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# Statement of Environmental Effects Tenambit Community Centre

Prepared by Barr Planning

for Maitland City Council

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## Document Control

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## Contents

1	Introduction .....	6
1.1	Ownership.....	6
1.2	Consent Authority.....	6
1.3	Supporting Documentation .....	6
2	Site and Context .....	8
2.1	The Site .....	8
2.2	Background .....	10
2.3	Pre-Lodgement Meeting.....	10
3	Proposed Development.....	11
3.1	Summary.....	11
3.2	Construction Works.....	12
3.3	Building Design .....	14
3.4	Signage.....	15
3.5	Landscaping .....	16
3.6	Access and Parking.....	17
3.7	Stormwater and Drainage.....	17
3.8	Servicing.....	17
3.9	Staging .....	18
3.10	Operations .....	18
4	Strategic Context.....	20
4.1	Hunter Regional Plan 2041 .....	20
4.2	Greater Newcastle Metropolitan Plan 2036.....	20
4.3	Maitland Local Strategic Planning Statement.....	20
4.4	Maitland +10 Community Strategic Plan .....	21
5	Statutory Assessment.....	22
5.1	Environmental Planning and Assessment Act 1979 .....	22
5.2	Objects of the Act .....	22
5.3	Integrated Development .....	23
5.4	Other Acts Which Require Consideration.....	23
5.4.1	Roads Act 1993 .....	23
5.5	State Environmental Planning Policies .....	23

5.5.1	State Environmental Planning Policy (Industry and Employment) 2021.....	24
5.5.2	State Environmental Planning Policy (Planning Systems) 2021.....	24
5.5.3	State Environmental Planning Policy (Resilience and Hazards) 2021.....	24
5.5.4	State Environmental Planning Policy (Sustainable Buildings) 2022.....	26
5.5.5	State Environmental Planning Policy (Transport and Infrastructure) 2021.....	26
5.6	Maitland Local Environmental Plan 2011 .....	27
5.6.1	Zone objectives and Land Use Table.....	27
5.6.2	Permissibility.....	27
5.6.3	Acid Sulphate Soils.....	28
5.6.4	Earthworks.....	28
5.7	Proposed Environmental Planning Instruments.....	31
5.8	Maitland Development Control Plan 2011 .....	31
5.9	Developer Contributions.....	34
5.9.1	Local Developer Contributions .....	34
5.9.2	State Developer Contributions .....	35
5.10	Planning Agreement .....	35
5.11	Environmental Planning and Assessment Regulations.....	35
6	Likely Impacts of the Development.....	36
6.1	Environmental Impacts.....	36
6.1.1	Parking, Access, Traffic and Pedestrian links.....	36
6.1.2	Trees and Vegetation.....	37
6.1.3	Public Domain .....	37
6.1.4	Visual Impact.....	38
6.1.5	Noise .....	38
6.1.6	Waste Management .....	40
6.2	Social Impacts .....	40
6.3	Economic Impacts.....	41
7	Suitability of the Site .....	42
8	Submissions.....	43
8.1.1	Consultation with Agencies .....	43
9	Public Interest .....	43
10	Conclusion .....	43

## Figures

Figure 1: Locality Plan. Source: NearMaps 2023 .....	8
Figure 2: Zoning Map. Source: NSW ePlanning Spatial Viewer (November 2023) .....	9
Figure 3: Overall Development Site Plan. Source: AJC Architects (April 2024) .....	11
Figure 4: Demolition Plan. Source: AJC Architects (April 2024).....	12
Figure 5: Ground floor layout. Source: AJC Architects (April 2024).....	14
Figure 6: Building Perspectives. Source: AJC Architecture (April 2024) .....	15
Figure 7: Proposed landscaping plan, Source: Moir Landscape Architecture (April 2024) .....	16
Figure 8: Cut and Fill Plan. Source: AJC Architecture (April 2024).....	29

## Tables

Table 1: Submitted Documentation.....	6
Table 2: Architectural Plan Set.....	7
Table 3: Sign Details .....	16
Table 4: Clause 7.2(3) Assessment.....	29
Table 5 Review of relevant MDCP 2011 controls.....	31

## 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by Barr Planning on behalf of Maitland City Council. It accompanies a Development Application lodged to Maitland City Council pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) for the demolition of the existing community centre and construction of a new Community Centre at Tenambit. The centre will provide for a range of small, local level activities, and programs that will meet the social, educational, cultural, and recreational needs of the community.

### 1.1 Ownership

Lot 272, DP755237 is owned by Maitland City Council.

### 1.2 Consent Authority

The consent authority is the Maitland City Council.

### 1.3 Supporting Documentation

This SEE is supported by the following documentation:

*Table 1: Submitted Documentation*

Document	Author	Revision	Date
Accessibility Review	Purple Apple Access	4	10 May 2024
Acoustic Assessment	Spectrum Acoustics	N/A	November 2023
Arborist Report (Tree Assessment)	Joseph Pidutti	N/A	23 October 2023
BCA Assessment Report	Blackett Maguire + Goldsmith	3	30 April 2024
CPTED Assessment	Barr Planning	Rev A	1 May 2024
Civil Plans	DRB Consulting Engineers	D	7 May 2024
Estimated Development Cost Report	Muller Partnership	0	9 May 2024
Environmental Site Assessment	Hunter Environmental Consultants	Rev0	03 October 2023
Geotechnical Investigation	Hunter Civilab	Rev0	10 August 2023
Hazardous Materials Survey	AML Enviro Services Pty Ltd	1	04 August 2023
Landscape Plans	Moir Landscape Architecture	8	15 April 2024
Pre-DA Lodgement Meeting Minutes	Maitland City Council	-	31 May 2023
Section J Report	GHD	1	9 May 2024
Technical Memorandum – SEPP (Sustainable Buildings)2022	GHD	-	9 May 2024

Document	Author	Revision	Date
Traffic Impact Assessment	Seca Solutions	N/A	13 May 2024
Waste Management Plan	MCC	N/A	-

Table 2: Architectural Plan Set

Plan	Title	Revision	Date
TE_DA0001	Cover Sheet	4	23.04.24
TE_DA1001	Proposed Site Plan	4	23.04.24
TE_DA1002	Site Analysis Plan/Demolition Plan	4	23.04.24
TE_DA1003	Proposed Streetscape Elevations	4	23.04.24
TE_DA1101	DA Cut and Fill Diagram	4	23.04.24
TE_DA2101	Proposed Ground Floor Plan	4	23.04.24
TE_DA2102	Proposed Roof Plan	4	23.04.24
TE_DA3101	Elevations – East Pavilion	4	23.04.24
TE_DA3102	Elevations – West Pavilion	4	23.04.24
TE_DA3201	Sections	4	23.04.24
TE_DA3901	Perspectives	3	23.04.24

These documents have been uploaded as separate documents to the NSW Planning Portal.

## 2 Site and Context

### 2.1 The Site

The site of the development is located on the corner of Tyrell and Kenneth Street, Tenambit legally identified as Lot 272 in Deposited Plan 755237. The site is zoned as RE1 Public Recreation and has an approximate area measuring 5,000m<sup>2</sup>. The existing community centre is located towards the north-eastern corner of the site and has a brick foundation, weatherboard cladding and colorbond roofing. A metal fenced-off area is located south of the building containing a tarpaulin shade structure over children’s play equipment.

The site is known as Lena Obrien Park. To the west of the Tenambit Community Hall there is a small playground and an associated brick public amenities building with metal sheet roofing. A swing set is located further west from the existing community centre with additional benches and tables scattered across the site. The site in its surrounding locality is shown in the Figure below.



Figure 1: Locality Plan. Source: NearMaps 2023

#### Easements, Covenants and Restrictions

There are no identified easement, covenants or restrictions nominated on the certificate of title. An existing council owned stormwater pipe bisects the site northwest to southeast located south of the existing community centre. The Certificate of Title does not register a formal easement over the existing stormwater pipe.



### Access and Parking

The site is bounded by Kenneth Street to the north, Tyrell Street to the east and Sinclair Street to the west. Each of these roads are local government roads and provide access to the site. A carpark containing 18 parking spaces, including one accessible park, is located along the north boundary of the site and accessed from Kenneth Street. Detailed by the ePlanning Spatial Viewer, shown in Figure 2 below, the existing car park is partially located within the subject site zoned RE1 and partially within the road corridor zoned R1 General Residential.



Figure 2: Zoning Map. Source: NSW ePlanning Spatial Viewer (November 2023)

### Topography and Environment

The site is sloped with a fall of 8 metres from the northwest to the southeast corner. Natural drainage is expected to fall to the southeast corner of the allotment. The site does not contain any natural

watercourses. The closest watercourse is located approximately 45m from the south-eastern boundary of the allotment and approximately 70m from the existing community centre.

Mature trees are located along the southern boundary connecting to the north-western corner of the allotment. The trees roughly form a 'green corridor' starting in the northwest and extending through the golf course to the southeast. A few scattered mature trees are located along north and east boundary.

The entirety of the site is mapped as being on land with Class 5 acid sulphate soils. The site is not within 500m of any land classified as Class 1, 2, 3, or 4 acid sulphate soils.

### **Services**

The site is currently serviced by reticulated overhead electricity within Kenneth Street. Reticulated water is located within Sinclair Street with reticulated sewer located in the southeast corner of the allotment. A below ground stormwater drain traverses the site from northwest to the southeast. Natural gas pipelines are located along north side of the Kenneth Street road carriage and along the west side the of the Tyrell Street road carriage. Telecommunications are connected to the site near the east boundary.

### **Existing Character**

The surrounding land uses are generally low-density single storey dwellings. The community centre is adjacent to the rear of local shops which face Maize Street and the nearby Tenambit Public School to the north, along with a nearby variety of recreational spaces, including Tenambit Sports field 606m east of the site, Maitland Golf Course 185m south of the site, and Centennial Park 344m southwest of the site.

## **2.2 Background**

There has been no identifiable history found from Maitland Development Application Tracker and online searching. The Maitland Council Community Facilities Plan of Management (November 2007) states that the existing community centre was built on the site in 1960.

## **2.3 Pre-Lodgement Meeting**

A Pre-Lodgement Meeting was held on 31 May 2023 with representatives of the Maitland Council Development Assessment Team. The meeting provided the project team with confirmation as to the planning approval pathway, specific design, contextual and regulatory matters to consider in finalising the architectural plans and preparing the application, and the Technical Documentation required to support the application.

A copy of the pre-DA minutes is provided under separate cover.

### 3 Proposed Development

#### 3.1 Summary

The proposed development is for the demolition and reconstruction of the Tenambit Community Centre. The gross floor area (GFA) area of the existing community centre is 198m<sup>2</sup>, which will be increased to 430m<sup>2</sup> by the proposed development. The gross lettable area measures 313m<sup>2</sup>.

The proposed community facility is comprised of two buildings identified as the East and West Pavilions. The community facility includes a landscaped courtyard, security fencing and a deck along the southern elevation. No vegetation removal is required to enable the proposed development.

Ancillary works to the community facility include:

- Construction of a new secure play area
- Construction of footpath and ramp connections
- Extension of the existing carpark to provide an additional three parking spaces. Total parking to be provided is 21 parking spaces including two accessible parking spaces
- Ancillary landscaping works and minor earthworks

The proposed development is illustrated in beige in Figure 3 below.

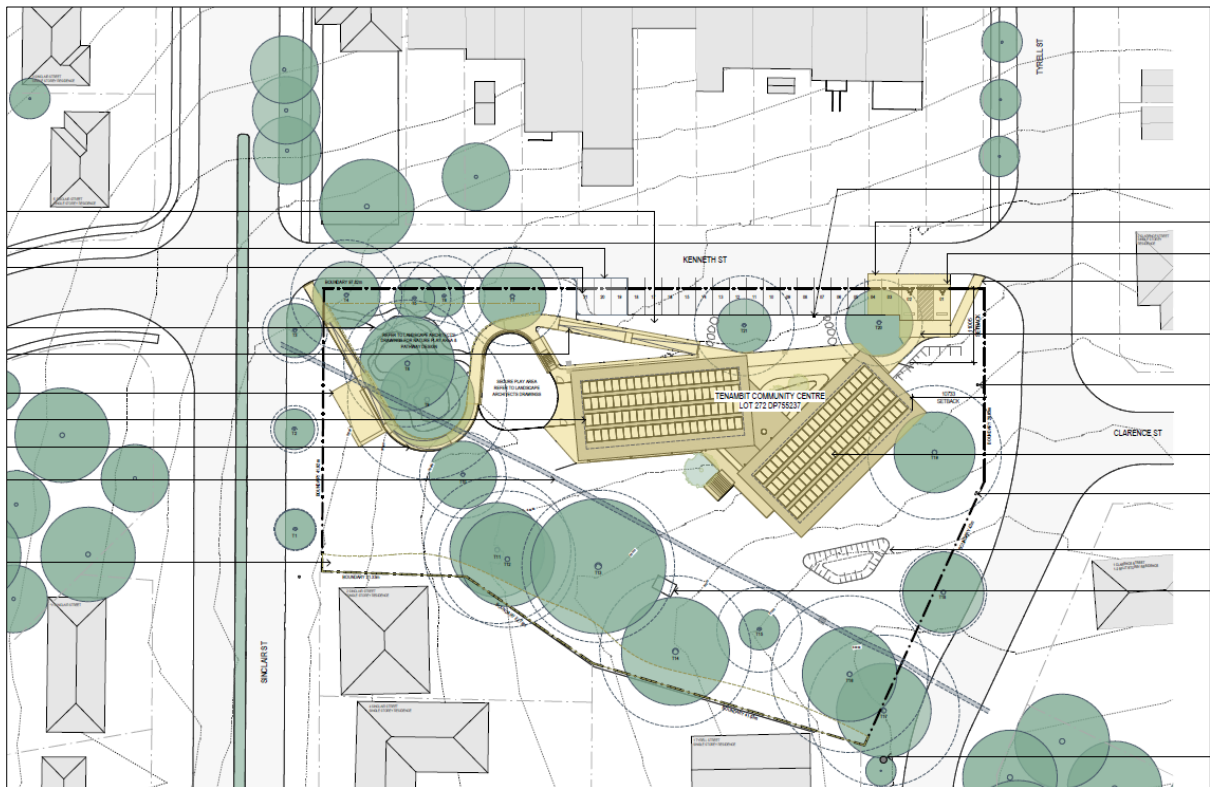


Figure 3: Overall Development Site Plan. Source: AJC Architects (April 2024)

### 3.2 Construction Works

The proposed construction works include the following:

#### Demolition

- Demolition of the existing Tenambit Community Centre and associated outdoor areas
- Demolition of the existing amenities block
- Removal of existing picnic table and concrete slab
- Removal of existing play equipment, with the ground to be levelled and covered with turf
- Removal of the kerb and preparation of the ground surface for the extension of the existing car park

The demolition plan for the proposed development is illustrated in Figure 4 below.

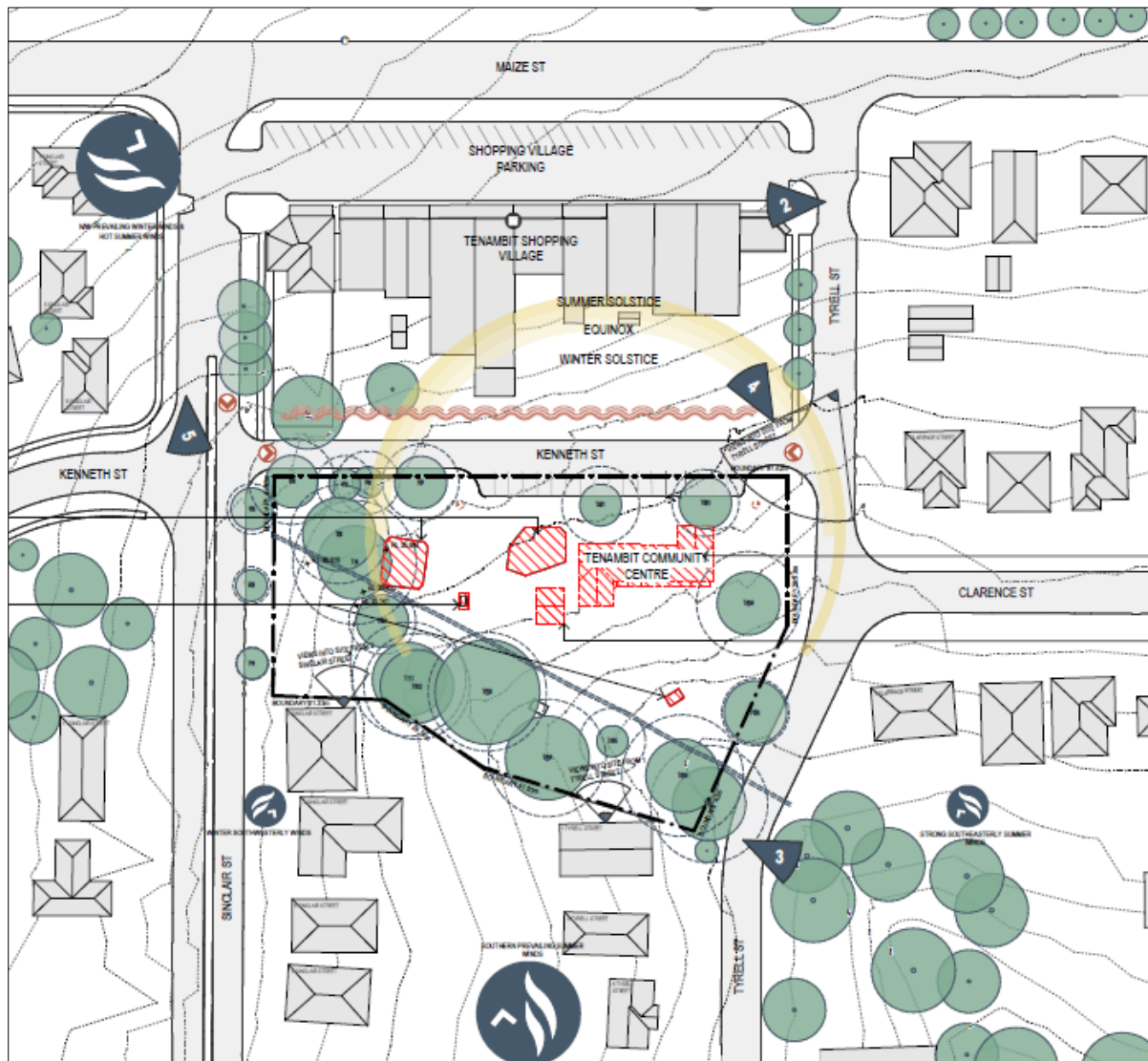


Figure 4: Demolition Plan. Source: AJC Architects (April 2024)

### **Carpark Extension and Access**

- Construct three new car parks to the west end of the existing carpark
- Reconfigure the east end of the carpark to provide two accessible parking spaces
- Construct new accessible paths from the northwest and southeast corners of the allotment to the proposed community centre

### **Community Centre**

The building comprises of two pavilions, being the East Pavilion and West Pavilion, which are connected through a central gated courtyard and gabled roof structure. The pavilions consist of the following elements:

#### East Pavilion

- Single meeting room measuring 57.8m<sup>2</sup>
- Multipurpose room measuring 100.9m<sup>2</sup> including sink and cabinetry and private accessible toilet
- Storage area measuring 21.3m<sup>2</sup>
- Internal accessible toilet
- Public toilet facilities

#### West Pavilion

- Multipurpose room measuring 100.6m<sup>2</sup> including sink and cabinetry and private accessible toilet
- Storage area measuring 15.1m<sup>2</sup>
- Cold-shell tenancy measuring 53.7m<sup>2</sup>
- Plant room, bin storage area and cleaners room
- 24-hour MLAK accessible toilet

The floor plan layout is illustrated in the Figure below.

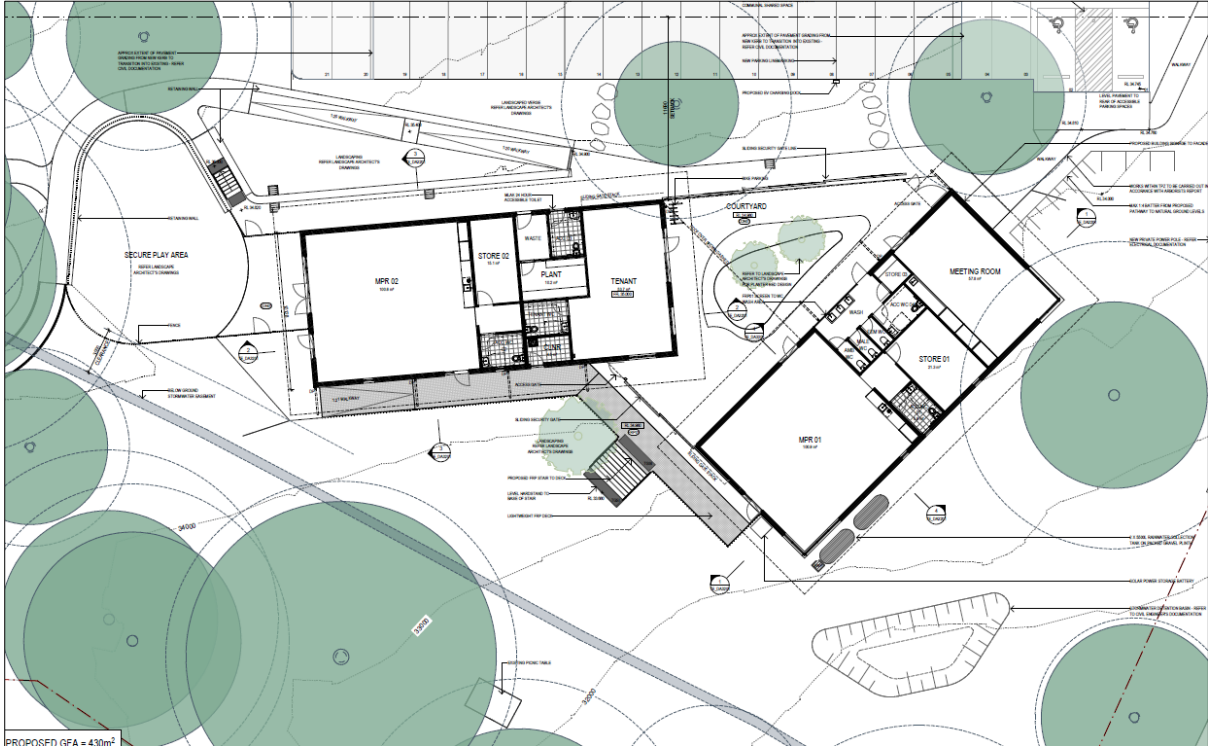


Figure 5: Ground floor layout. Source: AJC Architects (April 2024)

### 3.3 Building Design

The proposed development seeks to construct a new architecturally designed community centre that responds to the existing conditions of the site. The development utilises a mixture of finishes including fibre reinforced plastic, fibre cement cladding with paint finish, metal balustrades, concrete blockwork and zincalume sheeting. The colour palette generally consists of cool natural tones. Perspectives of the building design are illustrated in the Figure below.



Figure 6: Building Perspectives. Source: AJC Architecture (April 2024)

The buildings have their own independent skillion roof structure. The pavilions are connected by the entry portico. The area between the two building creates a private courtyard for use by groups hiring the community hall or by the future tenant. The courtyard includes bicycle racks and is secured by a fibre reinforced plastic fence with sliding security gates and single gate entries at the front and rear of the courtyard.

The north of the building is at grade with the eastern end of the carpark to allow accessible access from the north to the community facility. A walkway of grade 1:21 is provided along the southern elevation of multipurpose room 2. The walkway wraps around the rear of the building to provide access to multipurpose room 1.

### 3.4 Signage

The proposed development includes the installation of a single wall mount building identification sign on the eastern pavilion. Building identification is proposed to be incorporated into the fibre reinforced

plastic perforated gate used to secure the courtyard. The lettering will be an infill element of the same material and will be backlit via LED strip lighting along the bottom of the gate.

The features of the wall mount sign are provided in the following table.

Table 3: Sign Details

Sign type	Height	Length	Depth	Material
Wall mount	600mm	1600mm	10mm	Pin fixed red metal lettering with above letter illumination

### 3.5 Landscaping

The proposed development includes upgrades to the site curtilage through the implementation of landscaping elements as shown in the Figure below. The landscape proposal includes the construction of new garden beds with endemic plant species planting along the north frontage of West Pavilion. The garden beds are of triangular shape and are separated by an accessible footpath leading to the main entrance. Located between the West and East Pavilion is a central courtyard. This area is a garden bed with feature planting, paving with gravel and sandstone elements. The central courtyard also provides bicycle racks within a secured space.

A level access commencing from the corner of Kenneth and Sinclair Streets meanders through the existing trees and around the proposed playground. A nature play trail and equipment is proposed beneath the existing trees.



Figure 7: Proposed landscaping plan, Source: Moir Landscape Architecture (April 2024)



### **3.6 Access and Parking**

The site has frontage to Tyrell Street, Kenneth Street, and Sinclair Street which provide on street parking and pedestrian access. Access to the community facility will be provided by the existing pedestrian path located at the corner of Kenneth Street and Tyrell Street. A new footpath from the corner of Sinclair and Kenneth Streets will be provided to give accessible pedestrian access to the community centre from the west.

The proposed development includes the extension to the existing car park to provide three additional parking spaces at the west end of the car park and create two dedicated accessible parking spaces at the east end of the car park. At the conclusion of the development the car parking provision will be increased to 21 car parking spaces on Kenneth Street, of these parking spaces two will be provided for electronic vehicle (EV) charging.

Bicycle parking will be provided on site with the installation of a bike rack within the courtyard.

### **3.7 Stormwater and Drainage**

The concept stormwater management plan proposes two key collection areas, broken down to the existing carpark and the rest of the site. The largest stormwater collection is via overland flows to a grass swale and a pit and pipe system which captures rainwater runoff from the proposed paths and building. This system is connected to a proposed on-site bio-filtration basin and on-site detention (OSD) tank. The OSD is to be connected to the existing stormwater pipe for legal discharge from the site.

The stormwater management plan for the site includes the installation of two 5,500L rainwater tanks on the southeast side of the community centre. Roof water will be directed to these rainwater tanks via charged downpipes. These tanks will be connected to the internal toilets for water reuse and can be used for landscape watering for an approximately 80% re-use efficiency. Overflow from the rainwater tanks will be captured and directed to the bio-filtration basin.

The carpark and proposed extension require new guttering for the new western carparks to direct stormwater to a new 1.8m wide sag kerb inlet pit within the east portion of the carpark. The inlet pit is connected via new pipe to a new 1.8m wide on-grade kerb inlet pit in Tyrell Street. The new Tyrell Street inlet pit is connected to the existing kerb inlet pit on the east side of Tyrell Street. This requires works within the road corridor.

### **3.8 Servicing**

The development will connect to the existing utility servicing connected to site.

The proposed development will also be serviced by the installation of a solar panel array on the roof of both pavilions.

### 3.9 Staging

The separate tenancy space is proposed as a way to introduce an activity that could provide activation of the space and a consistent presence for the building during business hours. This part of the building will be delivered as a 'cold shell' with the proposed use of this space subject to a separate future DA.

### 3.10 Operations

The proposed hours of operation for the community facility will operate in accordance with the details below.

#### Hours of Operation

The Tenambit Community Centre will continue to operate under the existing hours of operation being:

Sunday – Thursday	8am to 10pm
Friday – Saturday	8am to Midnight
Public Holidays	8am to Midnight

#### Staffing

No Council staff are located on site at Community Centres.

#### Services

The objective of the Tenambit Community Centre will be open for hire by groups to run programs. Bookings will be made directly with Maitland City Council through their online booking system and will be on as needs basis. Accordingly, bookings may vary from week to week dependent on public events, holidays, private events and set activity times.

Activities and programs that could be facilitated by the community centre include but are not limited to:

- Art and craft
- Celebrations
  - Australia Day celebrations
  - Baby showers
  - Birthday parties
  - Christmas functions
- Balls
- Fitness classes
- Meetings and counselling
- School functions
- Community activities

The number of attendees at events and services are variable. The maximum capacity of the facility is 266 people based on BCA compliance.

### **Security**

Security will include keypad swipe access to the facility with remote arming and disarming of security available for the site. The buildings will be fitted with lighting to improve access and exit to the site. Lighting will be provided along the path and to a proportion of the proposed car park.

The hirers will be provided with a hire pack which will detail a contact person responsible in responding to any issues or complaints raised by the community.

### **Waste Management**

The operational procedures of the venue will form part of the hire / lease agreement held between Maitland City Council and hirer or tenant. A resources and information pack will identify the procedures for the separation of materials for recycling and land fill requirements.

Generally, the operational waste management procedure includes the following:

- Waste to be separated into recycling (yellow bin) and landfill (red bin) bins
- Waste bins to be stored in the dedicated bin storeroom
- Bins to be transferred to the kerb by private contractor
- Bins to be collected by Council services
- Bins to be transferred from the kerb to the storeroom the following morning after collection.

Waste will be collected weekly through Council's waste collection service.

## **4 Strategic Context**

### **4.1 Hunter Regional Plan 2041**

The Hunter Regional Plan (HRP) 2041 provides the NSW Government’s updated land use vision for the Hunter. The vision of the HRP 2041 is to be the leading regional economy in Australia, connected to and caring for Country, with a vibrant metropolitan city and sustainable 15-minute neighbourhoods at its heart.

The plan articulates the importance of Objective 3 ‘Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive, and vibrant communities’ by providing local access to improved community services and activities, encouraging opportunities to engage in cultural, entertainment, recreation, and education services. The proposed development will ensure that the public space is designed to invite community interactions and economic, social, and cultural activity.

The proposed development also supports Objective 8 ‘Plan for businesses and services at the heart of healthy, prosperous, and innovative communities’ of the HRP 2041. The improved community facilities will strengthen the function and vitality of the Tenambit continuing to serve the social needs of the community.

### **4.2 Greater Newcastle Metropolitan Plan 2036**

The Greater Newcastle Metropolitan Plan (GNMP) 2036 helps to achieve the visions of the previous HRP 2036, which is for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart.

Strategy 10 ‘Create better buildings and great places’ and Strategy 11 ‘Create more great public spaces where people come together’ of Outcome 2 of the GNMP 2036 are supported by the proposed development. The proposed development will enhance the design quality of the built environment of Tenambit and enhance community access to recreational, cultural and community services and facilities.

### **4.3 Maitland Local Strategic Planning Statement**

The Maitland Local Strategic Planning Statement (LSPS) sets out a 20-year land use vision for the Maitland Local Government Area (LGA), outlining how this growth and change will be sustainably managed into the future.

The proposed development supports Local Planning Principal 5 and 6 as the proposed development will provide a space for cultural enrichment and education, as well as a community facility to encourage a socially connected community.

Local Planning Priority 17 ‘Provide good quality, accessible and appropriate community infrastructure across the city’, is also supported by the proposed development by improving the quality of the community infrastructure available.

#### **4.4 Maitland +10 Community Strategic Plan**

Maitland +10 Community Strategic Plan (CSP) has been prepared by Maitland City Council on behalf of the Maitland community in accordance with requirements of the Local Government Act. The plan is presented in four overarching themes stating the desired direction and objectives for Maitland, by the Maitland community. The overarching themes are ‘Let’s connect with each other’, ‘Let’s create opportunities’, ‘Let’s live sustainably’, and ‘Let’s lead together’.

The CSP illustrates the value of community connection expressed by the Maitland Community, with great spaces to facilitate such connection acknowledged as an important aspect. The proposed development supports the CSP by replacing the existing community facilities located in Tenambit, providing a space for connection and participation in local and cultural activities.

## 5 Statutory Assessment

### 5.1 Environmental Planning and Assessment Act 1979

This report assesses the proposal against the relevant statutory requirements of the EP&A Act, and other legislation, plans and policies as applicable. Section 4.15 of the Act outlines the relevant heads of consideration that must be considered when assessing a development proposal.

The following considerations have been made under section 4.15(1)(a):

- Environmental planning instruments, proposed instruments and development control plans that are relevant to the site or development are considered below;
- There are no known planning agreements applicable to the site; and
- The Environmental Planning and Assessment Regulation 2021 (the Regulation) has been considered below.

The remaining matters for consideration under section 4.15(1)(b), (c), (d) and (e) are considered within sections 6, 7, 8 and 9 of this Statement.

### 5.2 Objects of the Act

The objects of this Act are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development supports the objects of the EP&A Act, in particular object (c), (g), and (h).

The proposed development promotes the orderly and economic use and development of land by supporting the long-term strategic objectives of the Maitland Community. The proposed development also promotes good design and amenity of the built environment by integrating well designed and appropriate mitigation measures that support the functionality of the proposed community facility and surrounding area. As detailed by the Access Report, Section J Report and the BCA Report the development will meet the proper construction requirements to provide the protection, health and safety of future users of all abilities.

### **5.3 Integrated Development**

Integrated development is outlined in Section 4.46 of the EP&A Act. The proposed development does not trigger any referrals under Section 4.46.

### **5.4 Other Acts Which Require Consideration**

#### **5.4.1 Roads Act 1993**

The Roads Act 1993 establishes the requirements for carrying out road works or works within a road reserve and confer certain functions on Transport for New South Wales and other roads authorities. Pursuant to Section 138 of the Roads Act 1993 a person must not do the following without prior consent from the appropriate roads authority.

- (a) erect a structure or carry out a work in, on or over a public road, or*
- (b) dig up or disturb the surface of a public road, or*
- (c) remove or interfere with a structure, work or tree on a public road, or*
- (d) pump water into a public road from any land adjoining the road, or*
- (e) connect a road (whether public or private) to a classified road,*

The development proposal includes work within two local road corridors under being:

- The extension of the existing car park along Kenneth Street; and
- The construction of a new kerb inlet pit and installation of stormwater pipe network under Tyrell Street.

Accordingly, a Section 138 permit will be required from Maitland City Council as the local roads authority to enable the proposed works. The permit will be sought as part of the Construction Certificate documentation.

### **5.5 State Environmental Planning Policies**

State Environmental Planning Policies (SEPPs) are environmental planning instruments administered under the EP&A Act. SEPPs deal with issues considered to be of significance for the State and the people of NSW. In the determination of the development application, the consent authority will

consider these matters pursuant to section 4.15(a)(i) of the EP&A Act. The SEPPs relevant to the proposed development, and the land on which the development is situated, are considered below.

### **5.5.1 State Environmental Planning Policy (Industry and Employment) 2021**

#### **Chapter 3 Advertising and Signage**

Chapter 3 applies to all signage proposed that can be proposed with or without development consent and is visible from a public place or public reserve. However, this chapter does not apply to any of the following signage:

- (a) business identification signs,*
- (b) building identification signs,*
- (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,*
- (d) signage on vehicles.*

Given that advertising signage is not proposed for the site, with the proposed signage being defined as building identification signage, this chapter does not need to be further considered.

### **5.5.2 State Environmental Planning Policy (Planning Systems) 2021**

#### **Chapter 2 State and Regional Development**

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) aims to identify development that is regionally significant. Clause 2.19(1) of the Planning Systems SEPP states that development specified in Schedule 6 is declared to be regionally significant development. Schedule 6 of the Planning Systems SEPP identifies regionally significant development as including Council related development over \$5 million, as follows:

*Development that has an estimated development cost of more than \$5 million if—*

- (a) a council for the area in which the development is to be carried out is the applicant for development consent, or*
- (b) the council is the owner of any land on which the development is to be carried out, or*
- (c) the development is to be carried out by the council, or*

Maitland City Council are carrying out the development, however the estimated development cost (EDC) is below the \$5M threshold trigger, accordingly, the development is not nominated as regionally significant development. The consent authority is Maitland City Council.

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

#### **Chapter 4 Remediation of land**

The object of this Chapter is to provide a Statewide approach to remediation of contaminated land. Prior to the determination of a development application, the responsible authority must consider whether the land is contaminated, and if the land is contaminated whether the land is suitable for the purpose of the development.



The proposed development is for the demolition and replacement of the Tenambit Community Centre with minor earthworks. Accordingly, a hazardous material survey was prepared to determine the presence of asbestos materials, synthetic mineral fibre, lead paint and polychlorinated biphenyls. The investigation determined that the subfloor debris and eave linings contained chrysotile and amosite asbestos, synthetic material fibre (SMF) was observed in two locations, and lead within the external olive timber paint. The Report concludes that:

- All asbestos related work should be carried out by licensed asbestos removalist under controlled conditions.
- SMF should be removed in accordance the standards and guidelines used in NSW for the management of SMF.
- Materials coated with lead-based paints are to be handled according to the standards and guidelines used in NSW for the management of lead-based paints.

A suitable condition of consent can ensure that contaminated materials are removed in accordance with the relevant standards and guidelines. The condition limits the potential human health risk during demolition. Furthermore, the condition will ensure that contaminated material will be removed from the site and disposed of appropriately to avoid contamination of the surrounding land.

The site is not identified on the EPA Register as land being significantly contaminated. However, a Preliminary Site Investigation prepared by Douglas Partners (July 2023) revealed that the historic land use as agriculture and imported fill may have resulted in localised contamination. The report recommends that a targeted subsurface investigation and laboratory testing is considered to assess the possible presence of contaminants, any associated potential impacts and any remediation requirements. An Environmental Site Assessment (ESA) was subsequently conducted by Hunter Environmental Consulting (October 2023). The ESA collected four soil samples from four boreholes to determine the site's suitability for the proposed development. The samples were analysed for the presence of the following contaminants against Tier 1 trigger values for Recreation / Open Space land use being a NEPM HIL-C criteria.

- Benzene, Toluene, Ethyl-Benzene & Xylene (BTEX)
- Total Recoverable Hydrocarbons (TRH)
- Polycyclic Aromatic Hydrocarbons (PAH)
- Heavy metals (As, Cd, Cr, Cu, Ni, Pb, Zn, Hg)
- Organochlorine Pesticides (OCP) & Organophosphorus Pesticides (OPP)
- Polychlorinated Biphenyls (PCB)
- Phenols
- Asbestos ID
- E. Coli, Faecal Coliforms and Salmonella.

The analysis determined that all samples returned results which were acceptable under the HIL-C criteria. The report concludes that the site is suitable for the proposed development purpose and the land does not require any remediation.

To this extent, with the implementation of the condition of consent to address the safe removal of hazardous materials, the land is considered suitable in its current state for the construction and use of land for a community centre.

#### **5.5.4 State Environmental Planning Policy (Sustainable Buildings) 2022**

##### **Chapter 3 Standards for non-residential development**

The purpose of the State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP) is to encourage the design and delivery of sustainable buildings. This includes objectives to minimise energy consumption and greenhouse gas emissions, improve good thermal performance and minimise the consumption of potable water. This policy came into effect on 1 October 2023.

Pursuant to Section 3.1(1) of Chapter 3 of the Sustainable Buildings SEPP the erection of a new building is subject to provisions of the Chapter if the EDC of the development is \$5 million or greater. Prior to determination the responsible authority must consider the matters set out in Section 3.2. As detailed above, the EDC the proposed development does not exceed \$5 million. Accordingly, the provisions of Section 3.2 are not applicable to the proposed development do not require further consideration. Despite this, a technical memorandum is supplied under separate cover which details the design response to the general sustainability requirements.

#### **5.5.5 State Environmental Planning Policy (Transport and Infrastructure) 2021**

##### **Chapter 2 Infrastructure**

The objective of the State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) is to facilitate the effective delivery of infrastructure across the State. As part of this objective, a key aim is providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

Pursuant to Section 2.48, development that is within 5m of an exposed overhead electricity power line triggers written notice to the electricity supply authority. As detailed in Section 2.1, the site is connected to overhead reticulated electricity. The development is within 5m of the overhead power lines as such referral is required.

## 5.6 Maitland Local Environmental Plan 2011

The subject site is located within the Maitland LGA. As such MLEP 2011 is the relevant plan. A preliminary assessment of the proposal against the MLEP 2011 is provided below.

### 5.6.1 Zone objectives and Land Use Table

The land to which the community centre and associated footpaths and play equipment is to be constructed is zoned as RE1 Public Recreation, under the MLEP 2011. A portion of works for the carpark and stormwater extension fall on land zoned R1 General Residential. The objectives of the RE1 zone are as follows:

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

The proposed development will meet the objectives of the RE1 zone by providing a contemporary community centre whereby community members can partake in both public and private events which will enhance social connectedness, community cohesion and overall wellbeing. The associated recreational equipment and upgraded recreational settings for the locality will promote the physical use of the recreational land contributing to both positive physical and mental health outcomes. The proposed development does not include vegetation removal, and largely utilises the existing building footprint. As such, the natural environment has been considered and protected where possible to promote the curtilage to be used for recreational purposes. The proposed development is consistent with the objectives of the zone by providing an enhance community facility, providing a space for a variety of community uses that serve the needs of the local population and encouraging community land uses.

### 5.6.2 Permissibility

The proposed development is defined as a carpark, community facility and recreation area. These land uses are defined under the MLEP 2011 as follows:

*car park means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.*

*community facility means a building or place—*

- (a) owned or controlled by a public authority or non-profit community organisation, and*
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,*

*but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*

Pursuant to the MLEP 2011 Land Use Table for the RE1 Public Recreation Zone a car park, community facility and recreation area are all land uses permitted with consent. However, as described, a portion of the car park falls on land zoned R1 General Residential. Pursuant to Land Use Table for the R1 Zone, car parks are prohibited.

Clause 5.3 of the MLEP 2011 provides flexibility where the investigation determines that use allowed on the other side of a zone boundary enables a more logical and appropriate development. This Clause applies to land within 20m of two zones, whereby the R1 zone is a zone to which the Clause applies. Through the application of Clause 5.3 the extension of the carpark is permissible with consent under the RE1 zone. Considering the car park is already existing and the proposal is for a minor extension, the application of this Clause is reasonable and enables approval of the development. The alternative is to provide additional car parking within the RE1 zoned portion of the site. This alternative results in removal of vegetation, reduction in recreational area and substantial development costs and therefore considered impractical.

As detailed in Section 3.9 of this SEE, the development includes the construction of a 'cold shell' tenancy. The tenant space within the building will be subject to a separate development consent and approval for the use of this space and any subsequent fit out. Use of tenancy will be limited to the uses that are identified as permissible in the RE1 Public Recreation zone.

### **5.6.3 Acid Sulphate Soils**

The site is mapped as being on land with Class 5 acid sulphate soils. As such, Clause 7.1 of the MLEP 2011 requires consideration. The site is not within 500m of any land classified as Class 1, 2, 3, or 4 acid sulphate soils. Therefore, according to Clause 7.1 of the MLEP 2011, acid sulfate soils management plan is not required for this development proposal.

### **5.6.4 Earthworks**

Earthworks are proposed as part of the construction of the new community centre, accordingly, Clause 7.2 of the MLEP 2011 is applicable. As detailed on architectural plan TE\_DA1101 Rev 1 (Figure 8), the earthworks include a cut, denoted in red below, of the southeast portion of the building footprint which will be used as fill, denoted in green below, for the north portion of the building footprint. The balance of the required fill will be sourced as virgin extracted natural material (VENM).

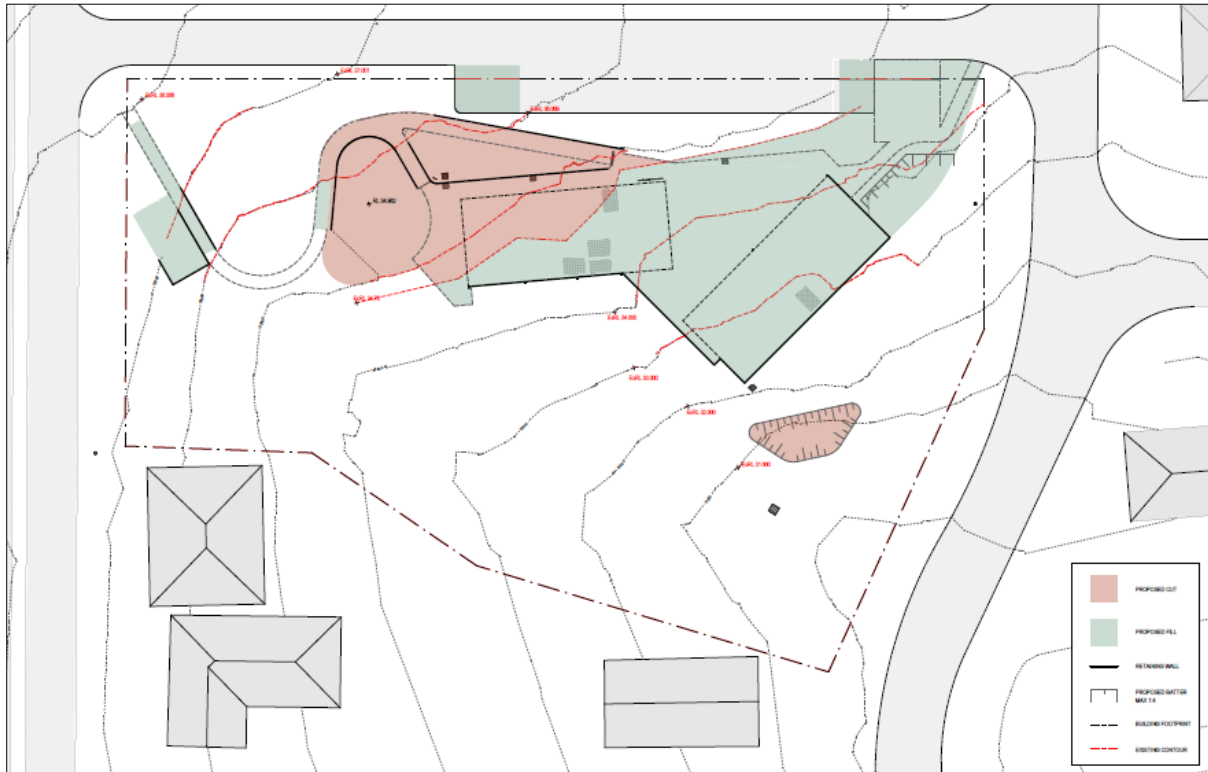


Figure 8: Cut and Fill Plan. Source: AJC Architecture (April 2024)

Before granting consent, consideration of Clause 7.2(3) is required, this assessment is provided in Table 4 below.

Table 4: Clause 7.2(3) Assessment

Provision	Comment
(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,	<p>The proposed development includes a stormwater management plan. The stormwater philosophy includes collection of roof stormwater directed to a combination of rainwater tanks and a pit and pipe system which discharges to the proposed bio-filtration basin and subsequently into the existing public stormwater infrastructure.</p> <p>The DRAINS model demonstrates that the post development flows will be less than the pre-development flows, accordingly no detrimental impact on the existing drainage patterns is identified nor will the development over burden Council stormwater assets.</p>

<p><i>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</i></p>	<p>The site has historically been used as a space for a community centre and recreation area. The proposed development reinforces the existing use of the land and the use of the land as a recreational park. The proposed development does not affect the future redevelopment of the land.</p>
<p><i>(c) the quality of the fill or the soil to be excavated, or both,</i></p>	<p>The ESA determined that the soil meets a HIL-C criteria, accordingly, the reuse of the excavated material on site is suitable for the proposed use. The quality of the fill to be brought to the site will meet a VENM criteria.</p>
<p><i>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</i></p>	<p>The proposed development is a redevelopment of the site which reinforces the current use as a recreational park and community centre. The existing and likely amenity of the adjoining properties is not likely to be substantially altered from the existing conditions.</p>
<p><i>(e) the source of any fill material and the destination of any excavated material,</i></p>	<p>No material will be removed from site. The imported fill will come from a suitably licenced facility.</p>
<p><i>(f) the likelihood of disturbing relics,</i></p>	<p>There are no identified Aboriginal sites or places within the vicinity of the proposed development.</p>
<p><i>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</i></p>	<p>There are no watercourses or waterbodies present on site. The development is approximately 45m from the southern boundary. The implementation of the stormwater management plan and erosion and sedimentation plan manages environmental impacts on the nearby watercourse.</p>

As detailed in the table above, the proposed earthworks will not have a detrimental effect on the existing landscape.

## 5.7 Proposed Environmental Planning Instruments

There are no proposed environmental planning instruments applicable to the proposed development.

## 5.8 Maitland Development Control Plan 2011

The Maitland Development Control Plan (MDCP) 2011 supports the MLEP 2011. It provides general controls within the LGA that should be considered in the preparation of a development application. Table 5 below outlines the controls that are considered relevant to the proposed development.

Table 5 Review of relevant MDCP 2011 controls

Clause	Provision	Comment
Part C – Design Guidelines		
<b>C.1 Accessible Living</b>	1. Access Reports Access reports shall be prepared by an accredited assess consultant for the following uses: <ul style="list-style-type: none"> <li>Community facility</li> <li>Information and educations facility</li> </ul>	An access report has been prepared by Purple Access (May 2024). This assessment assessed the proposed development against the relevant provisions of the BCA to demonstrate that the development provides suitable access for all people. The report concludes that the fundamental aims of accessibility legislation are achievable within the proposed development.
	3. Enhanced Requirements – Carparking Public Halls require three disabled parking spaces per one hundred parking spaces.	The existing parking arrangement for the site includes 18 parking spaces with one accessible parking space. At the conclusion of the development, the site will contain two accessible parking spaces. Whilst the parking arrangement is deficient by a single accessible parking space, the overall development enhances the existing accessible parking arrangements at that the site.  As detailed within the TIA and the Access Report, the parking arrangements including the accessible parking provisions are sufficient for the site and the proposed use.

Clause	Provision	Comment
	<p>5. Pathways</p> <p>a. Pathways refer to any external pathway or footpath which provides access to the entrance of a home or building.</p> <p>b. Pathways should provide a comfortable grade no steeper than 1 in 14. Ramps and pathways should have a slip-resistant surface with a texture that is traversable by a wheelchair.</p>	<p>The development includes accessible pathways from Sinclair Street and the carpark to the proposed facility. The ramp along the southern elevation is graded at 1:21 which is less than the maximum 1:14 grade nominated. The pathways are compliant with AS1428.1.</p>
	<p>11. Entrances</p> <p>a. In all buildings the main entrance should be made accessible and form part of a continuous accessible path of travel. If making the main entrance accessible is not possible, the accessible entrance should be one which is customarily intended for use by the general public.</p> <p>The location of the entrance should be clearly and directionally signposted at all other entrances/ exits - tactile signs are preferred.</p>	<p>The Access Report identifies that the building can achieve accessible entrance to the community centre. The Report recommends that a level threshold is provided and the double hinged doors each have a width measuring 850mm wide.</p> <p>The development proposal provides clear building identification signage to direct public to the entrance.</p> <p>The development is compliant with the controls.</p>
	12. Doorways	As above.
	13. Signage and Symbols	Signage, symbols, and tactile indicators will be used throughout the building to denote where buildings are accessible.
<b>C.6 – Signage</b>	Signs should be simple, clear, and concise. In some cases, graphic symbols may be more effective than words.	The proposed development includes the installation of a single building identification sign and a perforated building identification within the





Clause	Provision	Comment
	<p>Signs should fit the structure of the building and be complementary to the building.</p>	<p>proposed fencing as detailed in Section 3.4 of this SEE.</p> <p>The signage proposed comprises of contemporary materials which complement the materials to be used in the structure of the building. The material finish will be of high-quality featuring laser cut metal lettering attached to the building. The signage includes low light illumination to assist with way finding in the evening and at night whilst being used as design element. The lighting will be compliant with AS4282.</p>
<p><b>C.11 Vehicular Access &amp; Car Parking</b></p>	<p>The controls of the DCP will need to be considered when designing car parking as part of the proposal.</p> <p>e. Renovation of Existing Buildings Nothing in this Plan requires the provision of additional parking where an existing building is being renovated for its existing use.</p>	<p>Seca Solution has prepared a Traffic Impact Assessment for the development proposal.</p> <p>Appendix A does not provide a rate of community facilities. Seca Solution engaged with Council staff to identify an appropriate parking rate for community centres. The appropriate rate was determined to be 1 space per 25m<sup>2</sup> of floor area that generates a parking demand.</p> <p>Detailed within the TIA, the development proposal has a parking demand floor area measuring 313m<sup>2</sup>. Applying the parking rate, this generates a requirement of 13 parking spaces.</p> <p>At the conclusion of the development the site will contain 21 parking spaces. The parking meets the requirements for the project and provides an addition three parks including an additional</p>

Clause	Provision	Comment
		<p>accessible parking space above and beyond the existing conditions.</p> <p>As detailed above, accessible parking has been assessed under Chapter C.1 Control 3. The car parking area provides 2 accessible parking spaces which is deemed to meet the accessible requirements for the community facility.</p>
<p><b>C.12 Crime Prevention through Environmental Design (CPTED)</b></p>	<p>This section provides controls for how CPTED can influence building design through:</p> <ol style="list-style-type: none"> <li>1. Territorial re-enforcement</li> <li>2. Surveillance</li> <li>3. Access control</li> <li>4. Space/activity management</li> </ol> <p>The following developments shall include a detailed Crime Prevention through Environmental Design assessment that is prepared by an accredited person:</p> <ul style="list-style-type: none"> <li>▪ Community Uses</li> </ul>	<p>A CPTED Report has been prepared and provided under separate cover. The Report provides recommendations which can reduce the risk of criminal behaviour. The recommendations include, but not limited to:</p> <ul style="list-style-type: none"> <li>▪ Entry points and footpaths are well lit at night</li> <li>▪ Manage landscaping to avoid concealed spaces</li> <li>▪ Prepare vandalism management regime</li> <li>▪ Install signage to assist in universal education of criminal risks.</li> </ul> <p>With the implementation of the recommendations outlined in the CPTED Report, criminal behaviour can be reduced at the site.</p>

## 5.9 Developer Contributions

### 5.9.1 Local Developer Contributions

The subject site falls within the catchment of the Maitland City Wide Section 94 Development Contributions Plan 2016. Pursuant to Section 2.5 of the plan the proposed development is not a type of development to which plan applies. As the development is for a community infrastructure, therefore no developer contributions are payable.

### **5.9.2 State Developer Contributions**

The Housing and Productivity Contribution (HPC) was first published in May 2023. The HPC replaces the previous Special Infrastructure Contribution (SIC) in the NSW planning legislation. The purpose of the plan is to provide a fair and consistent development charge that will assist the delivery of infrastructure in high-growth areas. Outlined on page 6 of the HPC is the type of development that will be subject to the contribution, this is stated to be:

- residential development that intensifies land-use where new dwellings are created, such as houses, apartments, terraces and dual occupancies
- commercial and retail development such as shops, neighbourhood shops, supermarkets, and commercial office buildings where new floorspace is created
- industrial development such as warehouses and industrial buildings, where new floorspace is created.

The development is for a community infrastructure, therefore no developer contributions are payable.

### **5.10 Planning Agreement**

Section 4.15(1)(a)(iiia) of the EP&A Act requires the consideration of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4. There are no known planning agreements applicable to the site.

### **5.11 Environmental Planning and Assessment Regulations**

The proposed development will be assessed in accordance with the relevant requirements of Part 4 of the EPA Regulations 2021.

## 6 Likely Impacts of the Development

### 6.1 Environmental Impacts

This section addresses all the likely impacts of the development in the locality, including impacts arising from the development, and impacts on the development in accordance with Section 4.15(1)(b) of the EP&A Act.

#### 6.1.1 Parking, Access, Traffic and Pedestrian links

##### *Parking and Traffic*

A Traffic Impact Assessment for the construction of the new community centre has been prepared. The assessment considered the capacity of the road network and access to the site. The traffic generation assessment determined an additional 6 trips daily; therefore, the trip generation was determined to have a negligible impact on road network. No future road treatments or upgrades were identified as being required to enable the development.

There are 18 existing parking spaces including one accessible parking space located on the north boundary of the site. On this basis a parking assessment was conducted on the floor area which is considered to generate a parking demand with an agreed upon parking rate of 1 space per 25m<sup>2</sup>. Based on the floor area of 313m<sup>2</sup>, the development generates a parking demand of 13 parking spaces. At the conclusion of the development, the site will be furnished with 21 parking spaces including two accessible parking spaces. This provision is sufficient to meet the requirements of the development and provides three spaces, including an additional accessible parking space, above the current conditions.

It is noted that under Control 3 of Chapter C1, a public hall should have three accessible parking spaces per 100 parking spaces. Whilst the development is deficient by one accessible parking space under this control, the overall outcome for the site is positive through the provision of the additional accessible parking space. The provision of two accessible parking spaces is above and beyond the accessible requirements under AS1428.1 and AS2890.1 which requires 1 accessible parking space per 50 parking spaces.

To this extent the proposed development is identified to result in a positive parking outcome for the site and does not result in any detrimental impacts on the road network.

##### *Access and Pedestrian Links*

Access to the site remains unchanged. The carpark along the north boundary provides the primary access to the community centre. The development includes the construction of footpaths from the surrounding street network to the community centre. These paths have been designed to provide suitable access for persons with a disability. Furthermore, the additional footpaths encourage bicycle use. The facility is fitted with a bicycle rack in the courtyard with the ability to accommodate up to five bicycles.

The development results in more equitable access for all community members.

### **6.1.2 Trees and Vegetation**

Technical arborist advice has been provided for realignment of the eastern portion of the carpark to provide the two accessible parking spaces. The extension of the carparks to the south and required concrete path encroaches into the structural root zone of Tree 20 and has the potential to impact the integrity of the tree. The technical advice recommends the following:

- A maximum of 250mm fill may be tolerated around the trunk of tree provided roots have not been injured.
- Preferred construction method is to retain existing bitumen and kerb guttering with new sub-base and bitumen laid on top. However, if this is cannot be achieved, careful removal and replacement must be done with extreme care to avoid impact to the roots.
- If significant tree roots are encountered, the works should cease, and a project arborist assess the possible impact.
- Tree protection measures should be put in place.

Whilst the above parameters provides the best scenario for tree retention, it is noted that due to the proximity of tree to the works there is no absolute certainty that the tree will tolerate the changed conditions.

The landscape plan includes a path that meanders through the established trees and a nature play path and equipment beneath the trees. The construction of the footpath, nature trail and installation of the play equipment is to be completed carefully as detailed above to protect any damage to lateral roots. As described above, should significant tree roots be encountered during the construction or installation, works should cease and the project arborist should be engaged to assess the possible impact and provide any mitigation measures required to ensure the retention of the trees.

Whilst the development has the potential to impact on the existing trees and vegetation, careful consideration to the design and layout has been given. Technical advice has been sought ensure the best opportunity for retention of the vegetation. The impact of the development on the local flora is considered low.

### **6.1.3 Public Domain**

The proposed development provides a contemporary community centre in a strategically located place. The development considers the future users of the site, being both non-able and able-bodied individuals. Accordingly, the facility has been designed to provide a ground level access and a flat foundation to provide suitable access.

The development is expected to activate the recreation area and provide an architecturally designed community centre and revitalised children's play area which will generate a sense of community. The

proposed development will not detrimentally impact current users of the site yet reinforces and enhances the overall sense of place.

#### **6.1.4 Visual Impact**

Visual impacts are evaluated on the place's visual sensitivity combined with the potential magnitude of change on sensitive receivers. The site is located within an existing urban context with the closest sensitive receivers being residences located to the east of the site. Sensitive receivers to the south and southwest of the site have obstructed views due to the existing vegetation corridor running through the site. The allotments to the north are commercial tenancies orientated toward Maize Street.

The view lens established has been taken from Tyrell Street considering the residents along this street being the most likely to be exposed to view impacts. View lens are characterised below:

- Views looking west from Tyrell Street is characterised with an existing community centre surrounded by sparse mature trees.
- Views looking northwest are characterised with exiting urban form.

The views established from the identified sensitive receivers are urbanised and do not contain any significant sightlines to mountains, oceans, lakes or skylines. The view sensitivity of the locality is considered to be low.

The height the facility measures 4.7m on the northwestern elevation and 7.5m on the southeastern elevation. The existing vegetation traversing the site obscures the expanse to the southern adjoining properties and softens the appearance in the locality. The development is considered modest on the site and within the surrounding urban context.

The proposed development includes a landscaping plan to integrate the building into the natural recreational landscape and enhance the building's presentation to the public domain. The development does not impact the existing trees and incorporates landscaping around the carpark to soften the presentation and providing improved visual amenity along the front boundary and main entrance to the facility.

The magnitude of the change is considered minor in the current landscape given the current use and existing development on the site. The development will replace the old and tired appearance of the Tenambit Community Centre and replace it with a contemporary building which will activate the site and contribute positively to the urban environment.

#### **6.1.5 Noise**

An acoustic assessment has been completed to assess the noise impacts arising from the proposed Community Centre. The Acoustic Report, prepared by Spectrum Acoustics (November 2023) is provided under separate cover.

The purpose of the acoustic assessment was to ascertain whether there would be any adverse noise impacts on the closest sensitive receivers which would require mitigation. The local sensitive receivers were identified as the residential properties to the southwest, south and northeast of the proposed development. The acoustic assessment identified that there are four separate sections within the purpose-built facility which may emit noise emissions. These being the:

- Multi-purpose halls which are expected to hold activities such as meetings, seminars, exercise classes and private parties
- Commercial tenancy
- Secure play area
- Car park

The proposed use of the multi-purpose halls are expected to operate until 10pm Sunday-Thursday and until midnight on Friday, Saturday and public holidays. The noise emission generated are likely from the amplified music in the multipurpose hall, elevated voices on the outdoor terrace, mechanical plant noise emission and vehicular traffic noise from the car park. The most significant noise source from the community centre expected to be amplified music associated with event in the multi-purpose halls.

The Acoustic Report assesses the noise amenity impacts on the assumption that the amplified music will be contained within the multi-purpose halls. The report concluded that there is the potential for noise emissions to exceed the nighttime criteria, accordingly, the report recommends amplified music conclude as 10pm. To this extent, it is recommended that the Plan of Management for the community centre restricts amplified music to inside the multi-purpose hall until 10pm. The Report further assessed noise emissions arising from patrons interacting on the outdoor terrace. The worst-case scenario was identified to be patrons conversing for a full 15-minute period, which may be heard from the sensitive receivers. However, this is unlikely as the nature of most conversation is not constant in volume and pitch. Therefore, impacts may be sporadic and occasional. The assessment determined that under likely conditions, the noise generate by speech would not result in any adverse noise impacts on the sensitive receivers. Accordingly, the use of the multi-purpose halls for activities such as seminars, workshops, exercises classes and private parties are not identified as likely to have any adverse amenity impacts.

The Acoustic Report considered the noise emissions that may be generated by children playing in the secure play area. The assessment identified a possible exceedance in the guideline criteria in the 500Hz octave bands by up to 2 dB and in the 2kHz octave bands by up to 3 dB. The exceedance was not identified as obtrusive with no mitigation measures recommended.

The proposed development includes the extension of the existing car park. Accordingly, the Acoustic Assessment applied the worst-case scenario being noise arising from 6 vehicles for a consistent period of 15 minutes at a distance of 7m which equates to a sound power level of 73 dB(A) Leq(15min). When

this assumption was applied to the closest sensitive receiver, being 2 Tyrell Street, the assessment determined that the carpark noise is not likely to result in adverse amenity impacts.

As detailed above, the end user of the commercial tenancy is not prescribed, and the future use of the tenancy is subject to a future Development Application. Accordingly, an acoustic assessment for the future use will be required to assess the noise impacts arising from the specified use.

Overall, the Acoustic Report identifies that the proposed development is appropriate for the locality provided the implementation of amplified music restriction to 10pm.

#### **6.1.6 Waste Management**

A Waste Management Plan (WMP) has been developed in accordance with MCC Site Waste Management and Minimisation Plan Template. The development includes the demolition of the existing building. The building is identified to contain hazardous materials which is to be removed by a suitably qualified contractor in accordance with the relevant Australian Standards and Guidelines. The hazardous materials to be removed from site will be disposed of at a registered facility which can suitably manage the contaminant.

The development includes excavation material, the development will re-use gained excavation material as onsite fill. The targeted testing conducted for the Environmental Site Assessment determined that the soil met HIL-C criteria, being suitable for community and recreational areas. Accordingly, the reuse of the material as fill on the site is appropriate and avoids material being diverted to landfill.

During the construction of the building, material offcuts or breakages will be diverted to recycled centres where practical. Garden waste is to be collected and disposed of at the Maitland Resource Recovery Centre, where green waste is likely to be composted.

As part of the operational procedures of the venue, hirers and tenants will be provided with resources and information to ensure the separation of materials, and to recycle where possible. This will divert a percentage of waste being sent to landfill. The operational procedure will form part of the tenancy and hire agreement. The community centre will be provided with bins and stored within the specified bin room. The bins will be collected weekly through Council's waste collection service. A private contractor will take the bins from the venue to the kerb and return them the following morning.

For further details regarding waste management, refer to the WMP provided under separate cover.

## **6.2 Social Impacts**

Social impact is the effect that a development can have on individuals and community. Social impacts can affect a person's sense of belonging, culture, way of life, access to services, surroundings, livelihoods and health and wellbeing. These impacts may be positive or negative. Where positive impacts exist, the impacts should be enhanced to build the positive social benefit. Where negative



social impacts exist appropriate avoidance or mitigations should be recommended to reduce the detrimental effects of the development proposal.

The development proposal is for the construction of a new community centre to replace the existing old centre. Both negative and positive social impacts of the construction of the facility have been considered. The proposed design has considered the surroundings, access and livelihoods. The development is recognised to manage and mitigate environmental risks and impacts and is found to positively provide a building with suitable access for all abilities. The construction will result in a generation of short-term labour jobs which in turn provides job security and monetary input into the local economy.

The intent of the community centre is to provide a local space for hire for activities identified in, but not limited, Section 3.10 of this SEE. The operation of the proposed community centre has the opportunity to provide substantial positive social impacts. Events and activities able to be held at the facility will provide the opportunity to develop social connections and experience social cohesion when engaging in programs and services. This has the potential to support both positive physical and mental health outcomes in the community.

Crime prevention is an important factor when assessing the social impacts of a development. Crime has the potential to impact people physically, mentally and financially. Accordingly, the implementation of Crime Prevention Through Environmental Design (CPTED) is important to assess and implement to reduce the risk of crime. A CPTED Report has been prepared to assess the incidence of crime in the locality and recommend any mitigation measures to reduce the potential for criminal activity. It is considered that the implementation of the recommendations made within the CPTED Report and outlined under Development Plan Control C.12 in Section 5.8 of this SEE, that opportunistic criminal behaviour can be reduced.

### **6.3 Economic Impacts**

The proposed demolition and construction works are expected to create employment opportunity for construction personnel for the duration of the works. The proposed demolition of the existing Tenambit Community Hall and replacement of the building with a larger community facility will have minimal adverse economic impacts, encouraging members of the public to use the upgrade public facilities.

## **7 Suitability of the Site**

Multiple factors are considered when determining the suitability of a site for development. This includes, but not limited to, whether the development is permissible under the current legislation, if the development meets the objectives of the current plans and policies for the locality, if the site for the development is suitable in its surrounding context and whether environmental land constraints can be suitably managed.

The preceding assessment has concluded that site is largely unconstrained with the proposed development being permissible with consent under the current legislation and consistent with the plans and objectives of the locality. The site has historically been used as a recreational area and contained a community centre. The development upgrades the existing use to make the development more attractive and activate the space. As detailed within the CPTED Report, vandalism is present in the surrounding locality. Activating the space to create a more community orientated and family friendly area is likely to deter opportunistic criminal behaviour and enhance the passive safety of the locality. The site is located adjacent to residential development and surrounded by a footpath network that allows easy pedestrian access. The site is in proximity to the existing social infrastructure and future commercial development which will facilitate movement to and from the site.

Whilst the development may require minor earthworks to establish a suitable foundation for the building, the location of the site in the broader context of Tenambit along with the existing use of the site substantially contributes positively to the sites suitability. This is reinforced through permissibility and strategic alignment with current planning policy.

## **8 Submissions**

This section addresses the development in accordance with section 4.15(1)(d) of the Act. It is understood this development application will be notified.

### **8.1.1 Consultation with Agencies**

Written notification to Ausgrid is triggered under Section 2.48 of the T&I SEPP for development works within 5m of overhead power lines. It is requested that Council refer the application to Ausgrid for comment about potential safety risks, and take into consideration any response to the notice that is received within 21 days after the notice is given.

## **9 Public Interest**

This section addresses the development in accordance with section 4.15(1)(e) of the Act. This development is considered to be in the public interest as it is consistent with the objectives of the RE1 Public Recreation zone and is unlikely to result in adverse environmental, social, or economic impacts, nor does it result in adverse effects for public amenity.

## **10 Conclusion**

This Statement has assessed the development against the requirements of Clause 4.15 of the EP&A Act and found that the development is consistent with the applicable policies and plans and is permissible with consent. The proposed development is recommended for approval.