Moisture and Humidity Readings.
- Identification of the possible causes of the visible mould.
- Treatment recommendations.
- Preventive recommendations.
- Detailed quote and price match guarantee.

Generally, mould is caused by:

- Condensation
- Elevated humidity
- Insufficient building ventilation
- Household clutter
- Indoor plants and Fish Tanks
- Inadequate bathroom and laundry ventilation.
- Moisture ingress from building or plumbing defects.

If mould is left untreated, there is a potential health hazard for the occupants.

Mould should only be treated by a trained mould remediation technician.

Thank you for the opportunity to provide our services, we look forward to receiving your instructions.

### OUR GUARANTEE

We provide a 1-year guarantee if the mould returns to the space treated.

Guarantee conditions:

- All preventative recommendations are approved.
- Building defects allowing moisture ingress have been repaired.

*John Liddell*

Managing Director

*"The Mould Doctor is always prompt in both quoting and work procedures. Quotes are fully explained and with good information for the owner of the property. Works are completed in a timely fashion and I have never had an issue with the quality of work put through to me. The Mould Doctor is my only option when dealing with mould and moisture issues".*

Rob Gillies  
Property Investor Services  
Brunswick



**The Mould Doctor**

**Page 2 of 8**



PO Box 190 Bentleigh VIC 3204

Phone: 1300 944 595

Email: [info@themoulddoctor.com.au](mailto:info@themoulddoctor.com.au)

<b>Client Name:</b>	Caelia Collins - Riverfront Real Estate Brooklyn	<b>Date of Inspection:</b>	7 Oct 2020
<b>Property Address:</b>	2 Possum Close, Mooney Mooney 2083	<b>Job No:</b>	35381

## Detailed Findings

There is visible mould in the following areas:

- Master bedroom
- Bedroom 2
- Bedroom 3
- Bedroom 4
- Bathroom
- Lounge
- Kitchen
- Dining
- Laundry

Current fan in the bathroom does not provide adequate ventilation.

Elevated relative humidity levels have been detected and should be reduced and maintained below 55% to prevent mould occurring.

If left untreated, the mould can be a potential health hazard to the occupants.

## Treatment Recommendations

Bedroom 2 and 3 wardrobes needs to be emptied out prior to treatment.

Mould affected areas to be treated and sanitised to eliminate visible mould and other contaminants.

Decontamination fogging is recommended to eliminate airborne mould spores.

Blinds cannot be treated recommend being replaced or professionally cleaned.

Furniture needs to be moved away from walls and windows prior to treatment.

## Prevention Recommendations

Two Cool Seasons Premium 10L Desiccant Dehumidifiers are recommended to assist with moisture control and humidity levels.







Bathroom requires a ventilation system with a run on timer to assist with moisture control.

Recommend for external roof and gutters to be assessed for defects that contribute to a build up of internal moisture.



PO Box 190 Bentleigh VIC 3204  
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Email: [info@themoulddoctor.com.au](mailto:info@themoulddoctor.com.au)

### Room/Area Findings

Room/Area	Mould	Defect	OK	Description
Front of Property			✓	
				
Master Bedroom	✓			Relative humidity levels exceed 55%. Visible mould on ceiling, walls, window and blinds.
				 
				
Bedroom 2	✓			Relative humidity levels exceed 55%. Visible mould on ceiling and door. Visible mould in wardrobe (needs to be emptied out prior to treatment).









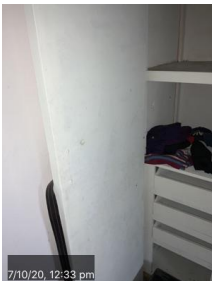





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Room/Area	Mould	Defect	OK	Description
				 
				
<b>Bedroom 3</b>	✓			<p>Relative humidity levels exceed 55%. Visible mould on ceiling and window. Visible mould in wardrobe (needs to be emptied out prior to treatment).</p>
				 
				
<b>Bedroom 4</b>	✓			<p>Relative humidity levels exceed 55%. Visible mould on window.</p>















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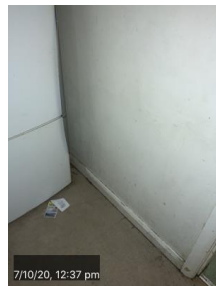

Room/Area	Mould	Defect	OK	Description
				
Bathroom	✓			Relative humidity levels exceed 55%. Visible mould on ceiling, walls and windows. Current fan does not provide adequate ventilation.
				
				
Lounge	✓			Relative humidity levels exceed 55%. Visible mould on windows.
				



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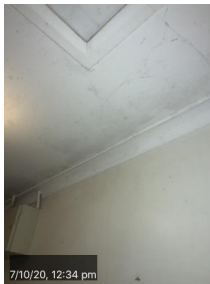
Room/Area	Mould	Defect	OK	Description
Kitchen	✓			Relative humidity levels exceed 55%. Visible mould on window and blinds.
  				
Dining	✓			Relative humidity levels exceed 55%. Visible mould on walls and window.
  				
				
Laundry	✓			Relative humidity levels exceed 55%. Visible mould on ceiling, walls and door.



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Room/Area	Mould	Defect	OK	Description
				
				

Please see below for quote.

**Attachment 7**

323 Centre Road  
3204  
Bentleigh

1300 944 595

[www.themoulddoctor.com.au](http://www.themoulddoctor.com.au)

Job #35381

Date: 07 Oct 2020

Site Details:  
2 Possum Close  
Mooney Mooney  
2083

To:  
Caelia Collins  
Riverfront Real Estate Brooklyn  
2/5 Bridge Street  
Brooklyn  
2083

**QUOTE****Treatment Recommendations**

Description	Amount
Remove all visible mould, micro clean and sanitize the affected areas. Complete a decontamination fogging of all internal living areas to eliminate airborne mould spore and other bacteria.	1,750.00
Subtotal	1,750.00
GST	175.00
Total	1,925.00

**Preventive Recommendations**

Description	Quantity	Price	Amount
Supply, install, and hard wire Fantech Silent Series Ventilation System with run on timer in the Bathroom. Electrician will inspect on day of installation to confirm if there is adequate space for the system to be installed.	1.00 units	890.00	890.00
Supply Cool Seasons Premium 10L Desiccant Dehumidifier	2.00 units	550.00	1,100.00
Subtotal			1,990.00
GST			199.00
Total			2,189.00

**Total Recommendations**

Description	Amount
Treatment Recommendations	1,750.00
Preventative Recommendations	1,990.00
Subtotal	3,740.00
GST	374.00
Total	4,114.00

**QUOTE IS VALID FOR 30 DAYS**

1300 944 595  
[www.themoulddoctor.com.au](http://www.themoulddoctor.com.au)



## Inspection & treatment information

Arrange a **free** inspection

- 📞 1300 944 595
- ✉ [info@themoulddoctor.com.au](mailto:info@themoulddoctor.com.au)
- 🌐 [www.themoulddoctor.com.au](http://www.themoulddoctor.com.au)





## INSPECTION & TREATMENT PROCESS

Our team of expert technicians are trained to treat all species of mould.

### FREE INSPECTIONS

Our inspection report includes photos, moisture and humidity readings, findings, preventative recommendations and a quote.

There is no charge for this service however if laboratory testing is required charges apply.

To book your free inspection call 1300 944 595 or visit [www.themoulddoctor.com.au](http://www.themoulddoctor.com.au)

Please note if you are a tenant, we require approval from the Property Manager or owner.

### MOULD REMEDIATION PROCEDURE

**Step 1** Remove the visible mould infestation and sanitise the affected areas.

**Step 2** Fog the entire dwelling to eliminate the invisible airborne mould spores.



**AMAZING RESULTS!**

## THE FOGGING PROCESS

### WHAT IS FOGGING?

If the property has visible mould, there will be invisible spores throughout the living space.

Fogging eliminates all air borne spores and other bacteria.

### WHY FOG THE ENTIRE HOUSE?

The simple answer is that Mould Spores move around the house.

If the entire property is not fogged mould will most likely return if the conditions are right, i.e. elevated humidity, condensation and lack of ventilation.





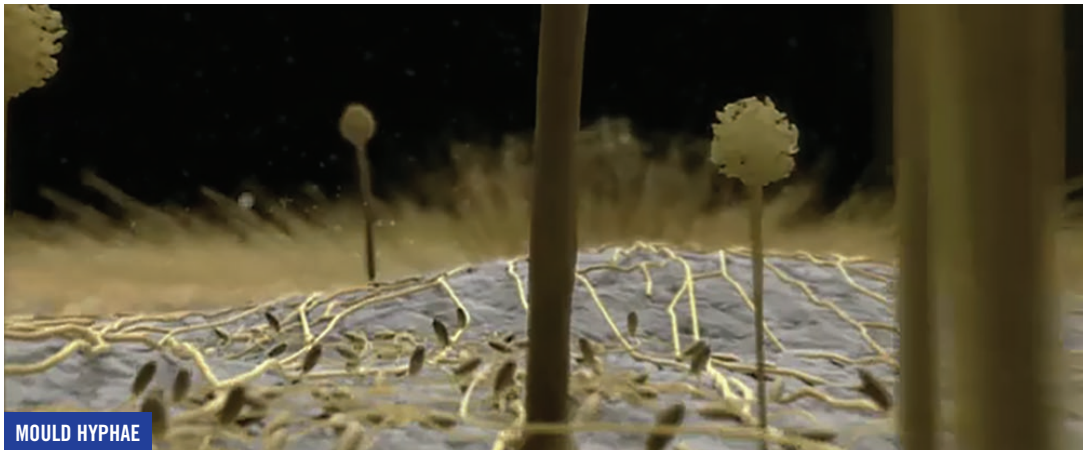


## HOW DOES MOULD SPREAD?

Mould can grow by extension of tiny root hairs called hyphae. Mould also makes spores that are like very small seeds. When spores are released they can be carried by air or water to new locations.

As mould dries this release is accelerated in an effort to spread the seeds to new areas to grow. Spores are so small that primarily air currents affect them. If you have visible growth occurring from a water intrusion, do not dry

it or the building materials out uncleaned. As the moisture of the mould or building material decreases, the release of spores increases exponentially.



MOULD HYPHAE

## UNDERSTANDING MOULD

### WHAT IS MOULD?

Mould is one type of fungus whose job it is to decompose dead organic material. Moulds sometimes can infect living plants and animals. The spores and fibre like structure of individual mould colonies are too small to see without a microscope. When enough mould grows together on a surface it will appear in different colours. The colour of mould is influenced by nutrient source and the age of the colony. It is impossible to determine what type of mould is growing by visual inspection only.

Moulds are naturally occurring organisms playing a major role in the earth's ecosystem. They are the most important part of nature's ability to recycle. These microscopic fungi exist everywhere except under water, parts of the Arctic and Antarctic.

### WHAT MAKES MOULDS GROW?

Mould needs moisture to grow, no moisture means no mould. Mould also needs food, oxygen and ideally a warm temperature.

Since mould decomposes dead organic material it can grow on wood. Mould can also digest some synthetic materials such as adhesives, pastes and paints. While mould cannot feed off of inorganic material such as concrete, glass and metal, it can however grow on dirt, debris or hairs that are on/in these surfaces.

Moulds prefer wet or damp materials but can get their moisture from the air in the form of high humidity, typically above 55% relative humidity.

If mould has the opportunity to grow (add water) it will. The key to reducing the growth of moulds in buildings is to minimize the water. Reduce the ways in which moisture accumulates in the building structure and mould won't continue to be a problem.



## WHEN TO TEST FOR MOULD?

### WHEN SHOULD MOULD TESTING BE CONSIDERED?

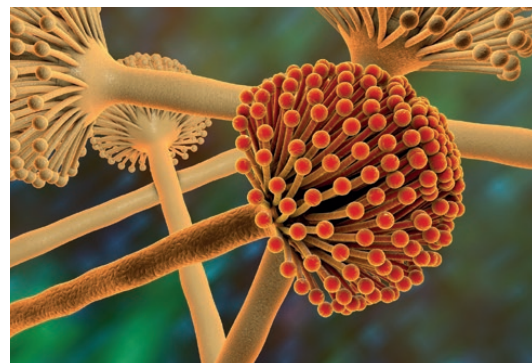
- When there is no visible mould just a musty or permeating odour
- If there is defective plumbing, building defects or leaks
- If a doctor cannot pinpoint the cause of a health issues related to mould allergies
- For a pre-purchase real estate report
- Landlord/Tenant disputes
- If you can already see mould, remediation is required and testing is usually unnecessary.



**If you can already see mould, remediation is required and testing is usually unnecessary**

## MICROBIAL LABORATORY ANALYSIS

- The Mould Doctor provides air testing that is analysed by a microbiologist
- Testing procedure can be viewed at [www.themoulddoctor.com.au/services/mould-testing](http://www.themoulddoctor.com.au/services/mould-testing)
- A report is supplied that includes the mould species and spore counts



**MouldFree**  
BY THE MOULD DOCTOR  
ELIMINATES ALL MOULD AND OTHER BACTERIA  
■ AIR SANITISER ■ NON-HAZARDOUS ■ MADE IN AUSTRALIA



## OUR FOGGING PRODUCT

Microbiological testing of the fogging product was undertaken at Monash University. Testing was completed using the standard broth dilution method for bacterial and fungal strains.

The minimum inhibitory concentration (MIC) and the minimum bactericidal concentrations (MBC) and minimal fungicidal concentrations (MFC) were established against various airborne bacteria and fungi.

The bacteria and fungi are airborne, meaning they are able to travel through air and can cause infections in people through various means, inhalation, direct contact or ingestion of the pathogen.

The testing by a 'standard broth dilution method' is a procedure that measures the growth of bacteria in a liquid form at the stated concentrations. The modified macro dilution method is a method for identifying fungi in a liquid form.

The broth that contains the microbes is read by determining growth (G), no apparent growth (NAG) or no growth (N). The minimum inhibitory growth of the tested microbe is measured by turbidity in the broth solution. MIC is the point that no further replication of microbes occurs. On each test, the last 3 dilutions that showed no apparent growth were plated out so that the minimum bactericidal rate (MBC) could be identified. i.e. the point that the product kills the organism.

Below is an explanation of the organisms tested, the diseases or ailments that they can cause.

### MOULD STRAINS

- **Trichophyton rubrum** can cause skin diseases such as Athlete's Foot, Tinea and ring worm of the nails, beard and groin.
- **Trichophyton mentagrophytes** can cause dermatomycoses, i.e. body ringworm, nail ringworm, groin ringworm, beard ringworm and Athletes foot.
- **Aspergillus niger** can cause Pneumonia in immunocompromised patients, skin infections in burn victims, corneal and external ear infections.
- **To conclude**, it is apparent that the growth of all bacteria and fungal strains tested were inhibited by the concentrations of the fogging product. concentrations and eliminated the majority of the bacteria tested. Also, bacterium eliminated include Legionella pneumophila, the bacterium responsible for Legionnaires disease.

Complete testing report is available on request.



## CLIENT FEEDBACK

*"The Mould Doctor is always prompt in both quoting and work procedures. Quotes are fully explained and with good information for the landlord. Works are completed in a timely fashion, the tenants are consulted with time frames, and I have never had an issue with the quality of work. The Mould Doctor is my only option when dealing with mould and moisture issues".*

**Rob Gillies**  
Property Investor Services - Brunswick

**hockingstuart**

*"Your office is extremely efficient and we are always well-informed with what is happening and when the job will be completed. The results are great".*

**Renee Eberle**  
McGrath Estate Agents - St Kilda

**McGrath**

*"I would like to say that the Mould Doctor has given myself a lot of insight on how mould actually works and for the industry I work in this has been very helpful in my confidence to discuss certain aspects to both Landlords and Tenants".*

**Sherie Vis**  
Biggin & Scott - St Kilda

**Biggin Scott**

*"The Mould Doctor has provided mould remediation in a number of properties we manage. They understand that our tenants health is a priority and always respond within 24 hours. Positive feedback from tenants and owners provides us with great comfort in engaging The Mould Doctor for future issues with Mould".*

**Brant Williams**  
Advantage Property - Elwood

**ADVANTAGE**  
PROPERTY CONSULTING

**MOULD A PROBLEM? MAKE AN APPOINTMENT WITH THE MOULD DOCTOR**

**1300 944 595 | THEMOULDDOCTOR.COM.AU**



## HEALTH ISSUES

Mould isn't just an unsightly problem – it's a serious health risk. It can affect the respiratory system, causing sneezing, coughing, headache, fatigue and wheezing, as well as respiratory infections. In particular, young children, the elderly, people with asthma and allergies, or people with compromised immune systems are at risk of developing mould-related health complications.

### DEADLY MOULD

"With more than 30% of buildings affected by mould, it is now belatedly being recognised as a serious health risk," says Dr Peter Dingle PhD.

Moulds are perhaps the most opportunistic of the microorganisms, and are found virtually everywhere, indoors and outdoors. They thrive wherever there is the least bit of moisture and nutrition - in fact, they are tiny, enzyme producing and cellulose eating factories. There is a mould for every occasion and almost every material

They work continually on organic materials, breaking them down. Moulds are vital in the process of decomposition and recycling of organic material, and are essential and beneficial for life. Indoors, however, where their populations can concentrate, moulds become a problem.

Fungi are the most frequent cause of biodegradation of building materials. This "biocorrosion" happens to building materials, such wood, chipboard and plaster, as organic and inorganic acids are released from the fungi. This is not surprising as fungi are capable of breaking down rock in nature. Ideal conditions for fungi growth are damp, humid conditions. In recent years, the opportunity for growth of fungi and hence mycotoxin release has increased with increased flooding and thermal modernisation of residential buildings. Allergies and mycotoxicosis can be caused by extended periods of mould exposure.

Mould growths can often be seen in the form of discolouration, ranging from white to orange and from green to black, and present many textures, including slimy, powdery and hairy.

Moulds have diverse effects on our health due primarily to their production of spores and toxins, some of which are Volatile Organic Compounds (VOCs). Symptoms caused by moulds range from allergies to liver cancer. Mould can also cause conditions such as Sick Building Syndrome (SBS) and skin infections. It is inadvisable for anyone to live or work in a mouldy indoor environment.

**Moulds have diverse effects on our health due primarily to their production of spores and toxins**

### The Daily Telegraph

#### 'Our mouldy house was killing us'

FIONA BAKER NATIONAL FEATURES FEBRUARY 16, 2012 7:00PM



Robyn Bell and Mathew Willmore had severe health problems caused by their mouldy home in Brisbane. Picture: Hughes Simon. Source: Supplied

#### WET weather is causing a spread of mould that is damaging to our health.

The list of infections, symptoms and conditions Robyn Bell, her partner Mathew Willmore and even their two cats suffered during the three years they lived in a mould-infested Brisbane home reads like the index of a medical journal.

Sinus, skin and respiratory infections, yeast infections, headaches, aching joints, asthma, fatigue, loss of libido, depression and anxiety were some of the problems they suffered. Their cats suffered fungal infections and constant vomiting.

"That house was killing us," Bell says. "It just took a long time for us to connect the dots about why we were so sick all the time."

She and Willmore have since moved out - 'almost immediately we felt better' - but without most of their belongings, which they have locked up in containers because they were unable to control the mould.

'Mould has tainted everything in our lives,' she says. 'Along with our health, many of our belongings, our keepsakes that were sacred to us, have been or will need to be destroyed.'

'Mould is toxic, dangerous and consumes everything around it. Unless you treat the source and kill it, it will take hold of your life.'





## MOULD MYTHS

### THERE'S NO QUICK FIX

"I've got a quick fix for mould," says your normally-amenable landlord. "Just get the tenants to wash the mould away with a bleach solution. She'll be right as rain." Wrong.

Many landlords may initially use 'Doctor Google' rather than The Mould Doctor. Google may tell you that bleach is the miracle mould cure-all when in fact, bleach makes a landlord's mould problem worse.

### BLEACH FEEDS MOULD

Chemicals like bleach are actually a smorgasbord for some fungi. Whilst initially you may think bleach solves your mould problem, it actually feeds it. Bleach is effective in sanitising surfaces, and when used on mould it can indeed remove the discoloration associated with mould.

It will not, however, remove the microflora which will allow mould to return in exactly the same spot. Any mould that is killed by bleach then leaves behind hazardous mycotoxins - dead mould spores that still present a health hazard.

### BLEACH LINKED TO HEALTH PROBLEMS

The Herald Sun has reported on the relationship between the use of bleach and health problems - linking the use of bleach in domestic environments to higher rates of flu, tonsillitis, bronchitis and pneumonia in children.

Research speculates that airborne irritants released whilst cleaning with mould may damage the lining of lung cells, sparking inflammation and making it easy for infections to take hold.

Advertising increasingly promotes the use of antimicrobial products including bleach in the home environment - which makes communicating to landlords unaware of bleach's health risks doubly challenging.

### MOULD PROOF PAINT – ALL YOU NEED TO KNOW

Everyone knows that prevention is often better than cure, so it's no wonder that landlords and property managers are often looking to mould proof paint as a way to prevent mould.

The good news is that there is a wide range of mould resistant paints available that discourage the growth of mould. These contain a level of mildewcide that will keep the paint free of mould and mildew for some time – usually for the life of the paint.

The bad news is that just using these paints alone is not enough. In order for the paint to work, the mould needs to be attacked at its source before painting. We are often called to properties within three months of a client's paint job to treat mould that has returned.

The fact is there is no paint that penetrates a surface and kills mould spores. If there was such a paint it would need to be registered as a pesticide. If you paint without proper mould remediation, spores can be embedded into the film of the paint and cause visible infestation in the future.

Prevention is better than cure, but only when handled correctly by the experts. Our technology actually kills the mould spores, greatly reducing the risk of mould returning. The Mould Doctor's technology removes the mould stains, therefore repainting is not required which saves additional costs for the landlord.





## DEHUMIDIFIER

### COOL-SEASONS PREMIUM 10L DESICCANT DEHUMIDIFIER

The most powerful compact, light weight desiccant dehumidifier on the Australian market.

This premium 10 litre per day small-size/big-power model is compact and light weight yet powerful in performance with a high desiccant moisture removal capacity.

An all-in-one dehumidifier and dryer; your premium choice in desiccant dehumidifiers.



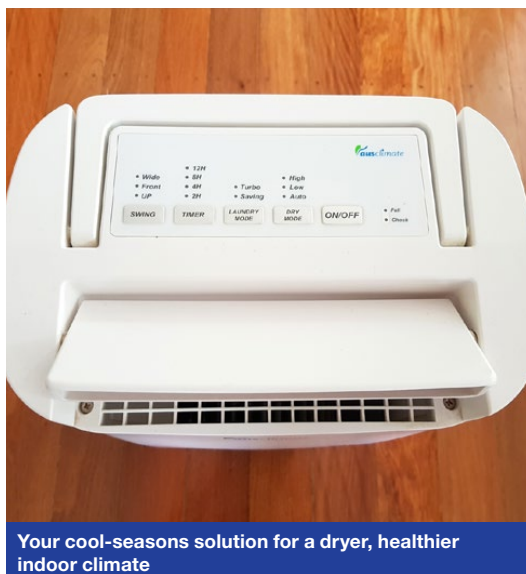
**Desiccant Dehumidifiers - the most effective and efficient technology for cooler climates**

#### FEATURES

- efficient cold-climate operation (down to 1°C)
- 10L of moisture extraction per day (20°C @ 60%RH)
- nano silver filter (kills viruses and bacteria on contact)
- suitable for room sizes up to 50m<sup>2</sup> or 125m<sup>3</sup> (easy-drying)
- easy soft-touch controls (humidity/drying settings/ 12hr timer)
- laundry mode (simple one-touch economical clothes drying function)
- auto swing louvers (air flow direction control and faster drying)
- full-tank auto shut-off
- easy front-removable 3 litre water tank (anti-spill water bucket design)
- 12 hour timer (2, 4, 8 or 12 hrs auto-shut-off or continuous)
- continuous drainage feature (1.2m drainage hose included).

#### SPECIFICATIONS

- dimensions 317(w) x 213(d) x 499(h) mm
- weight 6.8kg



**Your cool-seasons solution for a dryer, healthier indoor climate**



**\$550 + GST**

#### WHAT'S INCLUDED

- Delivery
- Set up
- How to use instructions





## AIR PURIFIER

### ZERO+ PRO 5 STAGE AIR PURIFIER

Your solution for a cleaner, healthier indoor climate.



Perfect for homes or workplaces and office use

The next generation Zero+ PRO 5 Stage Air Purifier features 5 stages of air purification with PlasmaWave® 2.0 technology, dedicated Pet Filter, reactive Triple Smart Sensor, Smart Air Quality Display, Sleep Mode and four fan speeds with Hospital Grade True HEPA filtration for whole rooms.

Perfect for homes or professional workplaces and office use, the ultimate PRO level air purifier.

#### FEATURES

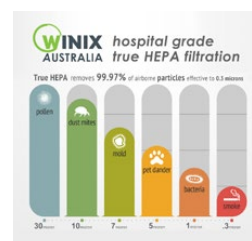
- Five stages of air filtration
- Optimum room size up to 49.5 m<sup>2</sup>
- Australian Hospital-grade True HEPA filter
- PlasmaWave® technology 2.0: neutralises bacteria, odours, VOCs (chemical vapours and harmful gases) and viruses including Influenza A (H1N1), Cat Calicivirus, Dog Coronavirus, H5N1 Influenza A Subtype, Avian Influenza (H7N9), Zika virus - without producing harmful ozone\*
- Deodorization Activated Carbon Corrugate Filter: Captures chemical vapours as well as offensive odours (up to 99% efficiency)
- Pet filter: captures large particles, dander and pet hair
- Four fan speeds with *set and forget* auto mode
- Triple Smart Sensor: monitors and reactively adjusts to airborne contaminants and odours
- Smart Air quality LED display
- Sleep mode: dims the lights and operates in quiet mode
- Exceptional energy efficiency: up to 12x more efficient than a typical 60w household light bulb.

#### SPECIFICATIONS

- dimensions 415(w) x 245(d) x 600(h) mm
- weight 8.5kg



Five stages of air filtration



**\$649 + GST**

#### WHAT'S INCLUDED

- Delivery
- Set up
- How to use instructions



## BATHROOM & LAUNDRY VENTILATION



### SILENT SERIES WALL OR CEILING MOUNTED EXHAUST FAN

**\$890 + GST**

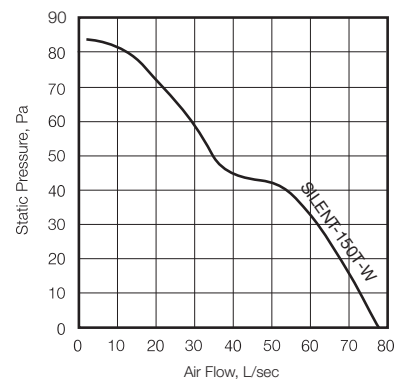
#### WHAT'S INCLUDED

- Supply and install
- Ducting
- Run on timer
- Hardwire by electrician to a dedicated switch



The Silent series exhaust fans are designed to solve ventilation problems in bathrooms, ensuites and toilets. They feature an advanced vibration absorbing design that enables them to run quietly, while the high performance motor and impeller exhausts air quickly and efficiently.

- Quiet operation due to its noise and vibration absorbing design.
- Powerful air flow performance.
- Low loss, foil backdraft damper is standard on all models.
- Internal thermal motor cut out protection.
- 220-240V, single-phase, 50Hz supply.

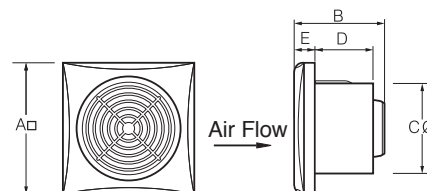


MODEL NO.	M <sup>3</sup> /H <sup>1</sup>	L/ SEC <sup>1</sup>	FAN SPEED RPM	AVG. dB(A) @ 3M	WATTS	VOLTS	IP RATING
SILENT-150T-W	280	78	1700	32	29	230	IP45

... T-W models include backdraft damper and run-on timer <sup>1</sup> Air flow without duct and fittings

### ACCESSORIES

- Fan Controllers.
- External Grilles.
- Flexible Duct - Fire Rated AS/NZS 4254.
- Wall Tubes.



MODEL NO.	DUCT SIZE	A	B	C Ø	D	E
SILENT-150T-W	150	214	149	147	95	35

All dimensions in mm



- Living in a house that feels damp?
- Musty odours?
- Visible mould in living areas?
- Signs of termites or rotted timber?
- The Mould Doctor can help by installing a Sub Floor Ventilation system

## SUB FLOOR VENTILATION

Research has proven that people get sick from damp floors and rising dampness in their homes. This has a major effect on the health of Australian home owners.

The cure for rising damp is damp air removal. It can affect the respiratory system, causing sneezing, coughing, headache, fatigue and wheezing, as well as respiratory infections.

In particular young children, the elderly, people with asthma and allergies or people with compromised immune systems are at risk of developing mould-related health complications.

### SUB FLOOR VENTILATION SYSTEM

Excessive sub floor moisture can cause several problems. The most common problems are rising damp, wood rot, pest or termite infestations and unpleasant odours. If untreated, this could lead to growing mould, mildew and serious health issues.

Mould isn't just an unsightly problem – it's a serious health risk. We can assist you prevent all this, simply by installing a sub floor ventilation system to remove ground moisture from underneath raised floors, creating a drier and controlled sub floor area. Our system is an affordable, economic and long-lasting solution.

We ensure that your sub floor ventilation system, installed by our highly trained technicians, is running perfectly so it will effectively reduce excess sub floor moisture and assist with your damp problems.

The system is designed to exhaust damp trapped from the air from the sub floor and introduce fresh air in through existing or new passive vents. It works from drawing in fresh air from outside one side of your home and circulating that while on the other side is a damp air removal system. This cross-flow ventilation from one side to the other, creates air change through your house renewing the fresh air up to 15 times an hour during day light hours. Any rising damp will be picked up and removed, preventing rising damp from entering your home.

The outcome is that excessive moisture will no longer make its way inside your home. The sub floor ventilation system eliminates musty smells, pest infestations, rotting timbers and most importantly health problems as a result of dampness in your home. The Mould Doctor will create a healthy home and living environment for you and your family.



### THE BLAUBERG SYSTEM

The Mould Doctor carefully selected the Blauberg International line as our sub floor ventilation system.

Manufactured in Germany using the latest technology ensures superior performance, reliability and low operating costs.

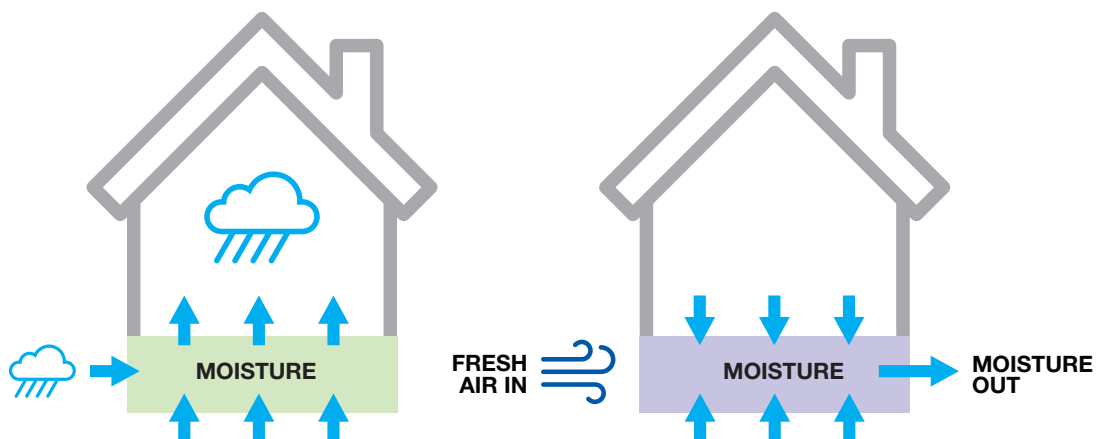
This sub floor ventilation system will design effectiveness, result in cost and energy efficiency, reliability and low maintenance requirements, compliance with Australian standards, unobtrusive operation and aesthetics.

The Mould Doctor uses the exclusive silent ventilation Blauberg ISO fans, Centro M, metal cased air pumps and smart fan models.

- A five-year warranty on all Blauberg products
- Steel and fire-resistant casing with resistant coating for reduction of vibration and longevity
- Insulated ducting is used for improved acoustic performance and special imported high moisture resistant (PVC fume control duct) PFC duct is used to improve durability and longevity in damp sub floor environments
- To make sure the pumps only run during daylight hours, timers will be installed next to the sub floor access for easy service and maintenance



**Our system is an affordable, economic and long-lasting solution**





# 7 REASONS WHY OUR CLIENTS CHOOSE THE MOULD DOCTOR

- 1 PRICE MATCH GUARANTEE
- 2 FULLY INSURED
- 3 FREE INSPECTIONS AND DETAILED REPORTS
- 4 OUR TRAINED TECHS ARE POLICE CHECKED
- 5 ONE YEAR SERVICE GUARANTEE
- 6 THE MOULD DOCTOR SERVICE EXTENDS TO ALL REGIONS IN VICTORIA AND NEW SOUTH WALES
- 7 MEMBERS OF HIA, IAQG AND IICRC



**MOULD A PROBLEM? MAKE AN APPOINTMENT WITH THE MOULD DOCTOR**  
1300 944 595 | [info@themoulddoctor.com.au](mailto:info@themoulddoctor.com.au) | [themoulddoctor.com.au](http://themoulddoctor.com.au)







## **APPENDIX F**

## **60 PACIFIC HIGHWAY PHOTO INSPECTION**




**Attachment 7****Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Street View</p> <p style="text-align: center;">13 June 2022 08:20</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Front</p> <p style="text-align: center;">13 June 2022 08:20</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Lounge</p> <p style="text-align: center;">13 June 2022 11:15</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Lounge</p> <p style="text-align: center;">13 June 2022 11:16</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Lounge</p> <p style="text-align: center;">13 June 2022 11:16</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Lounge</p> <p style="text-align: center;">13 June 2022 11:16</p>


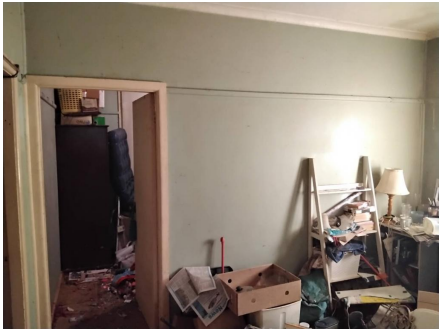



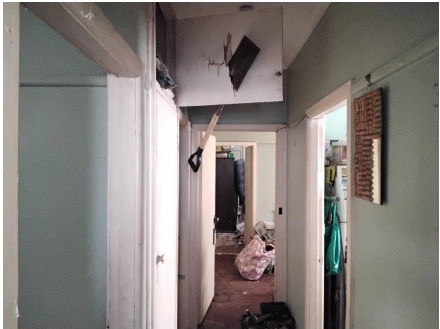
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<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 1</p> <p style="text-align: center;">13 June 2022 11:17</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 1</p> <p style="text-align: center;">13 June 2022 11:17</p>
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**Photos Report**





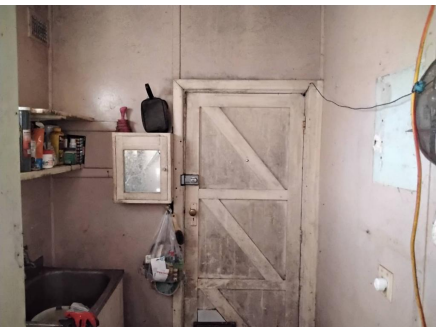

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**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

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<p style="text-align: center;">Property</p>  <p style="text-align: center;">Hallway</p> <p style="text-align: center;">13 June 2022 11:18</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Hallway</p> <p style="text-align: center;">13 June 2022 11:18</p>



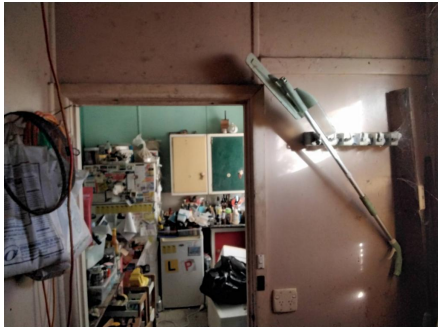
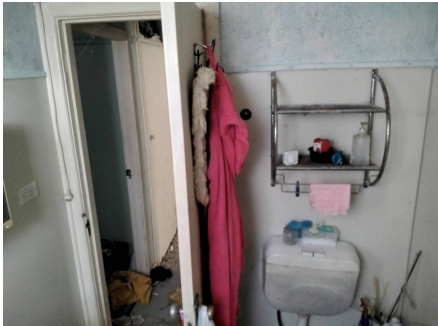
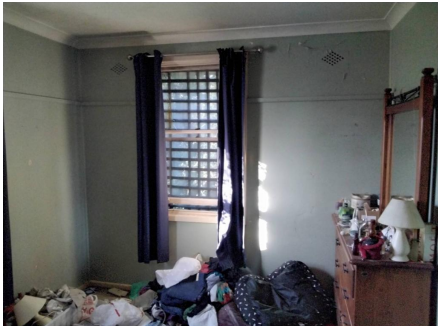
**Attachment 7****Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Kitchen</p> <p style="text-align: center;">13 June 2022 11:19</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Kitchen</p> <p style="text-align: center;">13 June 2022 11:19</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Kitchen</p> <p style="text-align: center;">13 June 2022 11:19</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Kitchen</p> <p style="text-align: center;">13 June 2022 11:19</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Laundry</p> <p style="text-align: center;">13 June 2022 11:20</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Laundry</p> <p style="text-align: center;">13 June 2022 11:20</p>

**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p align="center">Property</p>  <p align="center">Laundry</p> <p align="center">13 June 2022 11:20</p>	<p align="center">Property</p>  <p align="center">Laundry</p> <p align="center">13 June 2022 11:20</p>
<p align="center">Property</p>  <p align="center">Bathroom</p> <p align="center">13 June 2022 11:22</p>	<p align="center">Property</p>  <p align="center">Bathroom</p> <p align="center">13 June 2022 11:22</p>
<p align="center">Property</p>  <p align="center">Bathroom</p> <p align="center">13 June 2022 11:22</p>	<p align="center">Property</p>  <p align="center">Bedroom 2</p> <p align="center">13 June 2022 11:22</p>

**Attachment 7****Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 2</p> <p style="text-align: center;">13 June 2022 11:22</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 2</p> <p style="text-align: center;">13 June 2022 11:23</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 2</p> <p style="text-align: center;">13 June 2022 11:23</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 3</p> <p style="text-align: center;">13 June 2022 11:23</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 3</p> <p style="text-align: center;">13 June 2022 11:23</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 3</p> <p style="text-align: center;">13 June 2022 11:23</p>








**Attachment 7****Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">Bedroom 3</p> <p style="text-align: center;">13 June 2022 11:23</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Outhouse</p> <p style="text-align: center;">13 June 2022 11:24</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">Outhouse</p> <p style="text-align: center;">13 June 2022 11:24</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">Outhouse</p> <p style="text-align: center;">13 June 2022 11:24</p>
<p style="text-align: center;">Property</p>  <p style="text-align: center;">LHS</p> <p style="text-align: center;">13 June 2022 11:26</p>	<p style="text-align: center;">Property</p>  <p style="text-align: center;">LHS</p> <p style="text-align: center;">13 June 2022 11:26</p>

**Photos Report**







**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p style="text-align: center;">Property</p>  <p style="text-align: center;">LHS</p> <p style="text-align: center;">13 June 2022 11:26</p>	<p style="text-align: center;">Bathroom:Ceiling Finishes - Paint Finish</p>  <p style="text-align: center;">20220613_085408.jpg</p> <p style="text-align: center;">13 June 2022 11:32</p>
<p style="text-align: center;">Bathroom:Ceiling Finishes - Paint Finish</p>  <p style="text-align: center;">20220613_085408.jpg</p> <p style="text-align: center;">13 June 2022 11:32</p>	<p style="text-align: center;">Bathroom:Fixtures &amp; Fittings - Cabinet</p>  <p style="text-align: center;">20220613_085417.jpg</p> <p style="text-align: center;">13 June 2022 11:33</p>
<p style="text-align: center;">Bathroom:Fixtures &amp; Fittings - Cabinet</p>  <p style="text-align: center;">20220613_085417.jpg</p> <p style="text-align: center;">13 June 2022 11:33</p>	<p style="text-align: center;">Bathroom:Interior Doors - Paint Finish</p>  <p style="text-align: center;">20220613_085438.jpg</p> <p style="text-align: center;">13 June 2022 11:33</p>




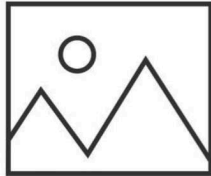


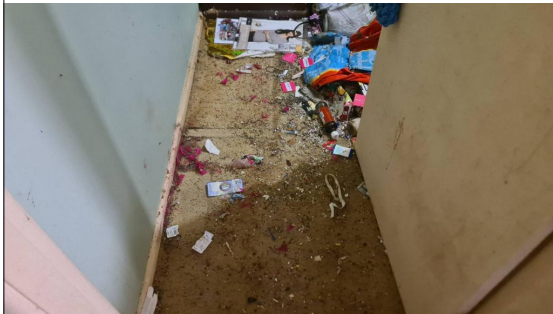

**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

Bathroom:Interior Doors - Paint Finish 	Bathroom:Ventilation and Exhaust - Exhaust Fan 
20220613_085438.jpg 13 June 2022 11:33	20220613_085353.jpg 13 June 2022 11:31
Bathroom:Ventilation and Exhaust - Exhaust Fan 	Bathroom:Wall Finishes - Paint Finish 
20220613_085353.jpg 13 June 2022 11:31	20220613_085452.jpg 13 June 2022 11:34
Bathroom:Wall Finishes - Paint Finish 	Bathroom:Windows & Doors - Window - Timber Framed 
20220613_085452.jpg 13 June 2022 11:34	20220613_085342.jpg 13 June 2022 11:31

**Attachment 7****Photos Report**







**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p>Bathroom:Windows &amp; Doors - Window - Timber Framed</p>  <p>20220613_085342.jpg 13 June 2022 11:31</p>	<p>Bedroom 1:Ceiling Finishes - Paint Finish</p>  <p><b>No image available</b></p> <p>Screenshot_20220609-173144_Google.jpg 13 June 2022 11:55</p>
<p>Bedroom 1:Ceiling Finishes - Paint Finish</p>  <p><b>No image available</b></p> <p>Screenshot_20220609-173144_Google.jpg 13 June 2022 11:55</p>	<p>Bedroom 1:Floor Finishes - Carpet</p>  <p>20220613_083646.jpg 13 June 2022 11:54</p>
<p>Bedroom 1:Floor Finishes - Carpet</p>  <p>20220613_083646.jpg 13 June 2022 11:54</p>	<p>Bedroom 1:Interior Doors - Paint Finish</p>  <p>20220613_083709.jpg 13 June 2022 11:53</p>

## Photos Report









**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p align="center">Bedroom 1:Interior Doors - Paint Finish</p>  <p align="center">20220613_083709.jpg 13 June 2022 11:53</p>	<p align="center">Bedroom 1:Wall Finishes - Paint Finish</p>  <p align="center">20220613_083728.jpg 13 June 2022 11:53</p>
<p align="center">Bedroom 1:Wall Finishes - Paint Finish</p>  <p align="center">20220613_083728.jpg 13 June 2022 11:53</p>	<p align="center">Bedroom 2:Ceiling Finishes - Paint Finish</p>  <p align="center">20220613_085857.jpg 13 June 2022 11:34</p>
<p align="center">Bedroom 2:Ceiling Finishes - Paint Finish</p>  <p align="center">20220613_085857.jpg 13 June 2022 11:34</p>	<p align="center">Bedroom 2:Floor Finishes - Carpet</p>  <p align="center">20220613_085910.jpg 13 June 2022 11:35</p>



**Photos Report**







**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p>Bedroom 2:Floor Finishes - Carpet</p>  <p>20220613_085910.jpg 13 June 2022 11:35</p>	<p>Bedroom 2:Interior Doors - Paint Finish</p>  <p>20220613_085927.jpg 13 June 2022 11:35</p>
<p>Bedroom 2:Interior Doors - Paint Finish</p>  <p>20220613_085927.jpg 13 June 2022 11:35</p>	<p>Bedroom 2:Wall Finishes - Paint Finish</p>  <p>20220613_085944.jpg 13 June 2022 11:36</p>
<p>Bedroom 2:Wall Finishes - Paint Finish</p>  <p>20220613_085944.jpg 13 June 2022 11:36</p>	<p>Bedroom 3:Ceiling Finishes - Paint Finish</p>  <p>20220613_090206.jpg 13 June 2022 11:36</p>









**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

Bedroom 3:Ceiling Finishes - Paint Finish	Bedroom 3:Floor Finishes - Polyurethane Finish
	
20220613_090206.jpg 13 June 2022 11:36	20220613_090231.jpg 13 June 2022 11:36
Bedroom 3:Floor Finishes - Polyurethane Finish	Bedroom 3:Wall Finishes - Paint Finish
	
20220613_090231.jpg 13 June 2022 11:36	20220613_090247.jpg 13 June 2022 11:37
Bedroom 3:Wall Finishes - Paint Finish	Dining:Ceiling Finishes - Paint Finish
	
20220613_090247.jpg 13 June 2022 11:37	20220613_083941.jpg 13 June 2022 11:52

**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

Dining:Ceiling Finishes - Paint Finish	Dining:Floor Finishes - Polyurethane Finish
	
20220613_083941.jpg 13 June 2022 11:53	20220613_083958.jpg 13 June 2022 11:52
Dining:Floor Finishes - Polyurethane Finish	Dining:Wall Finishes - Paint Finish
	
20220613_083958.jpg 13 June 2022 11:52	20220613_084008.jpg 13 June 2022 11:52
Dining:Wall Finishes - Paint Finish	External:Distribution Boards - Meter Box
	
20220613_084008.jpg 13 June 2022 11:52	20220613_090711.jpg 13 June 2022 11:39









**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p>External:Distribution Boards - Meter Box</p>  <p>20220613_090711.jpg 13 June 2022 11:39</p>	<p>External:External Walls - Paint Finish</p>  <p>20220613_091427.jpg 13 June 2022 11:40</p>
<p>External:External Walls - Paint Finish</p>  <p>20220613_091427.jpg 13 June 2022 11:40</p>	<p>External:Fences/Gates - Fence - Timber Paling</p>  <p>20220613_091346.jpg 13 June 2022 11:39</p>
<p>External:Fences/Gates - Fence - Timber Paling</p>  <p>20220613_091346.jpg 13 June 2022 11:40</p>	<p>External:Heating System - Hot Water Unit - Electric (Domestic)</p>  <p>20220613_091024.jpg 13 June 2022 11:27</p>

**Attachment 7****Photos Report**







**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p>External:Heating System - Hot Water Unit - Electric (Domestic)</p>  <p>20220613_091024.jpg</p> <p>13 June 2022 11:27</p>	<p>Garden shed:Sundries - Shed (Garden/Tool Shed)</p>  <p>20220613_091901.jpg</p> <p>13 June 2022 11:41</p>
<p>Garden shed:Sundries - Shed (Garden/Tool Shed)</p>  <p>20220613_091901.jpg</p> <p>13 June 2022 11:41</p>	<p>Hallway:Ceiling Finishes - Paint Finish</p>  <p>20220613_084225.jpg</p> <p>13 June 2022 11:50</p>
<p>Hallway:Ceiling Finishes - Paint Finish</p>  <p>20220613_084225.jpg</p> <p>13 June 2022 11:50</p>	<p>Hallway:Fixtures &amp; Fittings - Joinery Fttgs Built-In</p>  <p>20220613_084234.jpg</p> <p>13 June 2022 11:51</p>



**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

Hallway:Fixtures & Fittings - Joinery Fttgs Built-In	Hallway:Floor Finishes - Vinyl
	
20220613_084234.jpg 13 June 2022 11:51	20220613_084249.jpg 13 June 2022 11:51
Hallway:Floor Finishes - Vinyl	Hallway:Wall Finishes - Paint Finish
	
20220613_084249.jpg 13 June 2022 11:51	20220613_084301.jpg 13 June 2022 11:51
Hallway:Wall Finishes - Paint Finish	Kitchen:Ceiling Finishes - Paint Finish
	
20220613_084301.jpg 13 June 2022 11:51	20220613_084751.jpg 13 June 2022 11:48

**Attachment 7****Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022






Kitchen:Ceiling Finishes - Paint Finish 	Kitchen:Fire Alarm System - Detector - Smoke 
20220613_084751.jpg 13 June 2022 11:48	20220613_084725.jpg 13 June 2022 11:47
Kitchen:Fire Alarm System - Detector - Smoke 	Kitchen:Fixtures & Fittings - Kitchen Bench & Joinery 
20220613_084725.jpg 13 June 2022 11:47	20220613_084804.jpg 13 June 2022 11:48
Kitchen:Fixtures & Fittings - Kitchen Bench & Joinery 	Kitchen:Fixtures & Fittings - Overhead Cupboard 
20220613_084804.jpg 13 June 2022 11:48	20220613_084812.jpg 13 June 2022 11:49



## Photos Report








**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p>Kitchen:Fixtures &amp; Fittings - Overhead Cupboard</p>  <p>20220613_084812.jpg 13 June 2022 11:49</p>	<p>Kitchen:Kitchen Equipment - Oven/Stove (Elec)</p>  <p>20220613_090332.jpg 13 June 2022 11:37</p>
<p>Kitchen:Kitchen Equipment - Oven/Stove (Elec)</p>  <p>20220613_090332.jpg 13 June 2022 11:37</p>	<p>Kitchen:Kitchen Equipment - Oven/Stove (Elec)</p>  <p>20220613_090332.jpg 13 June 2022 11:37</p>
<p>Kitchen:Ventilation and Exhaust - Exhaust Fan</p>  <p>20220613_084736.jpg 13 June 2022 11:48</p>	<p>Kitchen:Ventilation and Exhaust - Exhaust Fan</p>  <p>20220613_084736.jpg 13 June 2022 11:48</p>

**Attachment 7****Photos Report**



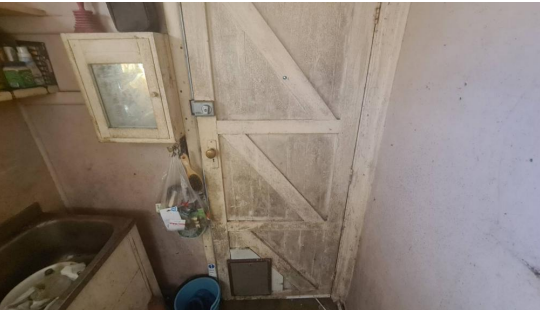


**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p style="text-align: center;">Kitchen:Wall Finishes - Paint Finish</p> 	<p style="text-align: center;">Kitchen:Wall Finishes - Paint Finish</p> 
<p style="text-align: center;">20220613_084824.jpg 13 June 2022 11:49</p>	<p style="text-align: center;">20220613_084824.jpg 13 June 2022 11:49</p>
<p style="text-align: center;">Laundry:Ceiling Finishes - Paint Finish</p> 	<p style="text-align: center;">Laundry:Ceiling Finishes - Paint Finish</p> 
<p style="text-align: center;">20220613_085035.jpg 13 June 2022 11:46</p>	<p style="text-align: center;">20220613_085035.jpg 13 June 2022 11:46</p>
<p style="text-align: center;">Laundry:Sanitary Plumbing - Laundry Tub</p> 	<p style="text-align: center;">Laundry:Sanitary Plumbing - Laundry Tub</p> 
<p style="text-align: center;">20220613_085013.jpg 13 June 2022 11:46</p>	<p style="text-align: center;">20220613_085013.jpg 13 June 2022 11:46</p>



**Attachment 7****Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

Laundry:Wall Finishes - Paint Finish	Laundry:Wall Finishes - Paint Finish
	
20220613_085051.jpg 13 June 2022 11:47	20220613_085051.jpg 13 June 2022 11:47
Laundry:Windows & Doors - Paint Finish	Laundry:Windows & Doors - Paint Finish
	
20220613_085002.jpg 13 June 2022 11:46	20220613_085002.jpg 13 June 2022 11:47
Lounge:Air Conditioning - Air Conditioner (Wall/Window Mounted)	Lounge:Air Conditioning - Air Conditioner (Wall/Window Mounted)
	
20220613_090654.jpg 13 June 2022 11:38	20220613_090654.jpg 13 June 2022 11:38



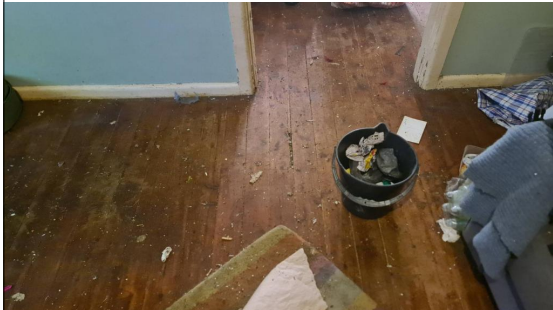



**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

Lounge:Ceiling Finishes - Gyprock	Lounge:Ceiling Finishes - Gyprock
	
20220613_083216.jpg 13 June 2022 11:57	20220613_083216.jpg 13 June 2022 11:57
Lounge:Ceiling Finishes - Paint Finish	Lounge:Ceiling Finishes - Paint Finish
	
20220613_083234.jpg 13 June 2022 11:56	20220613_083234.jpg 13 June 2022 11:56
Lounge:Fixtures & Fittings - Fireplace	Lounge:Fixtures & Fittings - Fireplace
	
20220613_083111.jpg 13 June 2022 11:58	20220613_083111.jpg 13 June 2022 11:58

**Photos Report**







**Property Name:** 60 Pacific Highway  
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**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

Lounge:Floor Finishes - Polyurethane Finish 	Lounge:Floor Finishes - Polyurethane Finish 
20220613_083245.jpg 13 June 2022 11:55	20220613_083245.jpg 13 June 2022 11:56
Lounge:Floor Finishes - Timber - T&G 	Lounge:Floor Finishes - Timber - T&G 
20220613_083255.jpg 13 June 2022 11:56	20220613_083255.jpg 13 June 2022 11:56
Lounge:Wall Finishes - Paint Finish 	Lounge:Wall Finishes - Paint Finish 
20220613_083359.jpg 13 June 2022 11:55	20220613_083359.jpg 13 June 2022 11:55



**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

Lounge:Windows & Doors - Paint Finish	Lounge:Windows & Doors - Paint Finish
	
20220613_083121.jpg	20220613_083121.jpg
13 June 2022 11:58	13 June 2022 11:58
Lounge:Windows & Doors - Timber Entrance Door	Lounge:Windows & Doors - Timber Entrance Door
	
20220613_083146.jpg	20220613_083146.jpg
13 June 2022 11:57	13 June 2022 11:57
Lounge:Windows & Doors - Window - Timber Framed	Lounge:Windows & Doors - Window - Timber Framed
	
20220613_083201.jpg	20220613_083201.jpg
13 June 2022 11:57	13 June 2022 11:57



**Photos Report**

**Property Name:** 60 Pacific Highway  
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**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p align="center">Outhouse:Roof - Fascia - Timber</p>  <p align="center">20220613_091447.jpg 13 June 2022 11:42</p>	<p align="center">Outhouse:Roof - Fascia - Timber</p>  <p align="center">20220613_091447.jpg 13 June 2022 11:42</p>
<p align="center">Outhouse:Wall Finishes - Paint Finish</p>  <p align="center">20220613_091546.jpg 13 June 2022 11:44</p>	<p align="center">Outhouse:Wall Finishes - Paint Finish</p>  <p align="center">20220613_091546.jpg 13 June 2022 11:44</p>
<p align="center">Outhouse:Windows &amp; Doors - Door Hardware (Handles/Locks)</p>  <p align="center">20220613_091459.jpg 13 June 2022 11:43</p>	<p align="center">Outhouse:Windows &amp; Doors - Door Hardware (Handles/Locks)</p>  <p align="center">20220613_091459.jpg 13 June 2022 11:43</p>

**Photos Report**

**Property Name:** 60 Pacific Highway  
**Property Code:** 001694-D-PRP43k  
**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct  
**Address:** 60 Pacific Highway  
**Constr. Year:** 1977      **Floor Area (m2):** 109      **Survey Date:** 13 June 2022

<p style="text-align: center;">Outhouse:Windows &amp; Doors - Paint Finish</p> 	<p style="text-align: center;">Outhouse:Windows &amp; Doors - Paint Finish</p> 
<p style="text-align: center;">20220613_091514.jpg</p> <p style="text-align: center;">13 June 2022 11:43</p>	<p style="text-align: center;">20220613_091514.jpg</p> <p style="text-align: center;">13 June 2022 11:43</p>
<p style="text-align: center;">Outhouse:Windows &amp; Doors - Timber Entrance Door</p> 	<p style="text-align: center;">Outhouse:Windows &amp; Doors - Timber Entrance Door</p> 
<p style="text-align: center;">20220613_091527.jpg</p> <p style="text-align: center;">13 June 2022 11:43</p>	<p style="text-align: center;">20220613_091527.jpg</p> <p style="text-align: center;">13 June 2022 11:43</p>
<p style="text-align: center;">Tool shed:Sundries - Shed (Garden/Tool Shed)</p> 	<p style="text-align: center;">Tool shed:Sundries - Shed (Garden/Tool Shed)</p> 
<p style="text-align: center;">20220613_091944.jpg</p> <p style="text-align: center;">13 June 2022 11:42</p>	<p style="text-align: center;">20220613_091944.jpg</p> <p style="text-align: center;">13 June 2022 11:42</p>



## Photos Report



**Property Name:** 60 Pacific Highway

**Property Code:** 001694-D-PRP43k

**Categories:** Development - Mooney Mooney - Precinct D - Mooney Mooney Foreshore Precinct

**Address:** 60 Pacific Highway

**Constr. Year:** 1977

**Floor Area (m2):** 109

**Survey Date:** 13 June 2022

Tool shed:Sundries - Shed (Garden/Tool Shed)



20220613\_091944.jpg

13 June 2022 11:42

