

Wyong Shire Council

ORDINARY COUNCIL MEETING

ENCLOSURES

Wednesday, 9 April, 2014



WYONG SHIRE COUNCIL
ENCLOSURES TO THE
ORDINARY COUNCIL MEETING
 TO BE HELD IN THE COUNCIL CHAMBER,
 WYONG CIVIC CENTRE, HELY STREET, WYONG
 ON WEDNESDAY, 9 APRIL 2014 ,
 COMMENCING AT 5.00PM

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**JOINT REGIONAL PLANNING PANEL
(Hunter Central Coast Region)**

JRPP No	2014HCC004
DA Number	DA/1066/2013
Local Government Area	Wyong Shire Council
Proposed Development	Entertainment Facility - Performing Arts Centre
Street Address	Wyong Memorial Hall, 19-21 Margaret Street, WYONG
Applicant/Owner	Wyong Shire Council
Number of Submissions	None
Recommendation	Approval with Conditions
Report by	Mark Greer, Acting Team Co-Ordinator Development and Rezoning

Assessment Report and Recommendation

WYONG SHIRE COUNCIL

March 2014

To the Hunter and Central Coast Joint Regional Planning Panel

Development and Building
Department

Proposed Performing Arts and Conference Centre (entertainment facility) including café (restaurant)

MLG:DA 1066/2013

SUMMARY

A development application for construction of a new Performing Arts and Conference Centre (entertainment facility) including café (restaurant) has been received by Council. The application has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979, and other statutory requirements.

Applicant	Wyong Shire Council
Owner	Wyong Shire Council (operational land)
Application No	DA/1066/2013
Description of Land	No.19 & 21 Margaret Street, Wyong, (Lots 1-4, Sec 7 DP 3136)
Proposed Development	Performing Arts and Conference Centre (entertainment facility) including café (restaurant).
Site Area	4046.5m ²
Zoning	3(a) WLEP 1991, (B3 Commercial WLEP 2013)
Existing Use	Wyong Memorial Hall and office building
Employment Generation	11 permanent staff
Estimated Value	\$11.1 million

RECOMMENDATION

- That the Joint Regional Planning Panel grant consent to DA/1066/2013, subject to the conditions contained in Appendix A.***

PRECIS

- The proposal is for the construction of a new Performing Arts and Conference Centre (entertainment facility) including café.
- The development replaces the existing memorial hall which served to accommodate many of the same activities that the new development is designed to host. The site has nearly a fifty year history of being used for the performing arts and there is no change to this fundamental activity on the site under the subject application.
- A Deferred Commencement approval was issued in December 2010 for a similar proposal to the current application.
- Variation is sought to the parking provision under Development Control Plan (DCP) 2005 Chapter 61. The proposal will rely upon both on-site and off-site parking within the vicinity of the site.
- The site is within walking distance to Wyong Railway Station and is located within the Wyong town centre which is serviced by other forms of public transport such as taxis and buses.
- The site is subject to localised flooding.
- No submissions were received from the notification of the application.
- The development is for a public purpose that will provide cultural benefits to the central coast community.

INTRODUCTION**The Site**

The site comprises four allotments of land, with street frontages to Margaret Street (west), Anzac Avenue (south) and Pauline Lane (east). The site has a primary frontage to Anzac Avenue. The existing Wyong Memorial Hall and community garden are located on three of the lots and an existing weatherboard single storey dwelling house used as a child abuse prevention centre is located on the remaining lot.

Development surrounding the site includes the Wyong Courthouse and recently constructed Police Station on the opposite side of Pauline Lane to the east. On the opposite side of Anzac Avenue to the south is Wyong RSL with Wyong Council's administration building located adjacent to the RSL both to the east and south. The RSL car park and a row of residential dwelling houses are located directly opposite the site along Margaret Street. Diagonally opposite the site is Frank Balance Memorial Park.

The site generally falls from the north-west corner to a low point in the south-east corner. The site is subject to localised flooding in heavy storm events and is within the vicinity of a local heritage item. There is an existing flag pole on the site at the corner of Anzac Avenue and Margaret Street with a number of time capsules intended to be opened in 2088. The location of the site is within walking distance to Wyong Railway Station and bus interchange.

The present Wyong Memorial Hall is considered to be at the end of its useful life and does not provide for the range of activities currently required by the community.

Approval was granted to the demolition of all existing structures under separate development consents, with partial demolition undertaken to date.



Subject site



Existing memorial hall

The Proposed Development

The application seeks approval for construction of a new Performing Arts and Conference Facility (entertainment facility). This new centre will provide modern facilities for drama, dance and other creative pursuits of community groups.

The proposed development includes:

- A 500 seat tiered auditorium with stage and orchestra pit.
- A secondary multi-purpose studio with seating for 130 persons.
- A gallery space for display of visual arts.
- A rehearsal room.
- Foyer area for display of Visual Arts.
- Ancillary spaces associated with the theatre including box office, beverage bar and toilets.
- Theatre production offices and associated spaces including dressing rooms and storage areas.
- A loading dock/service bay accessed using Pauline Lane.
- A café to seat 50 persons.
- A fly-tower void over the stage around 20 metres in height.
- Twenty-one (21) on-site parking spaces.
- Removal of 24 trees
- Public domain upgrade
- Landscaping.

The building façade will be predominantly finished in full height glass interspersed with single storey high façade boxes which project out from the main façade. These will be finished using compressed fibre cement sheeting with protruding anodised aluminium fins of varying colours. Corrugated iron wall cladding will enclose the upper levels with corrugated iron sheeting for the roof. There are a number of existing trees on the site and along the adjoining streets that will be impacted under the proposal.

The centre will aim to encourage and support the performing arts including dance, drama and amplified and acoustic music however, it will also facilitate and support the visual arts, film, digital media and other arts and cultural activities. The centre will be a venue for the display of performing arts by a range of local users including local theatre and drama groups, orchestras and choirs. It is also anticipated that the facility would be used by local dance groups and schools as part of their performing arts programs. Additional uses to be undertaken within the facility would include the display of visual arts by local artist groups and the like, and the auditorium will be available for hire for conducting conferences. The performing arts centre will be owned by Council and managed and operated by Council staff.

The proposed hours of operation of the centre will be from Monday to Saturday between 9:00am and midnight and on Sundays and Public Holidays between 10:00am and midnight. Other activities such as cleaning will occur outside these hours.

The performing arts centre will employ approximately 11 people who will all generally be present during core hours. This does not include the staff for the café/restaurant which will not be known until a future operator is selected. The employed staff will be responsible for the day to day operations of the centre and will manage all bookings and oversee all productions/performances.

It is intended that the café/restaurant will provide a support facility for those using the site during rehearsal times. A beverage bar is to be provided within the foyer area from which it is proposed to serve drinks and snack foods to patrons before and during shows.



Façade to Anzac Avenue

Summary

On 16 December 2010, the Hunter and Central Coast Joint Regional Planning Panel (JRPP) determined to issue a deferred commencement development consent to DA 1155/2010, a similar proposal to the current application. Subsequent to the JRPP approval, the applicant elected to prepare a fresh development proposal scaling back the design to suit the intended purpose.

The deferred commencement conditions involved providing off-street car parking to cater for the development. The application provided 21 car spaces on site and 44 car spaces in Council owned car parks nearby – however the application was considered to be 48 car spaces short. The conditions of the deferred commencement approval required the establishment of an off-street car park to cater for (at least) 48 car spaces at a site to be determined.

The parking shortfall in the original application was based on a parking strategy that had a catchment area with a radius of 200 metres. The current application adopts a broader review of local parking scenarios extending the parking study to a 400 metre radius from the site capturing other public parking areas not previously considered in the assessment of the original development application, DA 1155/2010. The adoption of a 400m radius is consistent with parking considerations and pedestrian accessibility for a number of SEPP's.

The current application differs from the approved proposal of DA 1155/2010 in the following manner:

- Revised building footprint eliminating stairway encroachment onto footway in public road reserve.
- Revised internal ground floor – rearranged facilities, stores, rehearsal rooms.
- Revised level 1 floor – addition of meeting and “green” room
- Revised level 2 floor – deletion of dressing rooms and “green” room
- Revised parking strategy
- Lower level 1 roof profile
- Deletion of basement storage areas.

VARIATIONS TO POLICIES

Clause	3 – Parking requirements
Standard	Variation to parking provision
DCP	Chapter 61 - Carparking
Departure basis	Minimum 95 spaces required by DCP. 44 spaces are available in WSC car parks with 21 provided on site representing a shortfall of 30 car spaces. Report details use of parking opportunities within local area to compensate departure to DCP criteria.

HISTORY

Wyong Memorial Hall was constructed in 1965 on the site.

Development Application No 1155/2010 was granted a deferred commencement approval on 16 December 2010. An operational consent was never issued.

Consent for development application No 297/2013 was granted for demolition of the Memorial Hall. Work commenced on partial demolition in February 2014.

Consent for development application No 957/2013 was granted for demolition of the residence at No 21 Margaret Street, Wyong.

The Joint Regional Planning Panel (JRPP) was briefed on the current development application 1066/2013 on 27 February 2014. The panel raised the following matters for further consideration in the assessment of the application.

- Details of external finishes
- Presentation of building to street
- Photomontage of the proposed building

CONSULTATION

Any submission from the public.

The application was notified in accordance with DCP 2005 Chapter 70 - Notification of Development Proposals with no submissions being received.

Any submission from public authorities.

NSW Police

The application was referred to the NSW Police for comment and no objection was received subject to the imposition of recommended conditions of consent.

Internal Consultation

Health and Building Surveyor - no objection subject to appropriate conditions of consent in respect to unisex accessible sanitary compartments, ambulant sanitary facilities, stairways, ramps, lift cart, door schedules, hearing augmentation system, tactile and braille signage demonstrating compliance with the fine detail outlined in AS1428.1-2009.

Trade Waste - no objection subject to appropriate conditions of consent.

Development Design Engineer - no objection subject to appropriate conditions of consent including the following:

- The existing Wyong Memorial Hall building is built over an existing 900mm diameter concrete pipeline connected to the newly re-aligned system within Pauline Lane currently under construction as part Wyong Police Station building works.
- Council has prepared design plans for the construction of the proposed Trunk Drainage System from Pauline Lane connecting to Frank Balance Park. This system will encroach approximately 4.0metres along the Anzac Road frontage of the subject site. The works have been programmed during the 2013/14 financial year and are programmed to commence in March 2014. The Wyong Performing Arts & Conference Centre development cannot commence construction until the new trunk drainage system has been installed and is operational and the existing redundant 900mm pipeline across the site is removed.

Water and Sewer Engineer - no objection subject to appropriate conditions of consent including connections to Council services.

Transportation Engineer - no objection subject to appropriate conditions of consent including the following:

- Provision of a detailed civil design plan showing all signposting and line marking and the location of pedestrian refuges for approval of the Local Traffic Committee.
- The installation of regulatory signposting for this purpose will be subject the approval of the Local Traffic Committee.
- Consideration for the implementation of a “No Parking” zone and “Bus” zone on the eastern side of Margaret Street adjacent to the development. This will allow for the set down and pick up of elderly or disable patrons at the time when on-street parking availability is at its lowest.

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.

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for the Panel's information.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES

a) Wyong Local Environmental Plan 1991

Permissibility

The subject site was zoned 3(a) Business Centre under the Wyong Local Environmental Plan 1991 (WLEP 1991). The proposal includes construction of a performing arts centre defined as an 'entertainment facility' with a café defined as a 'restaurant' together with ancillary office space.

As the development application was lodged prior to the commencement date of the Wyong Local Environmental Plan 2013 (WLEP 2013) 23 December 2013, the development application is subject to Clause 1.8A of WLEP 2013, which states:

"If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced. "

Given the timing of the lodgement, the development application has been considered as if the current WLEP 2013 had not commenced but was imminent and certain, with the WLEP 1991 being determinate.

The definitions of 'entertainment facility' and 'restaurant' under the WLEP 1991 states:

"Entertainment facility means a building or place designed, equipped and used for the purpose of sport, entertainment, exhibitions or displays, and includes:

- (a) sports stadiums, showgrounds, race courses and the like, and***
- (b) theatres, cinemas, music halls, concert halls, open air theatres, and drive-in theatres and the like.***

Restaurant means a building or place, the principal purpose of which is the provision of food to people for consumption on the premises or via a drive-through facility or both."

The proposed use as an 'entertainment facility' and 'restaurant' is not identified as a prohibited use under the zoning table and is thereby permissible with consent within the 3(a) zone. The objectives of the 3(a) Business Centre zone are:

- (a) ***“to provide the primary opportunity for the development of retail and commercial activities that are appropriate to the character and needs of individual business centres within the retail hierarchy proposed by a development control plan prepared by the Council for the purpose, and***
- (b) ***to provide for higher intensity retail and commercial uses, while allowing for low intensity retail and commercial uses in other business zones, and***
- (c) ***to enable the Council to provide more detailed guidelines about preferred retail distribution and development issues in a development control plan.”***

The development is considered to be compatible with the 3(a) zone objectives by providing a public entertainment facility that will not detract from the Wyong business centre but will serve to reinforce its cultural identity as an important town centre for retail and commercial activities. The additional uses within the development including a café/restaurant and ancillary office space also serve to reinforce this role.

Clause 23 - Flood Prone Lands

The site is located within an area that is highly urbanised and is subject to urban flooding, which has occurred in 2004 and 2007 along Anzac Street in heavy storm events. The floor level of the proposal has been designed in response to this hazard. The proposed building floor level is RL 8.30 AHD providing a 600mm freeboard above the existing 1% AEP flood level.

Council has prepared design plans with approval for the construction of the proposed trunk drainage system from Pauline Lane connecting to Frank Balance Park. This system will encroach approximately 4.0metres along the Anzac Road frontage of the subject site. The works have been programmed during the 2013/14 financial year and are programmed to commence in March 2014. The Wyong Performing Arts & Conference Centre development cannot commence construction until the new trunk drainage system has been installed and is operational and the existing redundant 900mm pipeline across the site is removed.

Clause 35 – Development in the vicinity of heritage items

Clause 35 of Wyong LEP 1991 requires that *Council must take into consideration the likely effects of the proposed development on the heritage significance of the heritage item...and its setting, when determining an application for consent to carry out development on land in its vicinity.* The proposed development is in the vicinity of a local heritage item being the Council administration building on the corner of Hely Street and Anzac Avenue. The proposal will not detract from the historic significance of this item due to the separation in distance by Anzac Road.

Wyong Local Environmental Plan 2013

The application is assessed under WLEP 1991, however due consideration is given to WLEP 2013. In this regard the site adopts the B3 'Commercial Core' zone. The proposed development is a permissible land use in the B3 zone and considered to be consistent with the zone objectives.

A significant inclusion in WLEP 2013 is a height limitation that includes the subject site. WLEP 1991 did not contain any height limitations. Clause 4.3 'Height of Buildings' in WLEP 2013 refers to a height limit for buildings on the site of 23 metres. The proposed development is less than the height limit with the top of the tower 20 metres above the ground.

The development is not subject to any other special provisions in WLEP 2013.

b) Relevant State Environmental Planning Policies (SEPP)

State Environmental Planning Policy 71 – Coastal Protection

State Environmental Planning Policy No.71 – Coastal Protection applies to the development. The site is located within a coastal protection zone under the SEPP and in accordance with Clause 7, the proposal has been assessed within the context of the matters for consideration outlined under Clause 8 and found to be satisfactory. The proposal has also been considered under Part 4 of the SEPP and is consistent with the aspects identified under this part. The proposal is considered consistent with the aims of the policy.

State Environmental Planning Policy (Major Projects) 2005

Under the provisions of State Environmental Planning Policy (Major Projects) 2005, on the basis of the estimated capital investment value of the proposed project and the involvement of Council as both the landowner and applicant, the application needs to be determined by a Joint Regional Planning Panel being the Hunter and Central Coast Joint Regional Planning Panel (JRPP).

c) Relevant Development Control Plans and Planning Strategies

Wyang Development Control Plan 2005

A complete assessment of the proposal was undertaken having regard to the relevant chapters of DCP 2005. The requirements of DCP 2005 are discussed below:

Similar to the Wyong Local Environmental Plan 2013 savings provisions, Development Control Plan 2013 includes a clause enabling the application to be assessed under Development Control Plan 2005.

Chapter 7 - Wyong Town Centre

The proposed development is consistent with the aims and objectives of DCP Chapter 7 in facilitating development that will reinforce and maintain the cultural identity and unique character of the Wyong Town Centre. The development will enhance the civic character of the area, achieve a complimentary built form and a high quality of urban design.

Chapter 61 - Carparking

The development generates on-site parking on the following basis under Chapter 61 of the DCP:

- Places of Public Assembly parking requirements are 1 space per 20m² Gross Floor Area (GFA) depending on location and intended use.
- Commercial parking requirements are 1 space per 30m² GFA
- Restaurants parking requirements are 15 spaces per 100m² GFA,
- Provision of at least one (1) accessible space

It is noted that a strict interpretation of “gross floor area” in the DCP suggests that all areas within the walls (with certain exclusions) be considered in the floor calculations.

While this method may suit other places of assembly, the theatre scenario requires a more detailed examination with respect to utilising a “net floor area” for the foyer or congregating areas adjoining the auditorium. In this regard, when the audience is seated the foyer becomes vacant or vice versa. Therefore it would be reasonable to conclude that the foyer floor area could be excluded from the calculation for parking numbers.

There are twenty-one (21) parking spaces provided for the new cultural centre on the site directly accessible from Pauline Lane. Under the requirements of DCP Chapter 61 and with due regard to the aforementioned interpretation on GFA and NFA, the development would generate parking demand for at least 95 spaces, (as shown in the table below). Forty-four (44) spaces are available in WSC car parks (both in Margaret Street), twenty-one (21) parking spaces are provided on the site, which results in a shortfall of (a minimum of) 30 spaces for the development under the DCP.

Use	Gross and Net Floor Areas (GFA & NFA)	DCP Parking rate	Parking including foyer - GFA	Parking excluding foyer - NFA
Places of Public Assembly -auditorium etc (excludes dressing rooms/amenities, plant, loading, and storage).	1384 m ² with foyer 894m ² without foyer	1 space per 10 - 20m ² GFA (average 15)	92	60
Commercial (offices, meeting rooms)	271 m ²	1 space per 30m ² GFA	9	9
Restaurants (Café)	175 m ²	15 spaces per 100m ²	26	26
Total	1830m ² with foyer 1340m ² without foyer		127	95

The above table represents the difference between GFA and NFA. The assessment focuses on NFA, revealing required parking for 95 vehicles.

In view of the calculated parking shortfall under the DCP, the following points are relevant:

- The development replaces the existing memorial hall which served to accommodate many of the same activities that the new development is designed to host. Although there is an intensification of the use under the application, the site has a fifty year history of being used for the performing arts and there is no change to this fundamental activity on the site under the application.
- Adjacent to the site are 31 car spaces in Pauline Lane generally unused during the evening periods.
- The site is within walking distance to Wyong Railway Station car parks (total 300 spaces) and is located within the town centre that is serviced by other forms of public transport like taxis and buses.
- The site is strategically located in close proximity to Council's administration buildings and the parking facilities that service the Council buildings can be utilised outside of business hours for the Performing Arts and Conference Centre.
- The development is for a public purpose that will provide wide reaching benefits for the Central Coast community.

- The facility is likely to reach theatre capacity on rare occasions only. The expectation from the applicant is that during weekday matinee sessions the auditorium will average 65% capacity while the studio may reach 90%.

Further to this, the applicant has prepared a parking report that takes into consideration additional aspects of the development that result in a reduced demand for on-site parking than that identified under the DCP. In this regard, the parking report identifies three distinct operating circumstances for the performance centre that generate varied parking demands.

The first is the 'weekday (no show)' operation of the performing arts centre where an estimated parking demand of less than 50 spaces is generated by the development.

The second is the 'weekday matinee' operation of the performing arts centre where an estimated parking demand of 69 spaces is generated by the development. This is based on the assumption of an operating capacity of 90% for the theatre and 50% for the studio. The matinee performances will be predominantly used by schools, community groups and retirement villages and on this basis 90% of visitors are assumed to be travelling to/from the site by bus.

The third is the 'weekday evening and weekend (matinee and evening)' operation of the performing arts centre where an estimated parking demand of 95 spaces is generated by the development.

Due to the higher public transport availability in Wyong and the proximity to the railway station, the traffic and parking assessment report assumed a car mode split of 85% and an average shared car occupancy of 2.5 people per vehicle.

The applicant's parking report outlines areas that are available at certain times to be used for additional parking for the facility. These additional parking areas include the existing Council owned parking areas in Margaret Street that serve the Council's administration building. These two parking areas can accommodate parking for 44 cars but are only available for use on weekday evenings and on weekends. The applicant's report also identifies an area used for informal (off-street) parking fronting Hope Street (located to the rear of the existing park) with a capacity to accommodate 69 spaces out of standard working hours. The parking demand shortfall for 'weekday evening and weekend' operation can be accommodated within Council's existing carparks located along Margaret Street and Wyong Rail Station. Additionally, the report outlined the availability of on street parking in streets surrounding the site on weekday evenings and weekends but not during business hours Monday to Friday.

Of additional consideration in relation to the issue of parking is the availability of alternate transport modes to and from the site. The site is well serviced by public transport and this is one of the advantages of using the existing location within the Wyong Town Centre for the proposed Performing Arts Centre. Wyong Railway Station and the bus interchange are located at a distance of 600m walk from the subject site. There are two major bus services operating within the Wyong Town Centre providing a number of varied bus routes. The closest bus stop is located within 220m from the subject site in North Road and four other bus stops for various services within 300 metres of the site in Pacific Highway and Alison Road. All bus stops are served with footpaths for pedestrian access.

Chapter 81- Retail Centres

Under Chapter 81 of the DCP, Wyong is identified as a district town centre and the administrative centre for Wyong Shire. The proposal is consistent with this identification and will reinforce the functions of Wyong as a district town centre.

Chapter 99 – Building Lines

Under Chapter 99 of the DCP, the building lines within 3(a) Business Centre zones are determined on merit being a zero boundary setback but subject to an appropriate design. The front setback proposed for the new building along both frontages is generally zero and the architectural design of the building is considered appropriate. The setback is therefore considered consistent with the commercial zoning and existing streetscape.

Chapter 112 – Public Art

DCP Chapter 112 requires major development with an estimated construction value of over \$5 million or greater to implement public art as part of the development. Under the DCP a minimum of 1% of the total cost of the development is to be dedicated to this end. Given that the development is for the purpose of exhibiting art, the contribution is considered unnecessary in this instance.

Wyong/Tuggerah Planning Strategy

Under the Wyong/Tuggerah Planning Strategy, the role of Wyong includes the provision of *the Shire's central area for civic, health, post high school education and administrative services* including enhancement of its role as *a focus for community and social service providers*. The proposal will assist in strengthening Wyong's civic functions and enhance its role as a major centre for the Central Coast community. The proposal is consistent with the vision identified under the strategy that Wyong be the cultural and heritage focus for the Shire, and that it provide a culturally based tourist destination for people visiting and living on the Central Coast. The Strategy, identifies the need *to establish and resource a performing arts centre to provide a focus for community cultural activity and pride and to nurture youth performing arts*. The proposal is consistent with the planning strategy for Wyong.

Wyong Cultural and Civic Centre Master Plan

The subject site is identified as part of the cultural precinct of the Wyong Cultural and Civic Centre Master Plan adopted in August 2011. The key principle of the plan is to define Anzac Avenue for cultural purposes including the current Memorial Hall as a site for the proposed Arts Centre.

The proposal will serve to reinforce the 'civic' landscape character of the area surrounding the site consistent with adjoining development comprising public buildings (ie. the Courthouse, Police station, Council buildings) and associated spaces and pedestrian linkages. The development will increase the pedestrian activity in and around the site and will provide additional public space that will complement the existing use of the park and other existing key public areas surrounding the site.

In summary, it is considered that the development is consistent with the objectives of the relevant chapters of Wyong DCP 2005.

d) Relevant Regulations

Nil

THE LIKELY IMPACTS OF THE DEVELOPMENT

Built Environment

The proposed development is the construction of a new Performing Arts and Conference Centre.

Having regard to the new development, the potential impacts on the built form environment has been determined as follows:

Context and setting.

The scale, form, character and density of the development is acceptable within the locality. The proposal involves the redevelopment of the site to allow for an upgraded continuation of the current use as a cultural and performing arts centre within the locality.

The height of the building is dominated by a flytower void centrally located over the stage area. Overall the flytower is twenty (20) metres above the lower ground floor level, however this represents a small portion of the buildings vertical form. The remainder of the building varies from 6 to 10 metres in height. The building height complies with the height requirements of WLEP 2013 and integrates with the transitional changes in the local area such as the recently constructed Police Centre, Council's administration centre and Wyong Court House.

There is no unreasonable amenity impact resulting from solar access loss to any existing surrounding residential development or public areas as a consequence of the new building. Generally, shadows cast spread over the adjacent roadways. The overall extent of shadowing impact resulting from the proposal is not significant or unreasonable.

There are potential privacy impacts from the development to the dwelling to the north of the northern side boundary. There is a three metre high acoustic wall proposed to be erected along this boundary with a three (3) metre high hedge planting to be established to screen the wall within the courtyard.

Acoustic and vibration impacts.

An acoustic report was submitted with the application identifying the potential noise generating activities associated with the proposal. The potential noise sources from the development include noise generated from:

- theatre and studio (ie. amplified and non amplified voices and music),
- outdoor courtyard
- building services (plant room equipment, exhaust fans etc)
- loading dock (deliveries and waste services etc)
- surrounding traffic noise and noise associated with on street parking within the vicinity of the site

A number of measures are to be adopted as part of the development in order to mitigate the potential impact of noise and vibration. To minimise the impact of the development particularly from the café/restaurant on the adjoining dwelling house (at No. 23 Margaret Street), it is proposed to erect a 3 (three) metre high acoustic wall along the common boundary. The building has been designed in a manner that positions major plant and equipment at the opposite end of the building to the adjoining residential dwellings. Sound attenuation measures are to be adopted for the development to ensure internal design sound levels comply.

In any connection with the outside, the theatre is to have at least two doors in series with acoustically treated sound locks and all doors are to be acoustically rated and incorporate acoustic seals.

Ongoing operational conditions to address noise are also recommended to be imposed on the development to mitigate any adverse impact upon the amenity of surrounding occupants including restrictions on the hours for deliveries and waste collection.

Safety, Security and Crime prevention.

The principles for Crime Prevention Through Environmental Design (CPTED) have been considered under the design of the proposed new development. The proposal incorporates design features and passive security management measures to discourage anti-social behaviour and minimise the opportunities for criminal activities. The cafe will provide activity and a presence of people in and around the centre at times outside of performances or exhibitions within the centre. It is proposed to offset any opportunities for crime within the courtyard area by installing motion sensor lighting and CCTV with related signage. An intruder alarm system will provide monitoring of areas within the building like external fire isolated stairways and exits. A condition has been recommended to ensure that the development is consistent with the CPTED principles and requirements for safety, security and crime prevention.

Given the above assessment as well as the assessment in terms of the DCP compliance it is considered the proposed development will not have an unsatisfactory impact on the built environment.

Natural Environment

The construction of the new Performing Arts and Conference Centre may have the potential to impact the natural environment in terms of the impact on flora and fauna.

There are twenty-four (24) trees in total that will require removal in order to accommodate the development. None of these trees are hollow bearing and some show signs of poor health and structure. Trees located on adjoining sites remain unaffected by the proposal and will therefore be retained subject to trees protection measures during construction.

Replacement planting will be carried out in accordance with the landscape plan including six (6) new trees being planted along with new landscaped garden beds to screen the loading dock, parking spaces, and within the café courtyard.

Given the above assessment it is considered that the proposed development will not have an unsatisfactory impact upon the natural environment.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

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

Flooding

The existing Wyong Memorial Hall building is built over an existing 900mm diameter concrete pipeline connected to the newly re-aligned system within Pauline Lane currently under construction as part of Wyong Police Station building works. The existing stormwater drainage system within the catchment suffers from frequent urban flooding with surcharge flows upstream causing high hazard flooding along Anzac Avenue. Recent 2004 and 2007 high intensity flood events caused high flooding within Anzac Avenue adjacent to the existing Memorial Hall.

A report "Wyong Town Centre – Detail Stormwater Drainage Investigation and Options Analysis – Stage 1" prepared by Cardno Lawson Treloar (June 2010) indicates that the flood level adjacent to the site during the 1% AEP flood event along Anzac Avenue is approximately RL 7.68 m AHD. The proposed building floor level is RL 8.3 m AHD providing a 600mm freeboard above the existing 1% AEP flood level. The 8.3 metre AHD floor level is considered adequate and complies with Council's DCP2013 and the NSW Flood Plain Development Manual.

Council has prepared design plans with approval for the construction of the proposed trunk drainage system from Pauline Lane connecting to Frank Balance Park. This system will encroach approximately 4.0 metres along the Anzac Road frontage of the subject site. The works have been programmed during the 2013/14 financial year and are programmed to commence in March 2014. The Wyong Performing Arts & Conference Centre development cannot commence construction until the new trunk drainage system has been installed and is operational and the existing redundant 900mm pipeline across the site is removed.

Cumulative impacts

The site is located on the edge of the retail/commercial area of the Wyong Town Centre adjoining medium density 2(c) residential zoned land. The location of the site is well serviced by public transport being in reasonable vicinity to Wyong railway station. Subject to some additional intersection works, the surrounding roads are capable of accommodating additional traffic movements associated with the proposal.

The design of the proposed development is in an appropriate form, layout and scale that suitably balances the opportunities and constraints of the site. There are no site constraints which would render the site unsuitable for the development. The siting, massing, form and design of the proposal is appropriate to the existing and likely future streetscape context. The design of the development is a high quality contemporary building which responds well to the site and contributes positively to the character of the area.

Having regard to the above assessment it is considered that the subject site is suitable for the proposed development.

THE PUBLIC INTEREST

The proposed development is considered to be in the local and regional community interest and it will provide a centrally located community venue which can be utilised by various local user groups, arts and cultural organisations.

OTHER MATTERS FOR CONSIDERATION

Contributions

It is proposed that Council waive Section 94A levy given that the application represents a facility for the express purpose of serving the local community and not envisaged as a private commercial venture.

However, water and sewer contributions will be required for the development under the Water Management Act 2000.

CONCLUSION

The proposal has been assessed using the heads of consideration in Section 79C of the Environmental Planning and Assessment Act. It is generally considered the proposed development will not result in any unreasonable built impacts, is suitable for the site and will provide opportunity for cultural events within the local area.

The application is therefore recommended for approval subject to conditions in appendix A.

ATTACHMENTS

Date: 5 March 2014
Responsible Officer: Mark Greer
Location: Lot 1 Sec 7 DP 3136, Lot 2 Sec 7 DP 3136, Lot 3 Sec 7 DP 3136, Lot 4 Sec 7 DP 3136
 Wyong Memorial Hall, 19-21 Margaret Street, WYONG NSW 2259
Zoning: 3A Business Centre ZoneB3 Commercial Core
Owner: Wyong Shire Council
Applicant: Wyong Shire Council
Date Of Application: 17 December 2013
Application No: DA/1066/2013
Proposed Development: Entertainment Facility - Performing Arts Centre
Land Area: 4047.10

- 1 The development is to be undertaken in accordance with the approved development plans and specifications listed below except as modified by any conditions of consent and any amendments in red made to the approved plans:

Title	Drawing No.	Revision	Date	Drawn By
Plans and Elevations	A010, A101-A105, A130-A1400, A143, A150-A153 A1000-A1002	A	December 2013	Tonkin Zulaikha Greer
Landscape Plan	L01	B	December 2013	JMD Design

- 2 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 3 All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Certificates/Engineering Details

- 4 Satisfactory structural plans prepared by a suitably qualified Structural Engineer must be submitted to the Principal Certifying Authority for the structural steelwork and concrete prior to the issue of a Construction Certificate.

Acoustic

- 5 Prior to issue of a Construction Certificate all recommendations and measures contain within the Acoustic report prepared by Acoustic Studio and dated December 2013 shall be further detailed on the plans and specifications.
 - The theatre roof, flytower roof and studio roof should be a minimum of Rw 35.
 - All penetrations of the roof proposed (such as smoke exhaust grilles and cowls) are to be acoustically treated.
 - Provide for a minimum 10.38mm laminated external fixed glazing for the glazing wall of the Studio.
 - At least two doors in series shall be installed when connecting the theatre with the outside of the building with an acoustically treated sound locks. All doors should acoustically rated Rw 40 and incorporate acoustic seals.

Flooding

- 6 Prior to the issue of the Construction Certificate the submission to the Principal Certifying Authority of plans detailing the following minimum floor levels;
 - The minimum floor level of the building must be 0.5m above the 1% AEP flood level of 7.68 metres Australian Height Datum (AHD).
 - The provision of certification from a practising structural engineer that all sections of the approved structure which are subject to the force of water or debris due to a 1% AEP flood, have been designed to resist the stresses thereby induced. An appropriate factor of safety is to be applied to the forces exerted by the 1% AEP flood before it is used in any structural calculations.
 - All building materials used or located below the 1% AEP flood level must be flood compatible and the internal areas of lower operational levels (lower seating area 7.38m AHD) appropriately waterproofed. Plans and specifications detailing the building materials are to be submitted to the Principal Certifying Authority.
 - All ventilation openings located along the subfloor of the building below the 1 % AEP flood level adjacent Pauline Lane shall be sealed in prevent the ingress of flood waters.

- The Electrical Sub Station shall be raised to a level 500mm above the 1 % AEP flood level within Pauline Lane.
- The storage of all toxic or pollutant substances or other products which may be hazardous or pollute flood waters at a minimum level of RL 8.18 metres above AHD being 500mm above the 1% AEP flood level. Alternatively these materials must be placed within an area protected by bunds constructed to a height such that no flood waters can enter the bunded area if the flood level rose to 500mm above the 1% AEP flood level.

Food Act Requirements

- 7 Prior to the issue of a Construction Certificate, detailed plans and specifications for the food handling areas are to be submitted to and approved by Council's Environmental Health Officer- Food.

Structural Design Requirements

- 8 Any excavation below the adjoining land level requires the retaining of that land and the preservation and protection of any improvements or buildings upon that land including public roads and utilities from damage. If necessary, the improvements or buildings are to be supported in a manner designed by a suitably qualified Registered Structural Engineer. Any design proposals prepared in order to comply with this condition are to include geotechnical investigations and are to be submitted for the approval of the Accredited Certifier and in the case where excavation impacts upon public infrastructure, Council, prior to issue of the Construction Certificate.

Water and Sewer Services - Design Requirements

- 9 The submission to Council as the Water Supply Authority of detailed structural design drawings and supporting information for structures within the zone of influence of the sewer main. The design shall indicate the proposed method of protecting the sewer main in accordance with Council's *Requirements for Building Over or Adjacent to Sewer Mains* policy. Design details must be approved by Council as the Water Supply Authority prior to the issue of a Construction Certificate.

Vehicle Access and Parking - Design Requirements

- 10 The submission to Council of a detailed car parking design. The design shall include:
 - Pavement marking, appropriate signage and physical controls detailed for the carpark, access driveway and circulation roads.
 - Pavement design able to withstand anticipated vehicle loading.
 - Provision of wheel stops for parking spaces numbered 1-21 or alternatively controlled by a low kerb to permit 600mm vehicle overhang.
 - The Service Area adjacent the loading dock shall be designed and constructed in accordance with AS 2890.2-2002 Part 2:

Off-Street Commercial Vehicle Facilities. Note: A RTA Traffic Controller certified staff member from the development is to be present when delivery trucks arrive. The person is to supervise any reversing manoeuvres by the delivery vehicles and place adequate barriers to prevent pedestrians entering the loading dock area.

- The design drawings shall be prepared in accordance with the requirements of AS/NZS 2890 – Parts 1, 2 and 6, and be approved by Council prior to the issue of a Construction Certificate.
- 11 The submission to Council of lighting design drawings for the carpark and public places. The design shall be prepared in accordance with the requirements of AS/NZS 1158 and AS 4282-1997, including the provision of current best practice energy efficient lighting and be approved by Council prior to issue of a Construction Certificate.

Stormwater Drainage - Design Requirements

- 12 The submission to Council of a detailed stormwater management plan featuring:
- The provision of stormwater quality control facilities to treat stormwater in accordance with the Engineers Australia publication *Australian Runoff Quality – A Guide to Water Sensitive Urban Design* prior to entering Council's stormwater drainage system.
 - The stormwater drainage system servicing the building shall include the provision of a Rainwater Re-Use system to collect generated run-off from the roofed areas to service toilet flushing and landscaping within the site. The tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500, shall include first flow diversion devices fixed to all inflows, be provided with a functioning pressure pump, and be plumbed to service all fixtures. The tank must be controlled such that supplemental flows from domestic mains do not take place until the tank is at least 80% empty
 - Design plans must be approved by Council prior to issue of the Construction Certificate.

The plans must be prepared in accordance with *AS/NZS3500.3:2004* and Council's *Civil Works Design Guidelines*, and be approved by Council prior to issue of the Construction Certificate.

Liquid Trade Waste

- 13 The submission of a trade waste application and subsequent approval by Council to discharge liquid trade waste in to the sewerage system prior to issue of the Construction Certificate.

Prior to Commencement

Approved Plans

- 14 A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Site Requirements

- 15 Prior to the commencement of building works within the site the programmed Trunk Drainage Works (Concrete Box Culvert) extending from the existing 3.6x1.2metre box culvert within Pauline Lane across the frontage of the site within Anzac Road shall be constructed and operational and the existing redundant 900mm pipeline across the site removed.

Erosion and Sediment Control Requirements

- 16 Prior to the commencement of building works an initial Erosion and Sediment Control Plan (ESCP) prepared in accordance with the latest edition of the Landcom Publication '*Soils and Constructions- Volume 1*' (The Blue Book) shall be provided to the Principal Certifying Authority.

Roadworks – Design Requirements

- 17 Where conditions of this consent require approval from Council as the Roads Authority, a Subdivision Construction Certificate application must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.
- 18 The submission to Council of Civil Works design drawings and specifications detailing the following design requirements:
 - The provision of temporary pedestrian refuges within the Margaret Street and Anzac Avenue carriageways to facilitate safe pedestrian movements to the centre. The temporary refuges are to be located in close proximity to the main pedestrian entry podium and will remain in place until the installation and operation of a signalised Margaret Street and Anzac Avenue intersection. The works shall incorporate adjustment to the existing line marking, signage and the on street parking within the immediate area.

- The reconstruction of the Anzac Road and Pauline Lane intersection to accommodate a turning HRV (12.5m service vehicle) when accessing the Performing Arts Centre loading dock from Anzac Road. The works shall include the provision of a commercial gutter & footpath crossing, full width footpath, removable bollards and a pavement treatment to delineate a “Shared Zone” at the southern end of Pauline Lane. Note: The Pauline Lane southern entry carriageway width shall also accommodate a 19.0 metre articulated vehicle. A Traffic Management Plan shall be prepared to address all traffic and parking arrangements within Anzac Road and Pauline Lane necessary to facilitate HRV and articulated service vehicle access.
- The provision of concrete foot paving to Anzac Avenue and Margaret Streets in accordance with Council's Civil Works Design Guidelines.
- The reconstruction of the Pauline Lane carriageway including the car parking spaces in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. The works shall include kerb and gutter to both sides of the carriageway, line marking, signage and pavement resurfacing works along the entire length of Pauline Lane to delineate a “Shared Zone”. Note: The design plans must be approved by the Roads Authority (RMS).
- The proposed regulatory signage details along the Margaret Street Drop Off Zone are to be forwarded to the Wyong Local Traffic Committee for consideration.
- Any associated works to ensure satisfactory transitions to existing infrastructure
- The submission to Council as the Roads Authority of street lighting and reticulation design drawings. The design shall be prepared in accordance with AS/NZS 1158 and AS 4282-1997, including the provision of current best practice energy efficient lighting, documentation confirming a minimum of twenty (20) year design life and be approved by the Council as the Roads Authority.
- The submission to the Council as the Roads Authority of Road Safety Audit for all works within the road carriageway (Anzac Avenue, Margaret Street & Pauline Lane) prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of design drawings.

Required design drawings are to be prepared in accordance with Council's *Civil Works Design Guidelines* and must be approved by Council as the Roads Authority.

Roads - Preconstruction Requirements

- 19 Prior to commencing any works upon public roads the developer and their contractor will be required to:

- Obtain a copy of the Council approved Civil Works plans and pavement design (if applicable).
 - Obtain a copy of Council's *Civil Works Design Guidelines*. This is Council's Specification for Civil Works and is available on Council's web site.
 - Arrange a meeting on-site with Council's Principal Development Construction Engineer on (02) 4350 5555.
- 20 Prior to works associated with the development commencing, a Plan of Management is to be submitted to and approved by Council as the Roads Authority for any works or deliveries that impact on any public roads or public land as a result of the construction of the development. The plan must include a Traffic Control Plan prepared by a person holding Roads and Traffic Authority (RTA) accreditation for selecting and modifying traffic control plans. Fees and charges are applicable to the review and approval of the required management plan in accordance with Council's Plan of Management. Any signage or infrastructure works shown on the plan are to be carried out by the developer at no cost to Council.

Dilapidation

- 21 The applicant must supply the Consent Authority with a dilapidation report for the adjoining properties, which documents and photographs the condition of buildings and improvements. The report must be submitted to the Consent Authority prior to commencement of work and will be made available by the Consent Authority in any private dispute between the neighbours regarding damage arising from site and construction works.

During Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Construction

- 22 Any excavation below the level of footings of buildings on adjoining allotments requires the preservation and protection of the buildings from damage, and if necessary, underpinning and support of the building in a manner certified by a Practising Structural Engineer. In circumstances where the excavation could result in damage to the adjoining property, underpinning works shall be undertaken immediately after excavation works are completed. Alternatively, the approved retaining walls shall be constructed. The owner of the adjoining property must be given written notice of the intention to excavate and provided with details of the proposed work at least seven (7) days prior to excavation.

Heritage

- 23 The time capsules located near the flag pole are to be recovered under supervision and forwarded to Council for placement in the development.

Erosion and Sediment Control

- 24 The provision of soil erosion and silt controls on the site in accordance with Council's Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development and/or Construction - Managing Urban Stormwater (Blue book) and the approved development plans prior to any works commencing on the site.

Plumbing and Drainage

- 25 Council as the water supply authority, is to be notified to undertake inspections of the internal drainage prior to the pouring of the concrete slab and external drainage prior to the backfilling of the trenches. These inspections can be arranged by telephoning Council's customer services section on 4350 5555 a minimum of 24 hours prior to the required time for the inspection.

Other Authorities

- 26 Other public authorities may have separate requirements and should be consulted prior to commencement of works in the following respects:
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - AGL Sydney Limited for any change or alteration to gas line infrastructure;
 - Energy Australia for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
 - Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.

Site Requirements

- 27 Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:
- be a standard flushing toilet connected to a public sewer; or
 - have an on-site effluent disposal system approved under the LGA 1993, or be a temporary chemical closet approved under the LGA 1993 supplied by a licensed contractor.
- 28 All building materials, plant and equipment must be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council's recreation reserves and/or road reserves is prohibited.
- 29 The provision of a hoarding or safety fence between the work site and the public place in accordance with Work Cover Authority requirements, for the duration of the project.

Details to be submitted to the Principal Certifying Authority/appropriately Accredited Certifier unless the hoarding is required within the footpath area where approval from Council under the Roads Act as the Roads Authority is required.

- 30 The Principal Contractor (or Owner/Builder) is to erect a sign in a prominent position on the site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work; the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder); and stating that unauthorised entry to the site is prohibited. The sign must be maintained while the work is being carried out and is to be removed when the work is completed. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated PCA.
- 31 Construction work may only be undertaken as identified below:

Monday to Friday 7.00 am to 6.00 pm

Saturday 8.00 am to 1.00 pm

Work is not to be carried out on Sundays and Public Holidays

Any variation to the above construction hours will require the written approval by Council.

Flooding

- 32 The minimum floor level of the proposed entertainment facility building is to be RL8.30 metres AHD. A Certificate prepared by a Registered Surveyor certifying that the minimum floor levels have been achieved must be submitted to the Principal Certifying Authority when the structure reaches floor level stage.

Silencing Devices

- 33 Sound attenuating devices shall be provided and maintained in respect of all power operated plant used during demolition, earthworks, and the erection of the structure.

Trees

- 34 Tree protection measures are to be put in place for retained trees before commencement of any works. The fencing is to consist of 1.8 metre chain wire fencing or methods as described within AS4970 2009 'Protection of Trees'.

Prior to Release of Occupation Certificate:

The following conditions must be satisfied prior to the release of an Occupation Certificate.

Acoustic

- 35 Prior to the release of the Occupation Certificate all recommendations of the Acoustic Report prepared by Acoustic Studio dated December 2013 are to be implemented and certified by an Acoustic Consultant.

Certificates/Engineering Details

- 36 The obtaining of a Section 307 Certificate of Compliance under the Water Management Act 2000 for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority prior to issue of the Subdivision/Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

Dilapidation

- 37 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 the Occupation Certificate.

Accessible parking

- 38 In accordance with the submitted Access Report prepared by "Accessibility Solutions Pty Ltd" dated December 2013, two accessible parking spaces are to be provided for the development in close proximity to the building entry connected by accessible path of travel to the entry.

Waste Management

- 39 For safety, amenity and maintenance reasons, the waste storage area must be constructed to the following standards:
- Floors must be constructed of concrete, graded and drained to an approved drainage outlet connected to the sewer and finished to a smooth even trowelled surface;
 - Walls must be constructed with solid impervious material and shall be cement rendered internally to a smooth even steel trowelled surface;
 - All intersections between the walls and floors shall be covered with coving having a minimum radius of 25mm; All entry points into the room must be bunded to prevent the escape of liquid waste. Bunding shall be for 110% of the likely liquid storage waste and constructed in such a manner that does not obstruct the removal of waste receptacles from the room or create a safety risk to users;
 - Adequate ventilation shall be provided;
 - Adequate lighting shall be provided;
 - The ceiling must have a minimum height of 2.1m from floor level and be finished with a smooth faced non-absorbent material capable of being easily cleaned;
 - Waste storage areas shall prevent the access of vermin;

- Waste receptacles used shall be compatible with Wyong Council's waste collection service;
- The door to the storage area shall be weatherproof and shall be openable from the inside at all times;
- Hot and cold water hose cocks shall be located inside or within close proximity to the waste storage areas to facilitate cleaning.

Emergency Evacuation Management Plan

- 40 An Emergency Evacuation Management Plan shall be prepared to address emergency operations such as an early warning system to enable sufficient response time to relocate vehicles from the car parking areas within Pauline Lane, Margaret Street and Anzac Avenue road reserves to a designated area, relocation of vehicles from disabled parking spaces, evacuation procedures and pedestrian access points and the provision of flood depth gauges within the site and Pauline Lane. This plan is to be submitted and approved by Council prior to issue of an occupation certificate.

Flooding

- 41 All electrical circuits below the 1% flood level are to have a residual current device installed.

Food Act Requirements

- 42 Compliance with the requirements of the New South Wales Food Act 2003, the Food Regulation 2004, and AS4674–2004 – Design, Construction and Fitout of Food Premises, and AS1668, Part 11 – Mechanical Ventilation, for all food preparation and food storage areas, including liquor areas.
- 43 The installation of hand wash facilities with a minimum dimension of 500mm x 400mm providing warm running water through a common mixing spout with hands-free tap operation (consisting of elbow or wrist operated tap levers, foot or hip operated tap levers, or electronic sensor tap operation).

Roads

- 44 All works relating to temporary and permanent bus servicing facilities throughout the development must be approved by Council prior to issue of the Occupation Certificate.

Security Requirements

- 45 Prior to issue of the Occupation Certificate, the developer must install a system of CCTV of a type and in locations on the site that will provide high-quality images of all public areas within the site.

Privacy

- 46 The masonry acoustic wall to be constructed along the northern boundary is to include a high quality render finish on both sides.

Landscaping

- 47 The provision and maintenance of landscaping in accordance with Council's Policy Number L1 - Landscape for Category 3 development, including the engagement of an approved landscape consultant and contractor to undertake the construction of the landscaping. All landscaping works are to be completed prior to issue of the Occupation Certificate.

Consolidation

- 48 All individual allotments comprising the development site are to be consolidated into a single allotment. Evidence of the registration of the plan of consolidation is to be submitted to Council prior to issue of an Occupation Certificate.

Green Travel Plan

- 49 The applicant is to prepare a green travel plan for the development that will demonstrate the methods to be used to encourage patrons of the Cultural Centre to utilise public transport to and from the site. (eg. placement of travel information on publicity brochures etc.)

Traffic Management Plan

- 50 Any signage or infrastructure works shown on the Traffic Management Plan (prepared under the conditions of this consent) are to be carried out by the developer at no cost to Council prior to the issue of an Occupation Certificate.

Traffic Management Plan

- 51 A Traffic Management Plan is to be submitted and approval received from Council, prior to issue of the Occupation Certificate. Within the document the applicant is to:
- Demonstrate how delivery vehicles are to enter the property and be off-loaded,
 - Identify traffic controls and temporary parking restrictions in Anzac Avenue.
 - Provide details of the proposed signage on Margaret Street for the proposed drop off zone
 - Demonstrate how bus and coach set-down and pick-up will be managed for weekday matinee events.

Drop Off Zone - signage

- 52 Details of the proposed signage on Margaret Street for the proposed drop off zone are to be forwarded to the Wyong Local Traffic Committee for consideration prior to the commencement of works.

Vehicle Access and Parking

- 53 Before the use and/or development starts, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be constructed to the satisfaction of the Consent Authority; including;

- line-marked to indicate each car space and all access lanes
- properly illuminated with lighting designed, baffled and located to the satisfaction of the Consent Authority to prevent any adverse effect on adjoining land.
- measures taken to prevent damage to fences or landscaped areas of adjoining properties and to prevent direct vehicle access to an adjoining road other than by a vehicle crossing.
- provision of traffic control signage and or structures as required;
- provided with signage directing drivers to the area set aside for carparking. Such signs are to be located and maintained to the satisfaction of the Consent Authority. This sign must not exceed 0.3 square metres.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

Advertising Signs

- 54 No advertisement shall be erected on or in conjunction with the use and/or development without prior development consent unless the advertisement is an 'approved sign' under Development Control Plan 2005, Chapter 50 - Advertising Signs.

Amenity - Lighting

- 55 All lighting used to externally illuminate buildings, works and uses shall be fitted with cut-off luminaries (baffles), so as to prevent the emission of direct and indirect light onto adjoining roadways, land and premises.
- 56 All lighting shall be designed so as to ensure that glare does not adversely impact upon any adjoining property.

Amenity Noise

- 57 No sound amplification equipment, juke boxes or loudspeakers shall be used external of the premises for the purpose of announcements, broadcasts, playing of music (whether recorded or otherwise) or similar purposes (so as to be audible on adjoining public or private land) save with the written permission of the Responsible Authority. Noise emissions must comply with EPA and the relevant State/Regional/Local Environment Planning Policy requirements.
- 58 Any security alarm installed on the premises must be fitted with a 'cut-off' device limiting any sounding of the alarm to maximum duration of ten (10) minutes, with no repeat sounding until manually reset; and or 'silently wired' to a security firm.

Hours of Operation

- 59 The hours of operation of the activity to which this development consent relates shall be limited to the following times:

<u>Facility</u>	<u>Week days</u>	<u>Saturday</u>	<u>Sunday/Public Holidays</u>
Auditorium	10am – 12am	10am – 12am	10am – 12am
Studio	9am – 12am	10am – 12am	10am – 12am
Café (indoor)	7am – 12am	10am – 12am	10am – 12am
General rooms	9am – 12am	10am – 12am	10am – 12am

Operating Restrictions

- 60 Opening of the studio doors and the use of the café outdoor seating area will be restricted to between the hours of 9.00am to 8.00pm Monday to Saturday and 10.00am to 6.00pm Sunday's and Public Holidays.
- 61 The ongoing use and management of the building or part as an Entertainment Venue is to be in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000, Schedule 3A as nominated in the following conditions:

Nitrate film

An entertainment venue must not screen a nitrate film.

Stage management

During a stage performance, there must be at least one suitably trained person in attendance in the stage area at all times for the purpose of operating, whenever necessary, any proscenium safety curtain, drencher system and smoke exhaust system.

Proscenium safety curtains

If a proscenium safety curtain is installed at an entertainment venue:

- (a) there must be no obstruction to the opening or closing of the safety curtain, and
 (b) the safety curtain must be operable at all times.

Projection suites

When a film is being screened at an entertainment venue, at least one person trained in the operation of the projectors being used and in the use of the fire fighting equipment provided in the room where the projectors are installed (the "projection room") must be in attendance at the entertainment venue.

If the projection room is not fitted with automatic fire suppression equipment and a smoke detection system, in accordance with the *Building Code of Australia*, the person required to be in attendance must be in the projection suite in which the projection room is located during the screening of a film. No member of the public is to be present in the projection suite during the screening of a film.

Emergency evacuation plans

An emergency evacuation plan must be prepared, maintained and implemented for any building (other than a temporary structure) used as an entertainment venue. An "emergency evacuation plan" is a plan that specifies the following:

- (a) the location of all exits, and fire protection and safety equipment, for any part of the building used as an entertainment venue,
- (b) the number of any fire safety officers that are to be present during performances,
- (c) how the audience are to be evacuated from the building in the event of a fire or other emergency.

Any fire safety officers appointed to be present during performances must have appropriate training in evacuating persons from the building in the event of a fire or other emergency.

In accordance with the requirements of Clause 98D of the Environmental Planning and Assessment Regulation 2000, a suitable sign must be displayed in a prominent position in the building stating the maximum number of persons as specified in the development consent, that are permitted in the building.

In accordance with the requirements of Clause 98D of the Environmental Planning and Assessment Regulation 2000, the maximum permissible number of persons permitted within the Entertainment Venue is as follows:

- (i) Main auditorium inclusive of stage and orchestra pit is 500 people within provided fixed seating.
- (ii) Minor auditorium/theatre – 130 persons

Traffic Control - loading

- 62 Loading and unloading of vehicles and delivery goods and merchandise and the like to and from the premises must be carried out within the land as it is shown on the endorsed plan and be conducted as to cause minimum interference with other vehicular traffic.

Site Appearance, Maintenance and Security Requirements

- 63 The owner/operator(s) of the site must maintain the required CCTV for the life of the development so that at all times the CCTV provides high-quality images of all public areas within the site.

Safer by Design

- 64 To minimise the opportunity for crime and in accordance with CPTED principles, the development shall incorporate the following:
- i. In order to maintain a safe level of visibility for pedestrians within and around the development, adequate lighting to AS1158 is to be provided to all common areas including parking, the courtyard, and any pedestrian routes to these areas. Additionally, after hours motion sensor lighting also to be included within the courtyard and the loading area. All lighting shall be installed and directed in such a manner so as to ensure that no nuisance is created for surrounding properties.

- i. Ensure that the development minimises the opportunities for concealment or entrapment spaces.
- ii. The means to isolate the various areas of the site shall be incorporated into the development, including measures for after hours access.
- iv. Ensure the development management adopts an ongoing policy of rapid repair of vandalism and graffiti and ensuring that all lighting is in working order.
- v. Adequate signage within the development to identify facilities, entry/exit points and direct movement within the development.

Waste Management

- 65 No receptacles for any form of rubbish or refuse (other than public waste bins) may be placed or allowed to remain in view from a public road or thoroughfare and odour must not be emitted from any such receptacle(s) so as to cause offence to any person(s) outside the subject land.

Graffiti Management

- 66 The preparation of a Graffiti Management Plan for the development promoting a quick and effective method of removing graffiti vandalism.

Food Act Requirements

- 67 All liquid trade waste is required to pass through a basket arrestor with fixed screens, fitted to all floor wastes and sinks, before being discharged into the sewerage system.



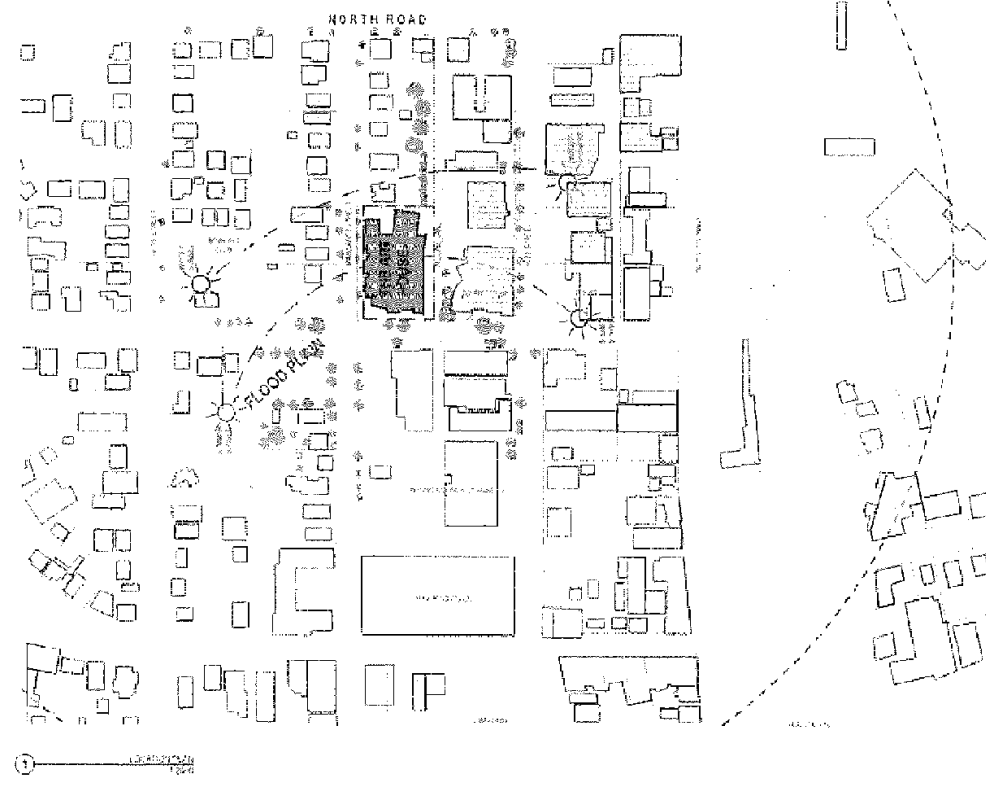












DA DRAWING LIST

		Revision	Scale
A000	DRAWING LIST LOCATION PLAN	A	1:2500
A010	SITE PLAN	A	1:200
A101	GROUND FLOOR PLAN	A	1:100
A102	LEVEL 1 PLAN	A	1:100
A103	LEVEL 2 PLAN	A	1:100
A104	LEVEL 3+4+5 PLAN	A	1:100
A105	ROOF PLAN	A	1:100
A130	N/S SECTION 1	A	1:100
A140	E/W SECTION 1	A	1:100
A141	E/W SECTION 2	A	1:100
A150	SOUTH ELEVATION	A	1:100
A151	WEST ELEVATION	A	1:100
A152	NORTH ELEVATION	A	1:100
A153	EAST ELEVATION	A	1:100

ADDITIONAL INFORMATION

A1000	EXTERNAL COLOUR SCHEME		
A1001	SHADOW DIAGRAMS	A	1:500
A1002	GRACAL CALCULATION	A	1:200

DA LEGEND

- AA1 ANODISED ALUMINIUM PANEL
- AW5 STEEL CLADDING
- BLD ROLLER SHUTTER
- BM1 STEEL BALUSTRADE
- CF1 CONCRETE STEEL TRIGWEL FINISH
- CFC COMBRESSED FINE CEMENT SHEETING
- CFE CERAMIC FLOOR TILE
- CFW CERAMIC WALL TILE
- GLFP FRAMELESS GLASS DOOR PAVOT
- GL1 FRAMELESS GLASS LOUVRES
- GL2 METAL FRAMED GLASS LOUVRES
- MRB MEMBRANE ROOF
- MC CORRUGATED IRON WALL CLADDING
- MC1 STEEL WALL CLADDING
- MCF METAL GRATE FLOOR
- MW METAL FRAMED WINDOW
- MC METAL FRAMED DOOR
- ML METAL AIR INTAKE LOUVRE
- MR METAL DECK ROOFING
- MTG METAL EAVES GUTTER
- MS METAL STAIR
- PC CONCRETE PAVERO
- RF ROOF VENTILATOR
- SK1 GLASS SKYLIGHT
- TRD TINDER BATTEN GELAND
- TWP TINDER WELLS PANEL

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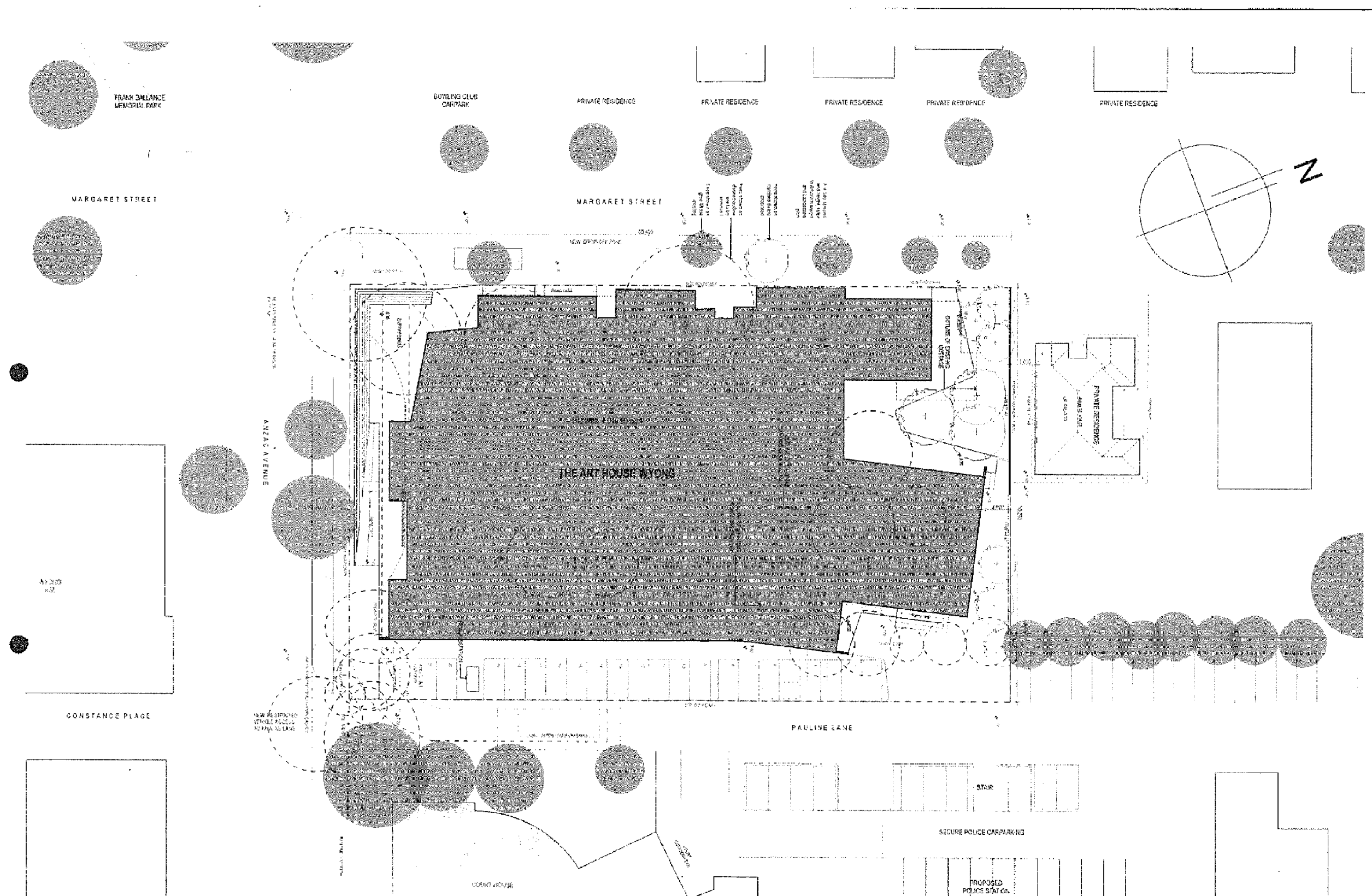
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DATE

December 2011



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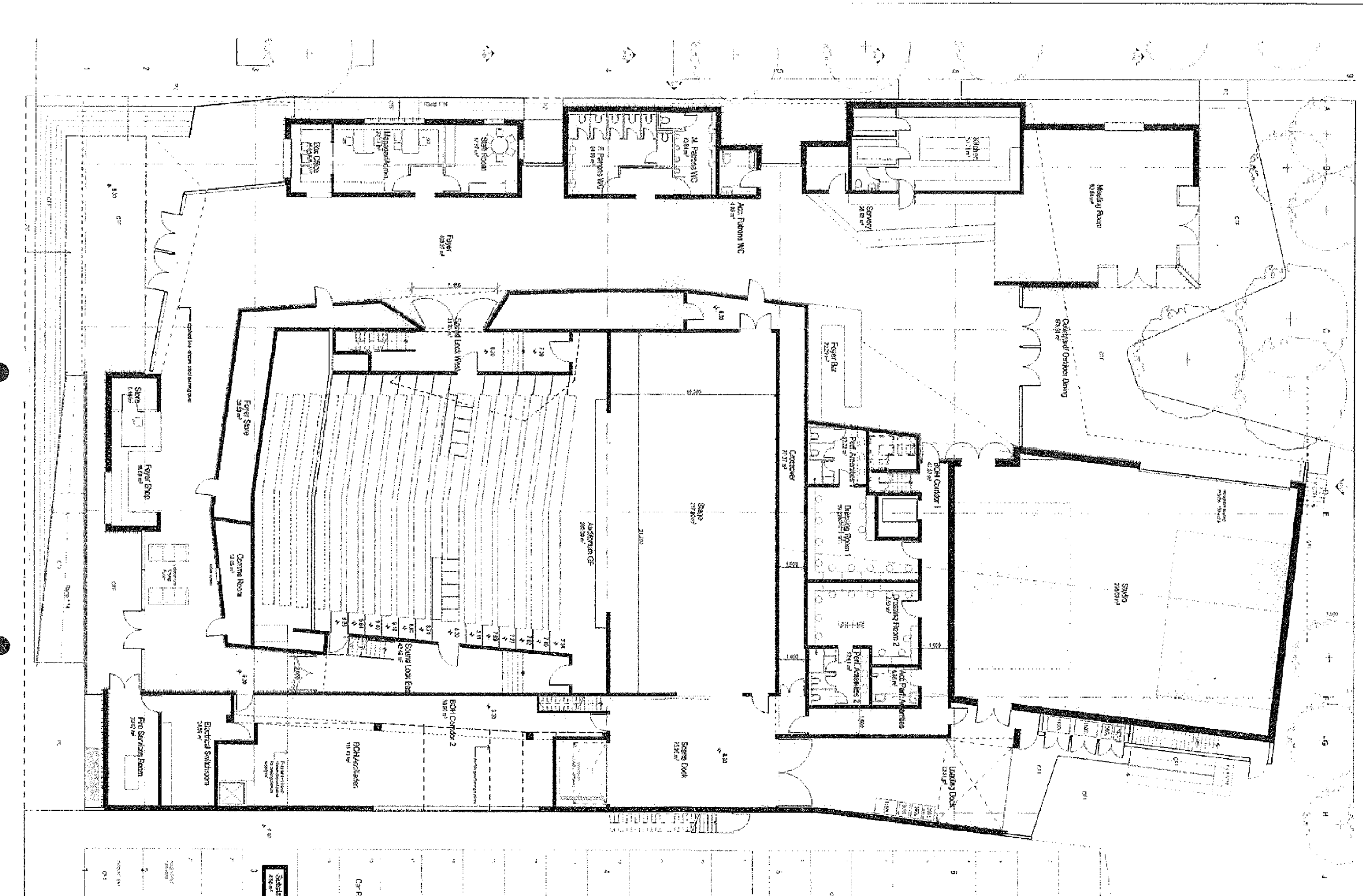
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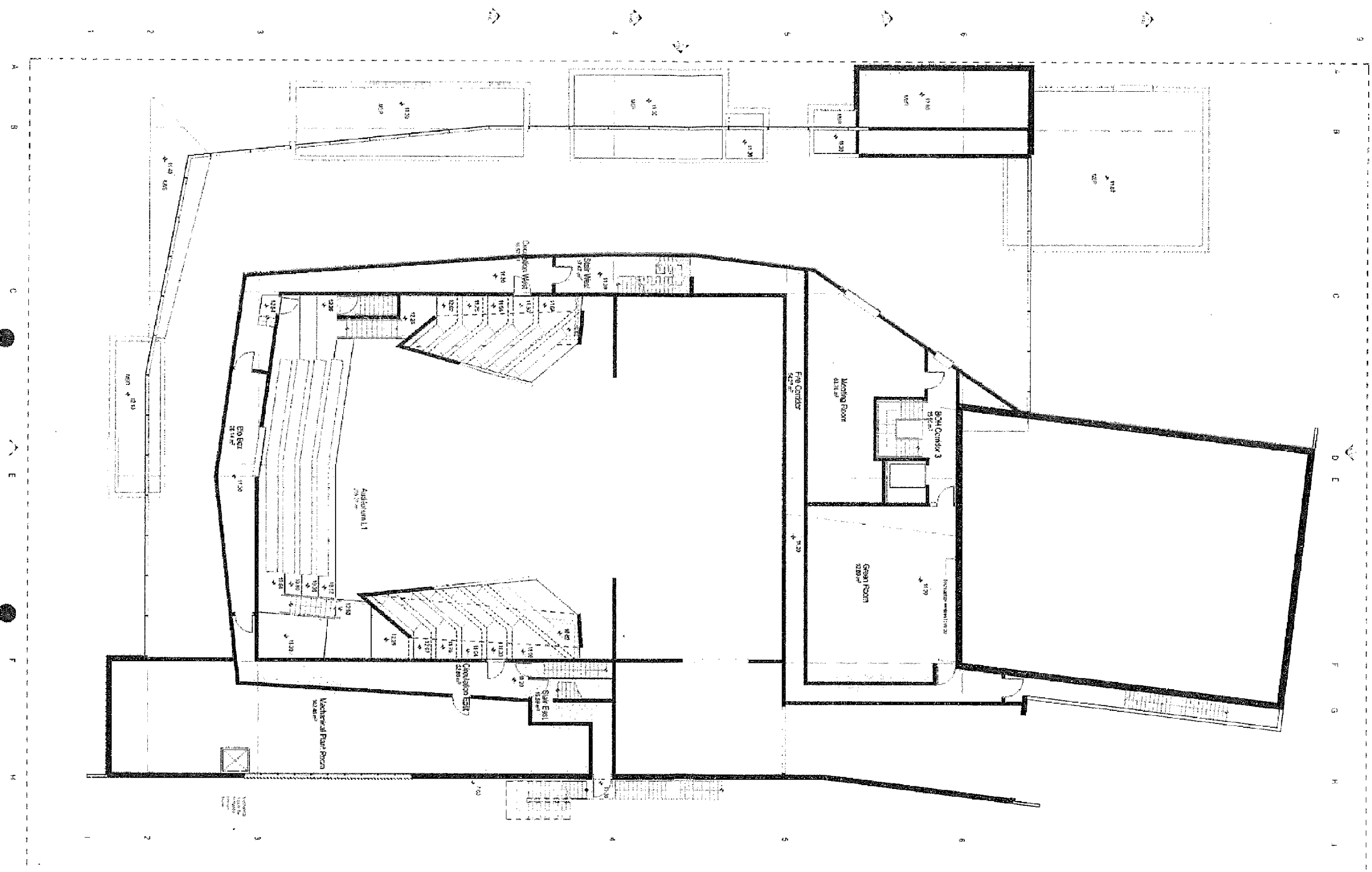
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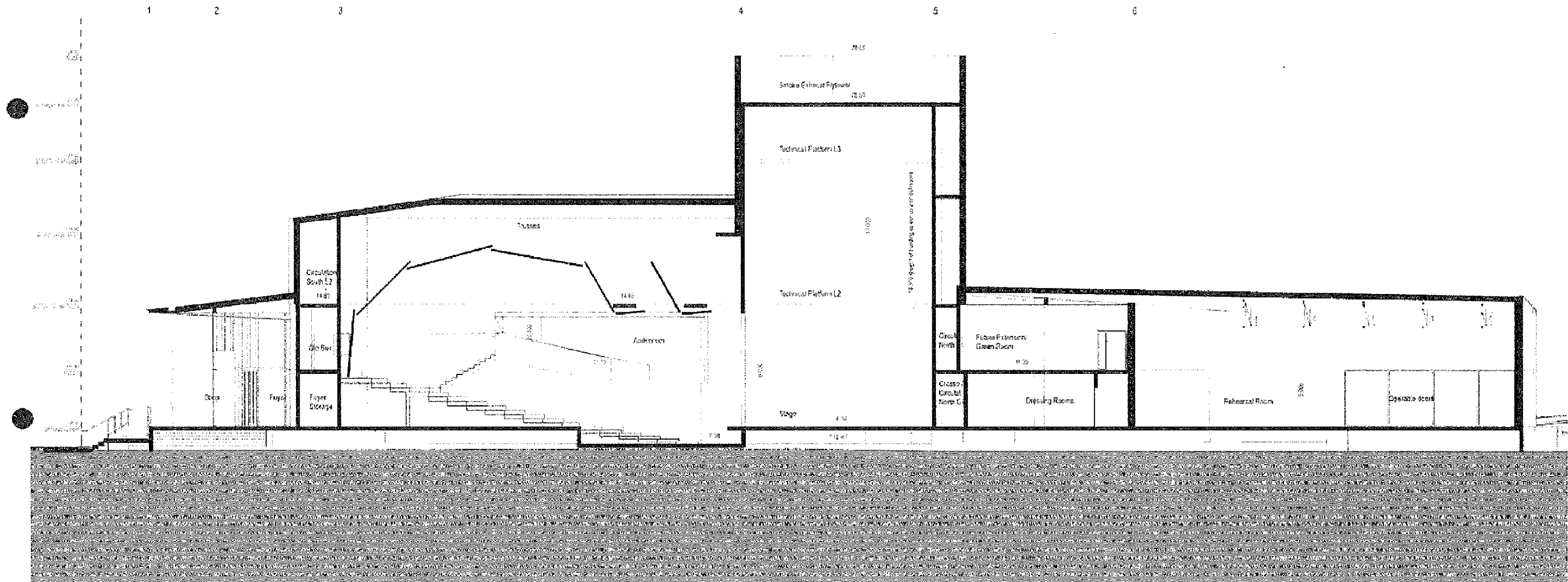
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REVISION: A102



1 N-S SECTION 1

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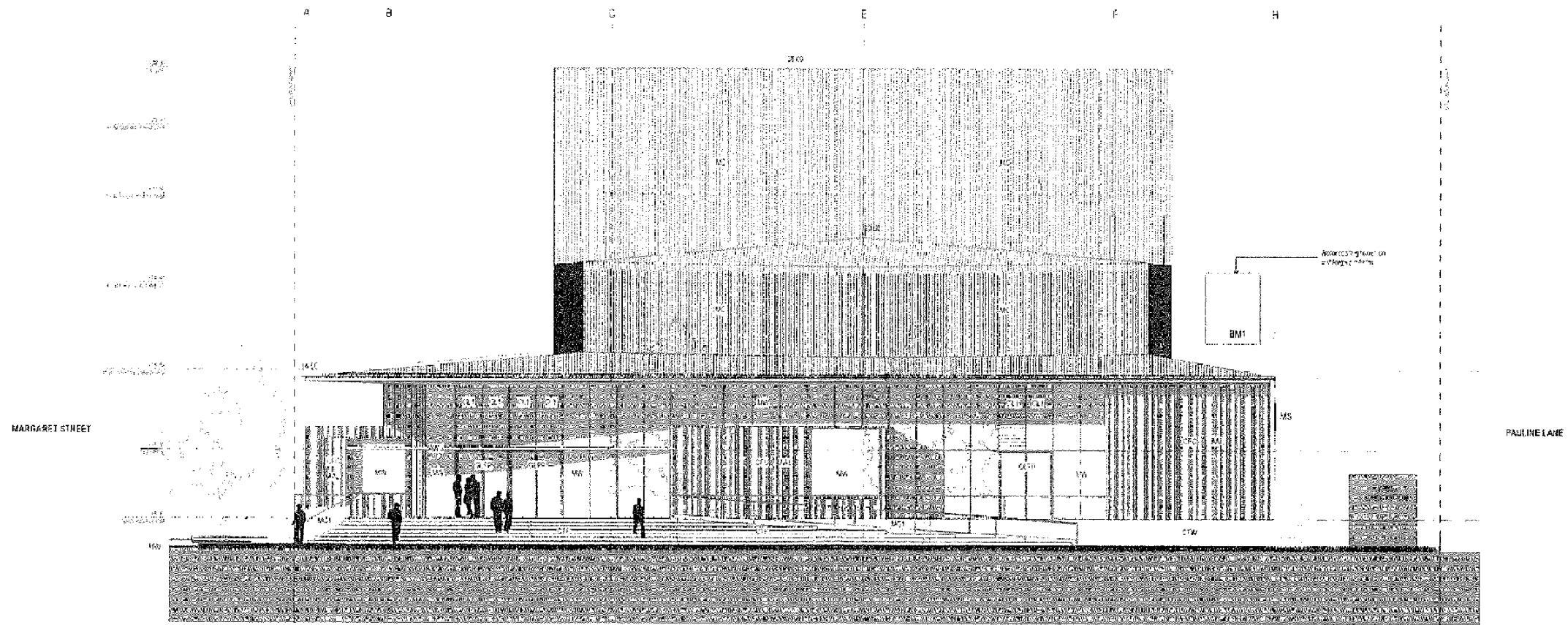
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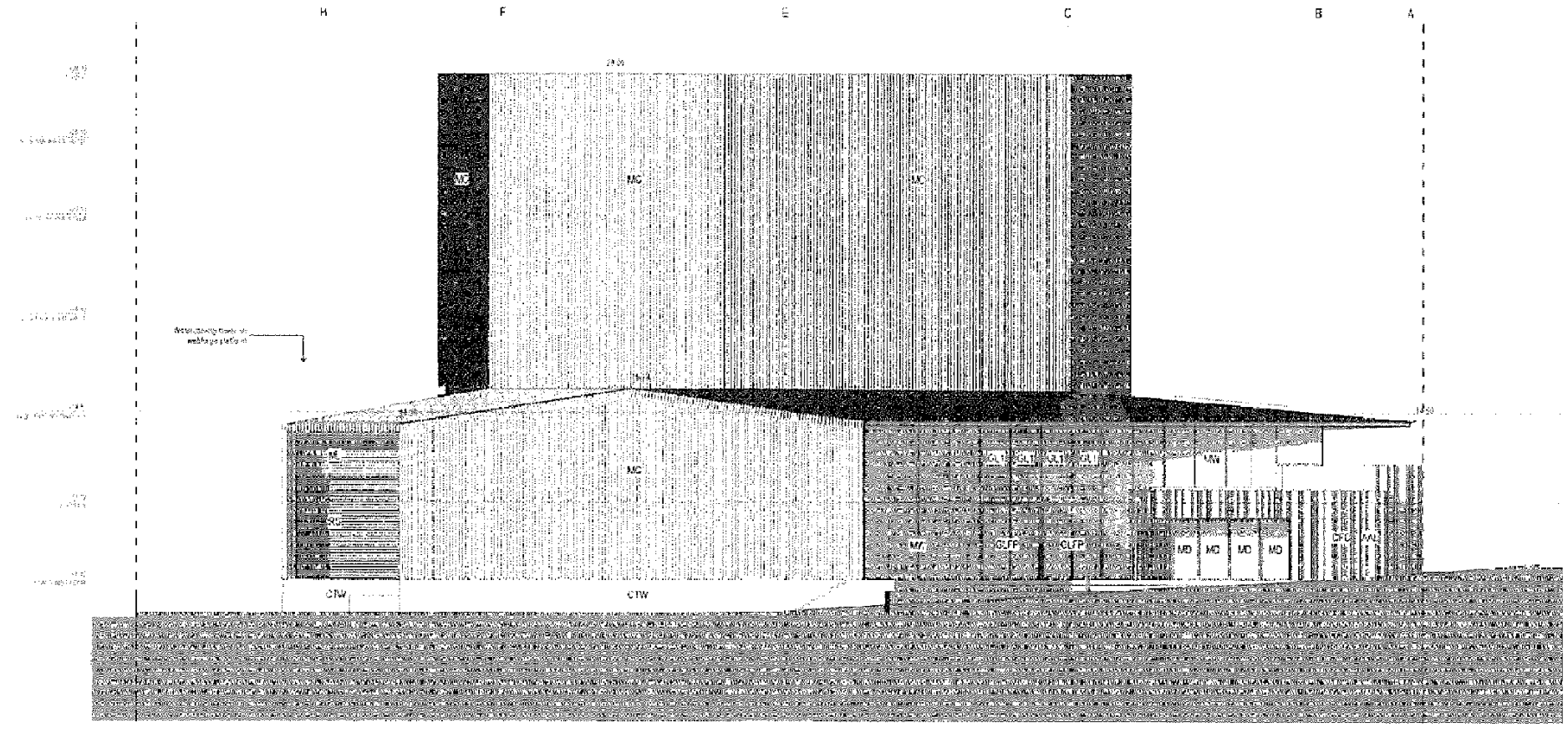
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NOTES:
 1. All work to be done in accordance with the approved plans.
 2. All work to be done in accordance with the approved specifications.
 3. All work to be done in accordance with the approved schedule of work.

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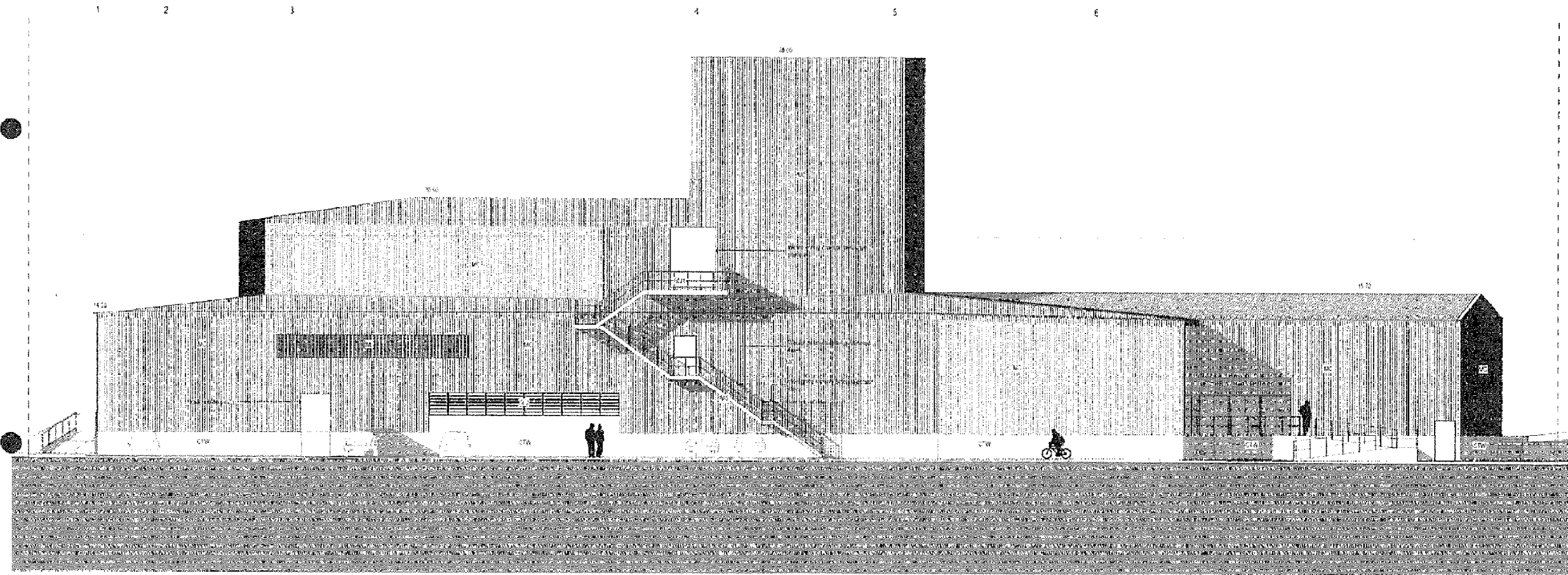
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REVISION:
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DATE: 01/13/11
REV: 01/13/11

NOTES:
1. See site plan for location of building.
2. See site plan for location of building.
3. See site plan for location of building.
4. See site plan for location of building.
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6. See site plan for location of building.

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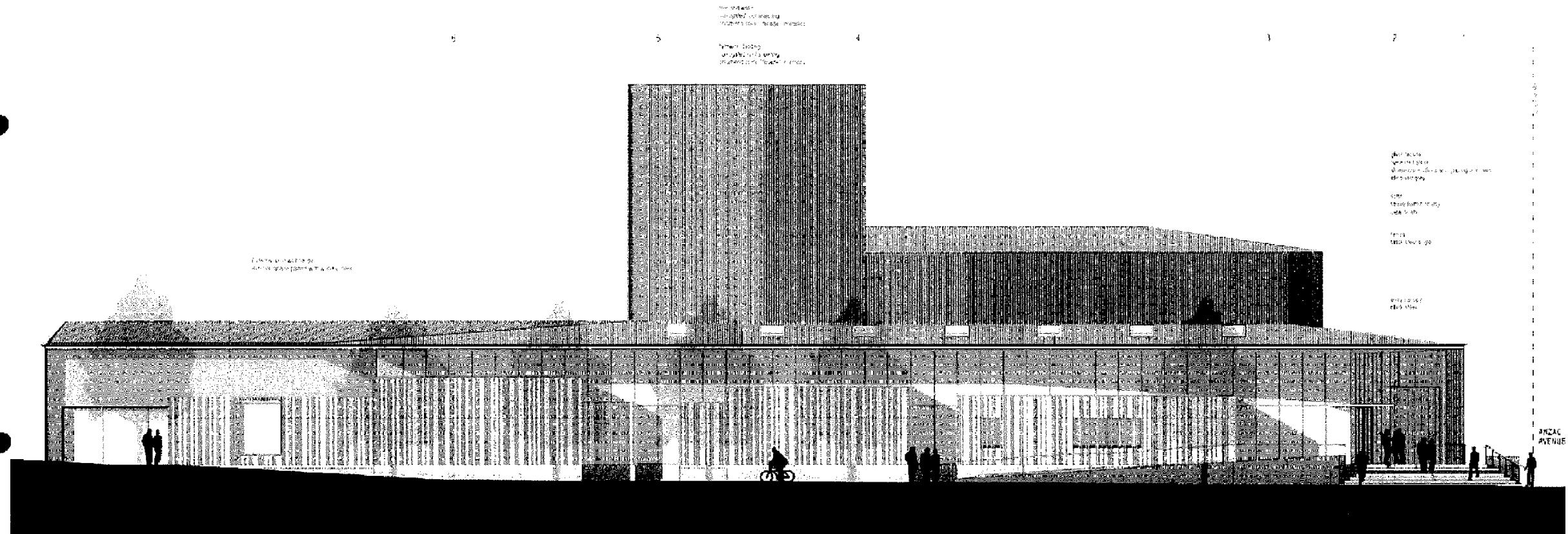
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EAST ELEVATION

SCALE:
AS SHOWN

DATE:
01/13/11

DRAWING NO:
A153



Architectural notes and specifications located below the main drawing, including material and finish details.

NOTES

NOTES

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Wyong
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CENTRAL COAST

Bateau Bay Town Centre Masterplan

March 2014

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CENTRAL COAST

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Executive Summary



Bateau Bay Town Centre is one of the main town centres in the Wyong Shire and Central Coast Region that plays an important social and economic role in the community. Wyong Shire Council has prepared this Masterplan for the future growth and development of the Bateau Bay Town Centre to provide a planning framework and direction for investment in community building, economic activity and employment, and environmental sustainability in the Centre that will support the growth of Wyong Shire and Central Coast Region over the next 20 years.

The objectives, strategies and principles in this Masterplan for the Town Centre and its precincts are the key outcomes sought from future growth and development. The plans and drawings for the precincts are indicative concepts only, and each precinct will need to be subject to a more detailed development design process in the implementation plan.

Wyong Shire Council owns significant land and building assets that have a major role in the future growth and development of the Town Centre. The implementation of the Masterplan is premised on key opportunity sites being developed in joint ventures and public private partnerships for new uses including employment generating commercial uses, leisure / entertainment / recreation uses and new housing choices which are to either provide the public domain works or generate revenue for Council that is to be used to fund improvements to the public domain, community and recreation facilities.

The vision for the Bateau Bay Town Centre is:

A centre of community and economic vitality providing shopping, recreation and entertainment, employment, education and training, business services, housing and civic space for social gathering and events that is attractive, functional and cohesive.

The goals of the Masterplan are to:

- Facilitate the development of a range of additional land uses for leisure/recreation and entertainment, business services and employment, education and training, and housing (in addition to retail shopping and community facilities) that increase community and economic activity and employment including after business hours;
- Develop a cohesive public domain with outdoor civic spaces that have a high level of environmental amenity and are functional, safe and legible in streetscapes, pathways, signage, furniture, lighting, landscaping and public art;
- Continue a functional and safe access network of transport infrastructure, roads, pedestrian and cycle paths, and parking all with equitable access;
- Enhance community and recreational facilities that meet social and recreational needs of the community and contribute to community pride and social cohesion;
- Implement principles of ecological sustainability particularly in new development through appropriate management of biodiversity, water conservation, energy efficiency, waste management and promoting a walkable environment.



Final Masterplan

1:5,000 @ A3 0 100m

1.0 Introduction



Wyong Shire Council has prepared this Masterplan for the future growth and development of the Bateau Bay Town Centre. This Masterplan is the fifth phase of the process and forms part of a program of community consultation inviting the public to comment on matters to be included in the Masterplan.

This Masterplan provides a framework and direction for investment in community building, economic activity and employment, and environmental sustainability in the Town Centre to support the growth and development of Wyong Shire and the Central Coast Region over the next 20 years. The scope of the Masterplan addresses:

- **Vision and Goals** for the Bateau Bay Town Centre;
- **Role and Identity** of the Town Centre including its urban context, boundaries, character, precincts, land uses and key public and private sites;
- **Urban Design and Public Domain Framework** for civic spaces, built form, streetscapes, gateways, visual corridors and connections, pedestrian paths, landscaping, lighting, signage and safety and security;
- **Access, Transport, Traffic and Parking** including hierarchy, functionality and amenity of movement corridors/access paths for light and heavy vehicles, pedestrians and the disabled, public car parking, and bus interchange;
- **Community Infrastructure** relating to function and amenity of community and recreational infrastructure;
- **Sustainability** relating to water, energy, biodiversity, waste and social sustainability.

The planning context and background of NSW Government and Wyong Shire Council strategic plans in which Bateau Bay is identified as a Town Centre is outlined in Section 2 below.

The purpose of this Masterplan is to receive feedback and comment from interested stakeholders on preliminary ideas and directions for the future development and management of the Bateau Bay Town Centre over the next 20 years.



Figure 1.1: Masterplan study area (Bateau Bay Town Centre boundary outlined in red)

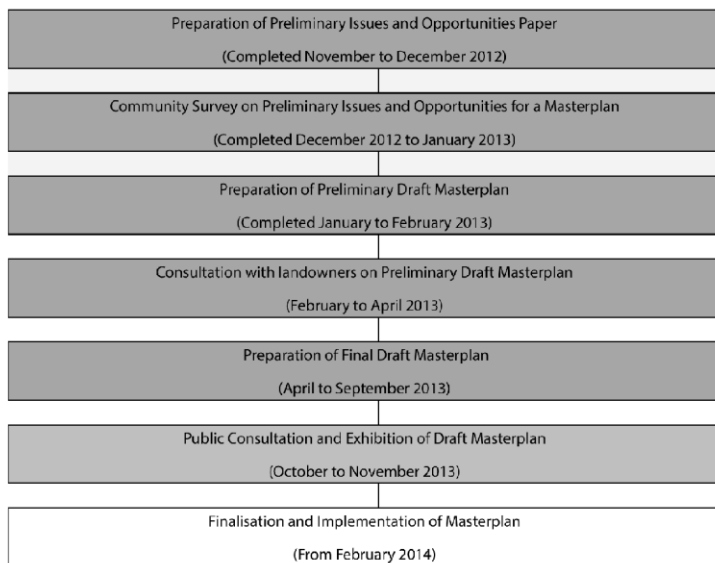
1:5,000 @ A3 0 100m

1.0 Introduction



The process for the preparation of the Bateau Bay Town Centre Masterplan is shown in the following flow diagram.

Masterplan Process



The community consultation program for the Masterplan is described further in Section 9.



2.0 Strategic Planning Context

The NSW Government and Wyong Shire Council have a number of strategic plans in place relating to the growth and development of the NSW Central Coast and Wyong Shire that are relevant to the preparation of a masterplan for the Bateau Bay Town Centre. These strategic plans are:

- NSW State Plan 2021;
- Central Coast Regional Strategy 2006-2031;
- Wyong Shire Council Community Strategic Plan 2030
- Wyong Shire Council Strategic Plan 2012-2016;
- Wyong Shire Council Settlement Strategy (Draft);
- Wyong Shire Council Retail Centres Strategy;
- Wyong Shire Council Residential Strategy; and
- Wyong Shire Council Sustainability Principles.

2.1 NSW 2021 PLAN

NSW 2021 – ‘A Plan to Make NSW No.1’ is the State Government’s 10 year plan to guide policy and budget decision making. It defines the overarching goals and outcomes for consideration by State Government Agencies over the next 10 years. Reflecting the vision of communities across NSW, the NSW State Plan sets out clear priorities for Government action. The following priorities are relevant to planning for future urban growth within the Wyong LGA:

Rebuild the Economy

Goal 3: Drive economic growth in regional NSW

Goal 4: Increase the competitiveness of doing business in NSW

Renovate Infrastructure

Goal 20: Build liveable centres

Strengthen our local environment and communities

Goal 22: Protect our natural environment

Goal 24: Make it easier for people to be involved in their communities

Goal 27: Enhance cultural, creative, sporting and recreation opportunities

Restore accountability to government

Goal 29: Restore confidence in the planning system

In accordance with these key goals of NSW 2021, the Masterplan for the Bateau Bay Town Centre plans for a centre which drives local economic growth into the future, which is liveable, provides the infrastructure and planning to make it easy for residents and visitors to be involved in their communities, as well as enhance the cultural, creative and recreation opportunities for residents and visitors of the Town Centre.

The Masterplan seeks to explore and develop a vision and framework to address the relevant community and environmental planning issues within the Town Centre consistent with the Central Coast Regional Strategy outlined in Section 2.2.

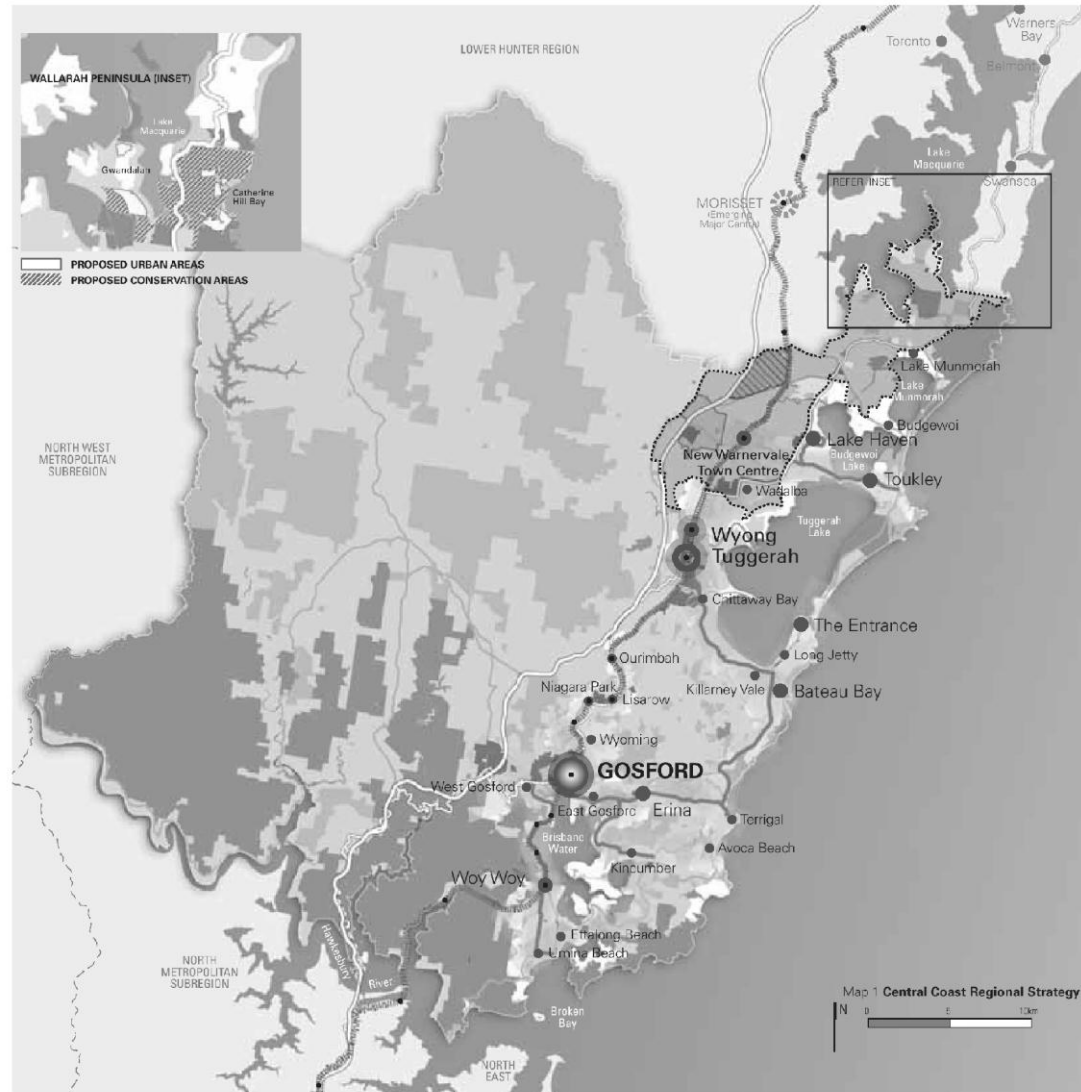


Figure 2.1: Central Coast Regional Strategy map

2.0 Strategic Planning Context

2.2 CENTRAL COAST REGIONAL STRATEGY

The Central Coast Regional Strategy 2006-2031 (CCRS) is a 25 year planning strategy for the Wyong and Gosford Local Government Areas and sets the planning agenda for the region. The CCRS was prepared in response to the original Sydney Metropolitan Strategy – City of Cities: A Plan for Sydney's Future (2005), and was one of 10 sub-regional Planning Strategies developed by the NSW State Government for the Greater Sydney Metropolitan Region.

The CCRS is a strategic framework based on the following projections for the region:

- An additional 100,000 people living in the Central Coast Region by 2031 (increasing the population from 300,000 to 400,000 in 25 years);
- An additional 70,000 people in the Wyong Shire Local Government Area (LGA) housed in both existing urban areas and greenfield areas;
- An additional 56,000 dwellings in the Region over the next 25 years to accommodate the increased population with falling household occupancy levels;
- An additional 45,000 jobs in the Region over the next 25 years, with 27,000 jobs to be accommodated in the Wyong Shire including 9,000 jobs in the centres;

The CCRS states that, apart from external factors such as national economic growth rates, employment growth on the Central Coast will be largely driven by the following:

- The Region's resource base which attracts investment in agriculture, fisheries, forestry, minerals/mining and energy sectors;
- Population growth driving new economic and employment opportunities;
- Competitively-priced employment lands and the position of the Region between Sydney and the Hunter for industrial and logistics businesses and good interregional transport infrastructure (i.e. the F3 Freeway and rail);
- Demographic and lifestyle changes, such as young families, older professional workers who commute part-time to Sydney and retirees; and
- A burgeoning tourism industry.

The Bateau Bay Town Centre contains concentrations of retail, recreational and community uses as well as a transport interchange. The CCRS talks to the networking of centres, the transport network, environmental qualities, jobs, housing choice and urban design. The CCRS also lists the following actions which are relevant to the subject site in relation to centres and housing:

- Action 4.4: Councils are to investigate the potential for land located within and around centres for future housing opportunities, consistent with the centres hierarchy and the dwelling and employment capacity targets through the preparation of LEPs and local planning strategies, (i.e. generally within a radius of 1000 metres of a regional city and major centre, 800 metres for towns, 400–600 metres for villages and 150 metres for neighbourhoods).
- Action 4.13: Consider a range of affordable housing strategies, including forms of low-cost housing, suitable zonings and development controls to improve housing choice, and specific schemes. These strategies must be consistent with relevant State policies.

- Action 4.23: The Department of Planning is to prepare Centre Design Guidelines to encourage improvement and appropriate renewal of local centres and exchange of practices between councils.
- Action 4.25: Prior to the preparation of LEPs and centres planning strategies, councils need to establish whether development or redevelopment of any significant government landholdings could assist in achieving the overall objectives for that centre.
- Action 4.26: Councils are to implement their cultural plans and investigate opportunities to encourage clusters of entertainment and cultural facilities, including activities based around the night economy when preparing centres planning strategies.
- Action 5.1: Promote economic and employment growth in the Region to increase the level of employment self containment and achieve capacity for more than 45 000 new jobs on the Central Coast over the next 25 years.
- Action 5.3: Councils are to investigate strategies to ensure sufficiently zoned land to enable the provision of comparatively low cost premises for start-up business. Centre strategies should include provision of low-cost office and studio space to assist business start-ups for cultural activities.
- Action 5.8: Ensure that development of residential and mixed-use buildings in business zones do not result in a weakening of a centre's retail and commercial functions.
- Action 5.9: Ensure that bulky goods retailing is not located on industrial land and is located in centres and nominated nodes
- Action 5.11: Ensure new retail and commercial development is located in centres. Some local convenience retailing may be required out of centre, however the presence of a convenience shop can initiate a neighbourhood centre, around which other activities such as child care facilities can be located.
- Action 5.14: The NSW Government and councils are to utilise government assets and investment to support centres in accordance with the centres hierarchy.

Bateau Bay is identified as a 'Town Centre' under the CCRS which is defined as having concentrations of retail, health and professional services mixed with medium density residential within the centre. Town Centres will also serve surrounding residential areas. Services present will generally include two to three supermarkets, a discount department store, more than 50 shops, child care, schools, community facilities, bank, branch library, professional services, medical centre and small civic square. Centres that will develop as Town Centres over the next 25 years are Bateau Bay, The Entrance, Erina, Lake Haven, Toukley, Warnervale (new) and Woy Woy.

In accordance with the CCRS, the Masterplan for Bateau Bay Town Centre provides a vision, framework and actions which are consistent with the centres hierarchy and strategic actions of the CCRS. It plans for concentrations of businesses and services such as retail, health and professional services to cater for long term regional growth over the next 25 years. It promotes the Town Centre as an attractive, accessible and active space with a focus on economic activity and employment, community and recreational/leisure uses, and environmental amenity and sustainability. The Masterplan implements the identified actions of the CCRS to ensure local strategic directions remain consistent with both State and Regional planning guidelines.

The Masterplan is designed and implemented to keep in mind the need for a balance between growth and development, and the unique and defining environmental qualities of the locality. The Masterplan aims to guide the development of the Bateau Bay Town Centre to sustainably accommodate the projected housing and employment projections in the CCRS.

2.0 Strategic Planning Context

2.3 WYONG SHIRE COUNCIL COMMUNITY STRATEGIC PLAN 2030

The Wyong Shire Council Community Strategic Plan 2030 (CS Plan) is a document which lays out four principles that must apply in the future and identifies eight priority objectives to create the best possible quality of life for residents and visitors of Wyong Shire. The CS Plan looks ahead over two decades and provides a direction and focus in all levels of government to achieve the most significant long-term benefits.

The CS Plan contains the following objectives and principles which relate to all land in Wyong Shire:

1. *Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.*
2. *There will be ease of travel within the Shire, and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable.*
3. *Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.*
4. *Areas of natural value in public and private ownership will be enhanced and retained to a high level in the context of ongoing development.*
5. *There will be a sense of community ownership of the natural environment through direct public involvement with environmental programs.*
6. *There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths.*
7. *Information communication technology will be consistent with world's best practice and adaptive to technological advances across all sectors.*
8. *The community will be well educated, innovative and creative. People will attain full knowledge potential at all stages of life.*

The Masterplan for the Bateau Bay Town Centre addresses the challenges facing the Town Centre and aims to capitalise on its opportunities to improve the function, sustainability and amenity of the Town Centre. In order to meet the objectives and principles of the CS Plan, the Masterplan aims for enhanced social interaction through the careful deployment and arrangement of social facilities and infrastructure. Furthermore, the Masterplan examines the road hierarchy and traffic flow within and around the Town Centre, including the location and function of car parking areas, transport interchange, and vehicle unloading areas. Finally, the Masterplan identifies opportunities to encourage active participation in sport and incidental recreation by enhancing existing open space and recreational areas, community facilities and pedestrian network.

2.4 WYONG SHIRE COUNCIL STRATEGIC PLAN 2012-16

The Wyong Shire Council Strategic Plan (the Corporate Strategic Plan) aligns Council's programs with the aspirations of the community as expressed in the Community Strategic Plan (2030). The Corporate Strategic Plan provides policy direction and strategies which seek to deliver value for money services in a sustainable manner, focusing on social, economic, environmental and civic leadership for the future and considers issues impacting our community such as business attraction, increased population, environmental sustainability and increased traffic.

The Corporate Strategic Plan identifies a number of key challenges for Wyong Shire Council including the impact of the creation of the Central Coast Water Corporation on Council services and the business structure, rising costs to the organisation such as the carbon tax, energy costs and a growing population, rising community expectations, and continual financial sustainability. It states that Council seeks to address these

challenges by managing assets sustainably, balancing development with environmental and social needs, increasing local employment and enhancing the Shire's appearance and attractiveness.

The preparation of the Masterplans aligns with Council's Corporate Strategic Plan and in particular with the following relevant Principle Activities:

- Principle Activity 1.01, 1.02 and 1.03 Community & Cultural Development. By engaging with our community and enhance their knowledge and skills through the planning and provision of services programs, events and facilities, we strive for equity and inclusiveness and encourage innovation and enterprise.
- Principle Activity 2.01 and 2.02 Parks and Open Space. To provide sports facilities, parks and reserves as well as enhance the natural environment for the benefit of the community.
- Principle Activity 3.01, 3.02 and 3.03 Economic and Property Development. To support quality town centre development and to build a sense of community cohesion and pride. To oversee the management of major projects and identify sustainable income strategies. Key activities include the preparation and implementation of masterplans for town centres.
- Principle Activity 4.01 and 4.02 Council Enterprise. To provide information, education and support services to the community in order to assist in making Wyong Shire a place where individuals are always learning.
- Principle Activity 8 and 9 Roads and Stormwater. To manage and develop the Shire's road, bridge and drainage networks along with associated infrastructure to help ensure ease of travel and environmental responsibility.

2.5 WYONG SHIRE COUNCIL SETTLEMENT STRATEGY (DRAFT)

The Wyong Shire Council Settlement Strategy (Settlement Strategy) has been developed to provide a blueprint for the growth of the LGA with accessible and reliable transport, a strong regional economy, a vibrant community and a healthy natural environment. The 'Planning for our Community' chapter of the Settlement Strategy considers community services and facilities, open space and recreation, educational and health facilities, and emergency services available to residents. The chapter identifies ways in which key objectives 3 and 8 of the Community Strategic Plan can be achieved:

'Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.'

'The community will be well educated, innovative and creative. People will attain full knowledge potential at all stages of life.'

The vision of the 'Planning for our Community' chapter of the Settlement Strategy is to consider how community facilities and services connect to the centres, as well as the wide distribution of housing in Wyong, coupled with an emphasis on integrating community planning within the overall planning process. The Masterplan for the Bateau Bay Town Centre identifies and develops focal points or activity nodes that are identifiable places with character within each centre which help achieve a sense of place and ownership. It also re-appraises local priorities and needs for community and sporting infrastructure to identify where and when upgrade funds are best spent, allowing better connections to the Town Centre and a greater variety of facilities for residents.

2.0 Strategic Planning Context

The chapter titled 'Planning for Economy and Employment' of the Settlement Strategy is also relevant to the preparation of a Masterplan for the Bateau Bay Town Centre. The chapter considers employment lands, commercial and retail development, business parks, agriculture, tourism, resource extraction and economic development within Wyong Shire. The chapter also identifies ways in which key objective 6 of the Community Strategic Plan can be achieved:

'There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths.'

The vision of the 'Planning for Economy and Employment' chapter of the Settlement Strategy is for the Council over the next 20 years to strengthen the economy and increase employment opportunities. This will involve managing the economic implications of future growth responsibly, ensuring that employment lands are released in an efficient manner, with due regard to constraints such as environmental attributes, bushfire and flooding. The chapter also states that this will involve careful planning for the existing commercial and retail centres, by reinforcing the current role and function of these centres and improving transport links and community access to these centres.

The Masterplan for the Bateau Bay Town Centre seeks to encourage and facilitate private development and public domain improvements that attract investment in employment generating uses. It also identifies the potential for mixing new uses in appropriate zones that will attract more people to the Town Centre and make it a more desirable place to invest in business.

2.6 WYONG SHIRE COUNCIL RETAIL CENTRES STRATEGY

The Retail Centres Strategy examines the Shire's projected population growth and forecast retail spending, and considers the supply of retail floor space to meet consumer demands. The report was prepared for Wyong Shire Council by Leyshon Consulting, and has following relevant objectives:

- to build on the economic modelling and assessment work that has been undertaken for Council in recent times
- to review current and possible future trends in retailing, commercial development and centre support development and how they will impact on Wyong Shire into the future
- to identify the current and future demand for retail, commercial and centre support floorspace and its spatial distribution within Wyong Shire
- to review the 1996 Wyong Shire Retail Strategy, DCP81 – Retail Centres and the associated hierarchy of centres in Wyong
- to identify a point of difference for each centre and nominate the sort of facilities that could be provided in the future in response to the specific demographics of centres' trade areas
- to identify appropriate floorspace limits for each centre within the hierarchy based on its nominated position in the hierarchy and projected growth within its trade area and the nominated site area
- to identify guidelines and principles for "good retail development"
- to prepare a new planning framework to facilitate growth and which identifies the current and future roles of centres
- to assist Council staff in communicating the new framework to the elected representatives and the general public.

The Retail Strategy is currently under review by Wyong Shire Council, and the Masterplan for Bateau Bay Town Centre will need to be consistent with the outcomes of the review.

2.7 WYONG SHIRE COUNCIL RESIDENTIAL DEVELOPMENT STRATEGY

Wyong Shire Council has developed a Residential Development Strategy (RDS) to meet the State Government requirement for local Councils to take responsibility for implementing local planning policies to meet planning objective needs and increase the quality, diversity and quantity of residential development in the Wyong Shire. The key aims are to:

- Provide a comprehensive strategy to guide residential development and increase the quality and diversity of development in Wyong Shire;
- Provide a local approach to justify exemption from SEPP 53 - Metropolitan Residential Development;
- Identify amendments to the Wyong Local Environmental Plan 1991 to satisfy residential development objectives;
- Identify short and medium term actions which Council can facilitate to realise metropolitan planning objectives for residential development, while maintaining local sustainability.
- Plan for environmental, economical and socially sustainable residential development;

Section 6 – Residential Development Opportunities talks to urban infill and redevelopment for Wyong. This section identifies that opportunities exist for centres in Wyong to expand residential development by looking more closely at specific precincts within the centre that may have potential for increased densities, and that Wyong's historic buildings and town character must be considered in any such study.

The preparation of the Masterplan examines the opportunities for residential development in the Bateau Bay Town Centre, and also addresses some of the drivers that attract residential development such as the public domain, environmental amenity and access.

2.8 WYONG SHIRE COUNCIL SUSTAINABILITY PRINCIPLES

Wyong Shire Council's sustainability principles are to:

- Think holistically;
- Act responsibly;
- Be smart, local and adaptable;
- Care for nature;
- Good processes, improved outcomes;
- Work together, and
- Lead by example.

The Masterplan is consistent with the above principles of Council for ecological sustainability.

2.0 Strategic Planning Context

2.9 BATEAU BAY TOWN CENTRE KEY ISSUES & OPPORTUNITIES

The key issues and opportunities for the growth and development of the Bateau Bay Town Centre are shown in Figure 2.2. In summary, the key issues and opportunities relate to the following:

- Additional land uses for more economic activity and employment, training and education, recreation/leisure, housing and activation outside standard business hours;
- Enhancement of the public domain with new outdoor civic spaces, landscape treatments, and improved safety and security;
- Better connectivity and integration between precincts through the town centre and with surrounding areas;
- Enhancement of community and recreational infrastructure; and
- Implementation of additional measures for ecological sustainability.



- Opportunity for new land uses - employment, retail, education &/or residential; and
- Potential commercial/retail/business units' hub (low cost, low remediation).



- Create a 'quiet' landscaped space;
- Improved shade and seating opportunities;
- Improve arrival experience to the centre; and
- Adjust road lanes to cater for buses.



- Formalise McCall Park crossing point(s);
- Improved safety and security; and
- Address litter issues.



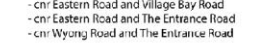
- Shaded civic space framed with built form; and
- Addresses primary centre car park and pedestrian underpass arrival point.



- Opportunity for new land uses - employment, retail, education and/or residential;
- Potential amenity outlook to hills for residential (aged care); and
- Pedestrian through-site link to centre.



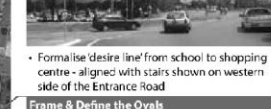
- Enhance shade and footpath to centre.



- Signage or built form opportunities to:
 - cnr Eastern Road and Village Bay Road
 - cnr Eastern Road and The Entrance Road
 - cnr Wyong Road and The Entrance Road



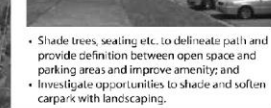
- Continue streetscape enhancement programme south along the Entrance Road to Bateau Bay Square.



- Formalise desire line from school to shopping centre - aligned with stairs shown on western side of the Entrance Road



- Informal seating/viewing options;
- Landscape existing batter slope for seating opportunities and to stop erosion; and
- Improve signage, naming and identity.



- Shade trees, seating etc. to delineate path and provide definition between open space and parking areas and improve amenity; and
- Investigate opportunities to shade and soften carpark with landscaping.



- Opportunity for new leisure/recreation/ community uses; and
- Improve surveillance, safety and security.



- Generally a good and open underpass;
- Could benefit from some landscaping and more of a destination on the eastern side; and
- Improve surveillance from new uses.



- Potential re-alignment;
- Enhance shade and landscaping; and
- Break up journey with destinations.

Figure 2.2: Bateau Bay Town Centre Issues & Opportunities

3.0 Vision & Goals



The vision for the Bateau Bay Town Centre is:

A centre of community and economic vitality providing shopping, recreation and entertainment, employment, education and training, business services, housing and civic space for social gathering and events that is attractive, functional and cohesive.

The goals of the Masterplan are to:

- Establish a planning framework to guide public and private investment in the future development of the Town Centre for community building, recreation, economic activity and employment and environmental sustainability;
- Facilitate the development of a range of additional land uses for leisure/entertainment, business services, employment uses, education and training and housing (in addition to retail shopping and community and recreation facilities) that increase community and economic activity as well as employment, including after business hours;
- Develop a cohesive public domain with outdoor civic spaces that have a high level of environmental amenity and are functional, safe and legible in streetscapes, pathways, signage, furniture, lighting, landscaping and public art;
- Continue a functional and safe access network of transport infrastructure, roads, pedestrian and cycle paths, and parking all with equitable access;
- Enhance community and recreational facilities that meet social and recreational needs of the community and contribute to community pride and social cohesion;
- Implement principles of ecological sustainability particularly in new development through appropriate management of biodiversity, water conservation, energy efficiency, waste management and promoting a walkable environment.

4.0 Role & Identity

A Town Centre with a distinct role and identity that is functional and has a good level of activity and environmental amenity can make a significant contribution to community building and attracting economic investment. It creates a sense of place for the community and is a core attractor for investment in economic activity and business.

The role and identity of the Town Centre relates to its urban context, character, precincts, land uses, and key public and private sites.

4.1 URBAN CONTEXT, ROLE AND LAND USES

The urban planning context of NSW Government and Wyong Shire Council strategic plans in which Bateau Bay is identified as a Town Centre is outlined in Section 2.

Bateau Bay Town Centre includes the Bateau Bay Square shopping centre, Entrance Tigers Leagues Club and Bowling Club, Council community centre and library, and the Bateau Bay recreation centre with recreational facilities, ovals and parkland, and Government emergency services and uses of fire station, ambulance station and Council depot. It is adjacent to the Tuggerah Lakes Secondary College campus and to the north, and seniors housing to the east.

The Bateau Bay Town Centre has a unique role compared to other business zones and centres nearby in Wyong Shire. The Long Jetty business zone performs as an enterprise corridor and The Entrance Town Centre performs more of a foreshore tourist oriented business and activity centre. The Bateau Bay Town Centre performs the role of shopping, recreation, education, employment, seniors housing, and emergency services.

The Masterplan aims to build on the existing role and character of the Town Centre to develop it further as a centre for shopping, active recreation/sports and education/training, health facilities, housing, employment uses, information technology, and community facilities. These uses can maintain and improve the vitality and activity in the Town Centre which contribute to community building and attracting economic investment.

4.2 CHARACTER AND PRECINCTS

The Bateau Bay Town Centre is characterised by a number of distinct precincts defined by the main land uses and street layout as shown in Figure 3. The Masterplan aims to improve the connectivity and integration between precincts, and develop a more unified character and identity to the Town Centre to give a greater sense of overall place and identity for the community. This can be achieved by the urban design and public domain framework and improvements to the access network as well as development of key opportunity sites.

4.3 KEY OPPORTUNITY SITES FOR NEW DEVELOPMENT

There are a number of key sites in the Town Centre that provide opportunities for development of new uses that can increase the activity and vitality in and around the Town Centre, provide spaces for community/cultural use and social interaction, generate economic activity and employment, meet demand for housing, generate revenue for investment in community infrastructure and the public domain, and improve accessibility and connections through the Town Centre.

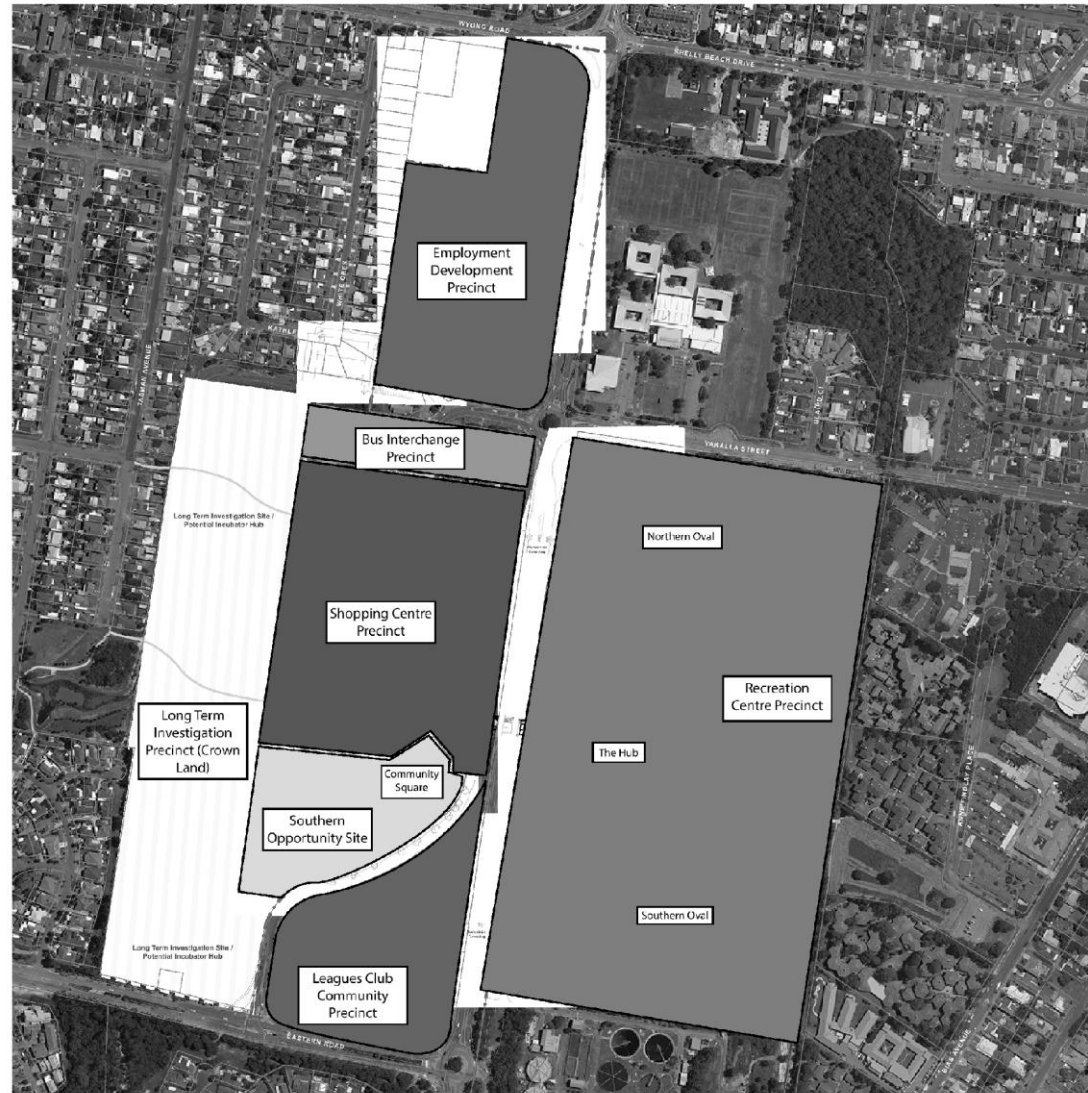


Figure 4.1: Town centre precincts and key opportunity sites



4.0 Role & Identity



The key opportunity sites for redevelopment and additional new land uses and facilities are shown in Figure 4.1 and include the following:

- Long Jetty Works Depot;
- Bus stop interchange and car park at the northern end of the shopping centre;
- Vacant Crown land and Council land between the shopping centre and leagues club (southern opportunity site);
- Central hub area between ovals in Bateau Bay recreation centre;
- Leagues Club opportunity for further development of hospitality, leisure and entertainment uses; and
- Bushland (Crown land) to the west.

The Council and Crown land is strategically located to act as catalyst development.

The above mentioned sites have environmental attributes suitable for development in terms of large parcels in single ownership, flat topography cleared of vegetation, availability of transport infrastructure, community and recreational infrastructure, business and retail services and utility infrastructure in the immediate area. These sites need to be subject to more detailed development feasibility studies including market demand for land uses, environmental conditions, and infrastructure capacity.

The following sections of this Masterplan include an Urban Design and Public Domain Framework and Implementation Plan to build on the role and identity of the Town Centre and facilitate development of key opportunity sites.