

WYONG SHIRE COUNCIL

DX 7306 WYONG P.O. BOX 20, WYONG NSW 2259 Telephone: (02) 4350 5555 Fax: (02) 4351 2098

In reply, please quote:
Peter Kavanagh

E mail: wsc@wyong.nsw.gov.au
Website: www.wyongsc.nsw.gov.au



DEVELOPMENT APPLICATION 420/98

Applicant's Name
Trustees Mingara Recreation Club Ltd
PO Box 8003
TUMBI UMBI NSW 2261

RECEIVED
9 MAR 2000

BY:.....

Land to be Developed 14 Mingara Dr
TUMBI UMBI NSW 2261
Lot 1007 DP 864115

Proposed Development Athletics Track, Playing Field
and Amenities Block
Stage One

BCA Building Classification Class 10

DETERMINATION

Made On 09/03/2000

Determination Consent granted subject to
conditions described below

Consent to Operate From 09/03/2000

Consent to Lapse On 09/03/2002

Details of Conditions
(including Section 94
conditions)

- 1 The development taking place in accordance with the approved development plans reference number 20621 DA01, DA02 and DA03A, dated November 6 1998 and Drawing 98139 DA01 as amended by Drawing 2886 CC01 Issue B, dated February 15 2000, except as modified by any conditions of this consent.
- 2 Compliance with the provisions of the Building Code of Australia.

- 3 The payment to Council of the following contributions under Section 94 of the Environmental Planning and Assessment Act for Council's Contribution Plan, prior to the release of the Construction Certificate. Council's contributions are adjusted on the first day of February, May, August and November. The amount of the contributions will be adjusted to the amount applicable at the date of payment.

Roads	\$ 24663.00
Drainage	\$ 72290.00

- 4 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 for the landscaping and the lodgement of a bank guarantee, prior to the issue of a Construction Certificate, for either the cost of the landscaping works or 5% of the total development cost. The report is to identify the planting schedule for completion of the planting within the adjacent 30 metre planting buffer in conjunction with this development
- 5 Application for a Construction Certificate is to be submitted to the certifying authority and approved prior to commencement of any works of construction.
- 6 The provision of the slip lane on the Wyong Road/Tumbi Creek Road roundabout, as identified in the Contributions Plan. The design and construction of the works is to be in accordance with Council's Engineering Requirements for Development. Details to be approved by Council prior to issue of the Construction Certificate. All works are to be completed and approved by Council prior to commencement of operations of the development.
- 7 The provision of a road corridor through the western carparking area of the Mingara Club linking to Beckingham Road. Details to be submitted and approved by Council prior to issue of the Construction Certificate.
- 8 The design of the access roads and carparking for the development is to include:
- provision for set-down areas
 - provision for buses
 - provision for cyclists and pedestrians. Bicycle parking is to be in a secure area near to the development
 - the temporary and ultimate access roads

- the road corridor from the western carpark to Beckingham Road
- provision for 150 all-weather parking spaces near to the development
- an additional 150 carparking spaces to be provided as grassed overflow parking.

Detailed plans are to be submitted to and approved by Council prior to issue of a Construction Certificate. All works are to be completed and approved by Council prior to commencement of operations of the development.

- 9 The provision of a concrete pedestrian/cycleway facility from Beckingham Road to link with the development. Details are to be submitted to and approved by Council prior to issue of the Construction Certificate. All works are to be completed and approved by Council prior to commencement of operations of the development.
- 10 The provision of a stormwater quality control system for the development. Details are to be submitted to and approved by Council prior to issue of the Construction Certificate. All works are to be completed and approved by Council prior to commencement of operations of the development.
- 11 The design of the development and the stormwater system is to be provided to ensure no adverse effects, in accordance with Council's requirements. Details are to be submitted to and approved by Council prior to issue of the Construction Certificate. All works are to be completed and approved by Council prior to commencement of operations of the development.
- 12 The hours of operation of the facility are not to exceed 7.00 am to 10.00 pm.
- 13 The maximum number of persons attending the facility shall not exceed 1,000 in accordance with the acoustic report prepared by PKA Acoustic Consultants, dated November 16 1998.
- 14 The public address system shall be designed in accordance with the details presented in the report by PKA Acoustic Consulting and shall not be used after 7.00 pm to preserve the amenity of adjacent residents.
- 15 The use of the facility after 7.00 pm shall be limited to activities which will not cause offensive noise on nearby or adjoining properties.

- 16 An amended acoustic report is to be submitted with the application for a Construction Certificate identifying measures to be implemented to mitigate the effects of noise from the proposed carparking areas.
- 17 A noise impact prediction verification report is to be submitted within 3 months of completion of the facility or immediately following a maximum capacity event to confirm the recommendations in the acoustic report by PKA Acoustic Consulting dated November 16 1998. The Club shall undertake any additional works as identified by the Consultant, after consultation with Council, to prevent offensive noise that may be identified.
- 18 The lighting of the facility is to be designed so as not to cause lighting spill beyond the boundaries of the Mingara Club site. Certification shall be submitted by the Lighting Consultant prior to occupation of the building on the effects of the lighting system on nearby and adjoining residential properties and any remedial works that are necessary to prevent an impact on those properties.
- 19 The obtaining of a Certificate of Compliance under Section 27 of the Water Supply Authorities Act 1987 for water and sewer requirements from Wyong Shire Council as Water Supply Authority prior to the issue of a Construction Certificate. Contributions and works will be determined in accordance with the Act upon receipt of the application for a Certificate.
- 20 The control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways in accordance with Council's Development Control Plan No 67 - Engineering Requirements for Development and Policy for Erosion and Sediment Control from Building Sites. A Compliance Certificate for the design plans is to be obtained prior to the issue of a Construction Certificate. The control of erosion and silt discharge will involve works and measures on site and possible additional silt retention works.
- 21 Prior to the issue of any Construction Certificate, the submission to Council and approval of details of the source of fill, heavy construction materials and proposed delivery routes.
- 22 The making good to the satisfaction of Council, or payment of the costs incurred by Council in making good, any pavement damage or structural deterioration caused to Council's roads by the use of such roads as haulage routes for materials used in construction or the operation of the approved development.

- 23 The developer being responsible for any costs relating to any alterations and extensions of existing roads, drainage and Council services for the purposes of the development.
- 24 The design and construction of all engineering works within Council controlled property in accordance with Engineering Requirements for Development which are prescribed at the time of commencement of engineering works. Design plans to be approved by Council prior to issue of a Construction Certificate.
- 25 The extension of the water and sewer services to the development in accordance with Council's requirements. Details are to be approved by Council prior to issue of a Construction Certificate.

Reasons for Conditions

- 1 To ensure the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the Wyong Local Environmental Plan; and
- 2 To ensure that the local amenity is maintained and that the development does not hinder the proper and orderly use of the subject land and its surrounds.

Right of Appeal

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Should you require further details regarding the conditions of consent, you are invited to contact Council prior to any appeal.

Signed on Behalf of the Consent Authority



Date: 09/03/2000

WYONG SHIRE COUNCIL



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Website: www.wyongsc.nsw.gov.au

RAB:NL D/016261
Doc 326861
Mr R A Butt

RECEIVED
27 OCT 1999

BY:

October 25 1999

Mr J Osborne
General Manager
Mingara Recreation Club Ltd
PO Box 8003
TUMBI UMBI NSW 2261

Dear John

Development Application Number 420/98 - Proposed Athletics Track at Mingara

Further to our recent meeting and your letter of October 1, 1999 with regard to the proposed all-weather athletics circuit, I have reviewed the development consent conditions and advise as follows:

Condition 3

Council acknowledges that various legal agreements require the Mingara Recreation Club to contribute to the construction of roads and drainage in the immediate vicinity. The payments required by Development Consent 420/98 are as follows:

- 1 Roads : \$24,000 plus indexation to date of payment
This contribution relates to the intersection improvements set in Condition 6 of this consent. Once the requirements of Condition 6 are met, then this amount will not be paid but be offset against the value of the works for condition 6. Accordingly, whilst this condition will remain, as indicated it will be offset against any works undertaken.
- 2 Drainage : \$72,290 plus indexation to time of payment
A substantial amount of drainage works have been completed by The Stevens Group for which a substantial credit is owing to that company. As a result, the payment of this contribution is required.

Condition 4

Council acknowledges that the Club has previously committed to providing a buffer zone and planting of 30 metres around the perimeter of the Club site. It is further acknowledged that agreements are in place between the adjoining residential developer and the Club to have this work carried out once the drainage works are complete. This condition relates to those requirements and we confirm that other than occasional landscaping works within the athletics development, no other requirements for landscaping will apply.

Condition 6

This requires the provision of the slip lane on the Wyong Road/Tumbi Creek Road roundabout.

It is considered that the slip lane is needed with any further development occurring in this area which impacts on this intersection. Consequently, the provision of the intersection improvements is required with all other development which will be conditioned accordingly. This includes the recent development consents (subdivisions and Retirement Village) proposed by The Stevens Group. Council notes that the Club, subject to a suitable design, is prepared to fully fund its contributions for all its approved developments this financial year. To facilitate the provision of this requirement, it is suggested that arrangements between the Club and the Stevens Group be made to carry out the works. Please see letter dated October 12 1999 (copy follows) which sets out financial arrangements in more detail.

Condition 7

I confirm that this is to retain the option of a future road connection, if required. This condition does not require the construction of the road link for this development.

The only requirement to satisfy this condition is to indicate the alignment of a future road link and ensure that the design of the developments on the Club site enables the future provision of this road.

Condition 8

I confirm that in order to comply with this requirement, detailed design work will be limited to:

- provision for set-down areas;
- provision for buses;
- provision for cyclists and pedestrians;
- the temporary access road.

In relation to all weather carparks, there are adequate numbers of carspaces on the Club site for the existing Club and the proposed athletics facility.

Condition 9

It is considered desirable for the required pedestrian/cycleway facility to be provided in conjunction with this development, however a deferral of up to 12 months from commencement of operations would be acceptable.

Condition 13

The development was assessed on the basis of 1,000 persons, as this was the basis for the acoustic report. Council confirms that on occasions, events may be held that will attract more than 1,000 persons. These events should be covered by a management plan detailing management of such events, including traffic, parking and acoustics.

Page 3
Mr J Osborne

Condition 16 and 17

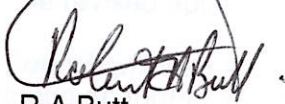
These conditions relate to the acoustic details submitted with the application and are considered appropriate requirements. However, Council will vary the time required for submission, based on the events undertaken once the facility is complete.

Condition 19

In relation to the contributions, details of the proposed facilities building is required to determine the loadings for water and sewer (not provided on the plans Council currently holds). Contributions are calculated on the number of toilets, basins and showers, etc calculated as a DU (dwelling unit). The current rates are \$2,283.36 per DU for water and \$1,783.39 per DU for sewer.

In addition, it is noted that the consent was issued as a deferred commencement consent and the item related to drainage and flooding is yet to be satisfied. Further, the consent required these details within three months. Council is arranging to issue an updated consent, providing for a further nine months in which to satisfy these requirements.

Yours faithfully



R A Butt
Director
HEALTH AND DEVELOPMENT

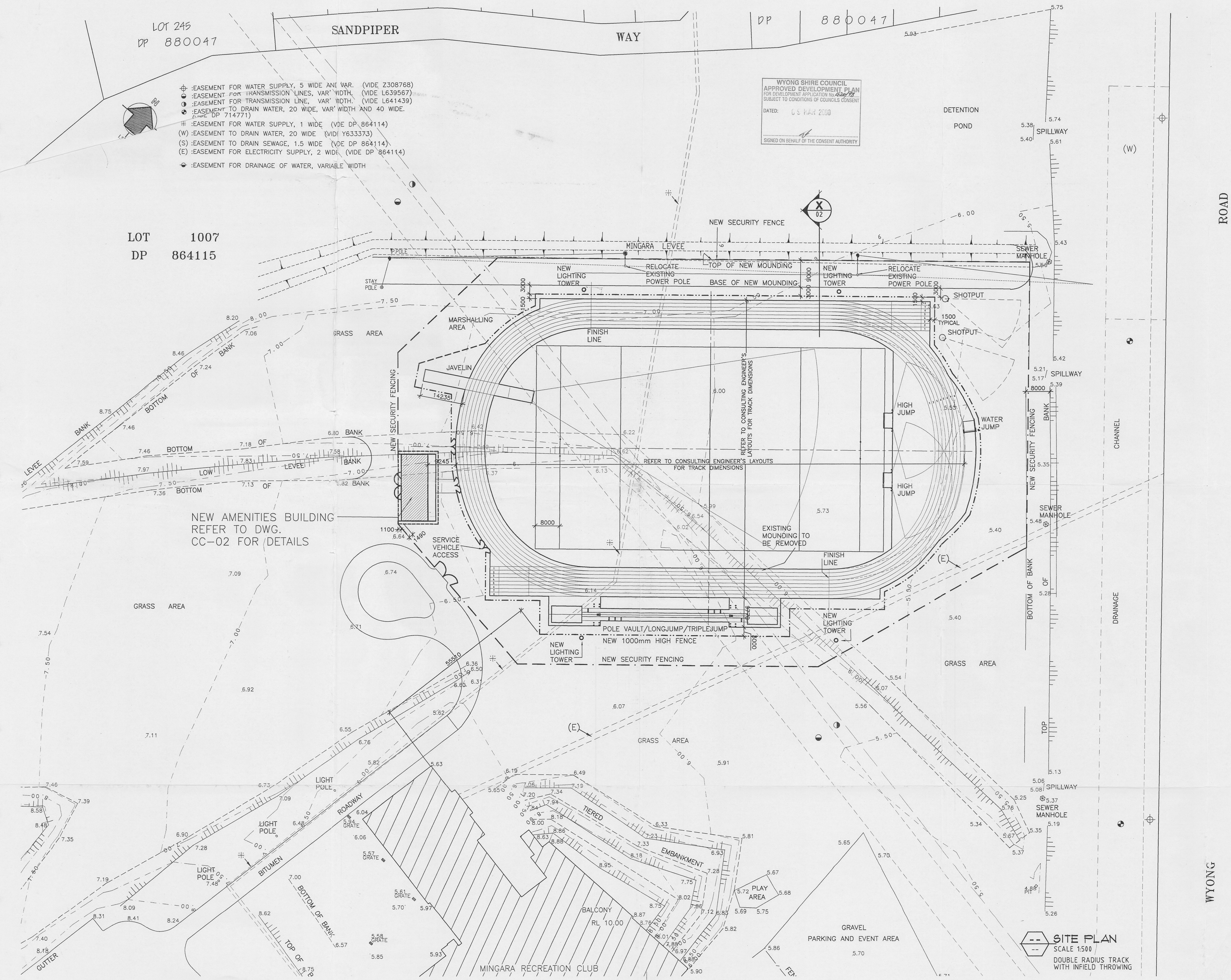
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DIMENSIONS
Use figured dimensions in preference to scaled.
Check all dimensions on site before fabrication or set out.

AUTHOR	SUPERINTENDENT	QUALITY CHECK
T.COTTER	T.COTTER	M.STIRLING

QUALITY CHECK		
DATE	CHECK STAGE	CHECKED

AMENDMENTS					
DATE	ISSUE	ACTIVITY	AUTH	SUP'T	
9.11.99		DRAWING STARTED	TC	TC	
12.11.99	A	ISSUE FOR BA SUBMISSION	TC	TC	
12.1.00		PAYNTER DIXON REQUEST - DRIVEWAY ALTERED B2 SECURITY FENCE LAYOUT ALTERED B3 NORTHERN JAVELIN LAYOUT DELETED B4 PRELIMINARY WATERJUMP LAYOUT ADDED	TC	TC	
13.01.00	C	ALTER FENCE & GATE POSITION	AD	MS	
19.01.00	D1	FENCE ALTERED D2 ROUNDABOUT REINSTATED	AD	MS	
04.02.2000	CC/A	AMENITIES BUILDING REPOSITIONED ISSUED FOR CONSTRUCTION CERTIFICATE	RDI	JB	
15.02.2000	CC/B	N/WEST BOUNDARY INDICATED AT 13500 FROM EDGE OF TRACK AT TOP OF NEW MOUNDING. N/EAST BOUNDARY EXTENDED TO MATCH	RDI	JB	



CLIENT CONTRACT NUMBER
MNG 1/4

PROJECT
MINGARA RECREATION CLUB

TITLE
ATHLETICS FACILITIES & AMENITIES BUILDING SITE PLAN

POWELL DODS & THORPE ARCHITECTS & INTERIORS
P.D.T.
184 Warr Street, Darling Hill, QLD, 4000 Australia
Tel: 61 7 3211 1300
Fax: 61 7 3228 1300
100/101 St. 10-18 Old Street, Milsons Head, NSW, 2082 Australia
Tel: 61 2 9922 6544
Fax: 61 2 9922 6756
Level 20, 400 Bank Street, Car Abert and Vasey Streets
Tel: 64 9 307 6000
Fax: 64 9 308 7240

PAYNTER DIXON CONSTRUCTIONS (AUST) Pty Ltd
320 Liverpool Road, Ashfield NSW 2131 Australia
Tel: (02) 9797 5555
Fax: (02) 9798 5505

JOB No.	STAGE	DRAWING No.	ISSUE
2886	CC	01	B

SITE PLAN
SCALE 1:500
DOUBLE RADIUS TRACK WITH INFIELD THROWING