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Appendix 4 SEC and Peace Park EIS

Statutory Compliance Tables

Prepared for: Sutherland Entertainment Centre March 2020

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Environmental Planning & Assessment Act – Consistency with the Objects

Object of the EP&A Act	Assessment	Consistent
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,	The proposal enhances the existing SEC which will have social benefits for the community, including providing better accessibility, allow additional flexibility and better use of the facility.	Yes
To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal has been designed in accordance with environmentally sustainable development (ESD) principles (see Appendix 29 of the EIS). The proposal includes various measures aimed at minimising energy and water consumption.	Yes
To promote the orderly and economic use and development of land,	The site is zoned for urban development and the proposal will result in the orderly and economic development of the land.	Yes
To promote the delivery and maintenance of affordable housing,	This objective is not applicable to the proposal.	N/A
To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal has been assessed has been acceptable regarding its potential impacts on native animals and plants, including threatened species, populations and ecological communities and their habitats (see Appendix 28 of the EIS)	Yes
To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal has been informed by detailed and involved input regarding European heritage (Appendix 16 and Section 6.2.11) and Aboriginal heritage (Appendix 11 and Section 6.2.12 of the EIS).	Yes
To promote good design and amenity of the built environment,	An Urban Design Report (Appendix 7) has been provided which addresses good design and amenity of the built environment, as set out in Section 6.2.1 of the EIS. In addition, a Design Integrity Panel has been convened to direct and oversee the development, including during the detailed design development phase of the project and during construction. The Design Integrity Panel report is included at Appendix 6 .	Yes
To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The building has been designed in accordance with the Building Code of Australia (BCA), Australian Standards and the Disability Discrimination Act (DDA) (see Appendix 18 and Appendix 34 of the EIS).	Yes
To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State, and	The proposed development has been assessed against the various Commonwealth and State statutes and local policies and has involved consultation with relevant levels of government.	Yes
To provide increased opportunity for community participation in environmental planning and assessment.	The proponent has actively engaged with relevant government agencies and undertaken community consultation (see Section 5 of the EIS). Further consultation will be undertaken during the statutory assessment process.	Yes

State Environmental Planning Policy No 64 – Advertising and Signage

NOTE: Signage does not form part of this application. Nevertheless, a preliminary assessment of the potential impacts of building identification signage and promotional banners on the SEC building and within the forecourt has been undertaken.

A separate DA for signage will be lodged with Sutherland Shire Council once details of the style and content of the signage has been resolved.

Provision	Assessment	Consistent
Clause 3 – Aims, Objectives		
 to ensure that signage: (i) is compatible with the desired amenity and visual character of any area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design & finish 	The banner signage is consistent with the existing banner signage found on the SEC. Other signage will be consistent with the commercial character of the locality. The signage will clearly identify the building and upcoming events and will also provide direction/information. Signage will be high quality design and finish.	Yes
to regulate signage (but not content) under Part 4 of the Act	Noted	N/A
to provide time-limited consents for the display of advertisements in transport corridors, and	N/A	N/A
to regulate the display of advertisements in transport corridors.	N/A	N/A
to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.	N/A	N/A
Schedule 1 Criteria		
Character of the Area	The banner signage is consistent with the existing banner signage found on the SEC. Other signage will be consistent with the commercial character of the locality. There is no consistent theme for outdoor advertising.	Yes
Special Areas	Signage is generally attached to the building and therefore will not impede views. In addition, an informative pillar will be lower than the surrounding trees and therefore will not detract from their natural visual quality.	Yes
Views and Vistas	The signage will not obscure or compromise important views, dominate the skyline, reduce the quality of vistas or restrict the viewing rights of other advertisers.	Yes
Streetscape, Setting or Landscape	The banners, signage and signage zones are appropriate for the scale of the development. The banners will have a dual function as a shade device from the western sun to the forecourt. In addition, the informative pillar will be of a high quality design and will be visually interesting.	Yes
Site and Building	The signage will be located in logical positions on the building and beside the walkway. Signage is respectful and well suited to the features of the SEC.	
Associated devices and logos with advertisements and advertising structures	There are no safety devices, platforms, lighting devices or logos (external to the SEC logo) associated with the signage.	N/A

Assessment under SEPP No. 64 – Advertising and Signage		
Provision	Assessment	Consistent
Illumination	If the signage is illuminated, the level of illumination will be required to comply with relevant Australian Standards. Details will be required to be submitted with the DA	Capable of consistency
Safety	The signage will not reduce safety as signage is not located in pedestrian or cycle pathways.	Yes

Sutherland Local Environmental Plan 2015

Provision	Assessment
 Clause 1.2 Aims of Plan a) to deliver the community's vision for Sutherland Shire by achieving an appropriate balance between development and management of the environment that will be ecologically sustainable, socially equitable and economically viable, b) to establish a broad planning framework for controlling development, minimising adverse impacts of development, protecting areas from inappropriate development and promoting a high standard of urban design, c) to protect and enhance the amenity of residents, workers and visitors in all localities throughout Sutherland Shire, d) to minimise risk to life, property and the environment from hazards, particularly bush fires, flooding and climate change, e) to concentrate development in localities with adequate infrastructure that is accessible to transport and centres, f) to protect and enhance the natural environment and scenic quality of the Sutherland Shire through the retention and rehabilitation of wildlife habitats, wildlife corridors, bushland, foreshores and waterways, g) to conserve, protect and enhance the environmental and cultural heritage of Sutherland Shire, h) to provide leisure and recreation opportunities to suit the needs of the changing population, i) to meet the future housing needs of the population of Sutherland Shire. 	 The proposed development is consistent with the aims of the LEP, specifically: Seeks to achieve a balance between the built form and the natural environment, while ensuring the development is ecologically sustainable, socially equitable and economically viable; The EIS concludes that the environmental impacts are acceptable and have been minimised where impacts can not be avoided. The proposal redevelops the existing SEC and is therefore deemed an appropriate development for the site with a high standard of urban design; The proposal will enhance the amenity of the site for residents, workers and visitors surrounding the site; The proposal has been assessed with regard to flooding and climate change and will not result in adverse risk; The SEC is within 300m of Sutherland Train Station and therefore enhances public social infrastructure in an accessible area; The proposal seeks to retain trees where possible and to provide new planting to enhance the existing scenic environment of Peace Park; The War Memorial is protected and the works in Peace Park seek to increase the use of the space which will assist in promoting the significance of the War Memorial as a significant cultural reference for Sutherland; The proposal enhances leisure and recreation opportunities anwill address the needs of the population; The final aim is not relevant to this proposal as the development does not contain any housing.
 Clause 2.3 Zone objectives and Land Use Fable Dbjectives of the B3 Commercial Core zone To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community. To encourage appropriate employment opportunities in accessible locations. To maximise public transport patronage and encourage walking and cycling. To strengthen the viability of existing commercial centres through increased economic activity, employment and resident population. To create an attractive, vibrant and safe public domain with a high standard of urban design and public amenity. To enhance commercial centres by encouraging incidental public domain areas that have a community focus and facilitate interaction, outdoor eating or landscaping. To provide for pedestrian-friendly and safe shopping designed to cater for the needs of 	 The proposal provides entertainment and community uses that will serve the needs of the local and wider community. The proposal will provide employment opportunities for ushers, bar staff, management/operation staff and in some cases for performers. The site is 300 metres from Sutherland Train Station and visitors will be encouraged to use public transport to attend events. The proposed alterations and additions will strengthen the viability of Sutherland town centre through increased economic and social activity. The SEC will assist in making Peace Park a more attractive, vibrant and safe public domain space by providing additional lighting, better permeability and increased activity. These factors will increase the public amenity. The overall project aims to create a public domain area which is highly community focused and is a social hub of Sutherland. The area will facilitate social interaction and improve landscaping.

Assessment against relevant provisions of LEP 2015

Provision	Assessment
	The proposal does not include shopping areas, as such the final objective isn't relevant to this proposal.
 Objectives of the RE1 Public Recreation zone 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. Clause 4.3 Height of buildings 30 metres (for the B3 area of the site) N/A (for the RE1 area of the site) 	 The proposal retains the ability for Peace Park to be used as public open space. Peace Park will remain as a passive recreation space which can be used for community events in conjunction with the SEC. Trees are retained where possible and replacement tress are proposed to ensure the natural environment is enhanced. The maximum building height is 24.85 metres when measured from existing ground level to the top of the screen wall surrounding the roof top mechanical plant.
 Clause 4.4 Floor Space Ratio 3.5:1 FSR (for the B3 area of the site) N/A (for the RE1 area of the site) 	 The FSR is 1.1:1 (GFA of 4,442m²) – Refer GFA plan in architectural plan set at Appendix 5 to the EIS
 Clause 5.10 Heritage Conservation 1) Objectives The objectives of this clause are as follows: (a) to conserve the environmental heritage of Sutherland Shire, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. The site contains Item 3615 on site which is the 'Sutherland War Memorial'' 	 The proposed development is considered to be acceptable, from a heritage perspective, for the following reasons: Involves a substantial improvement to a community facility within the heart of the civic precinct of Sutherland Does not involve works to heritage items Retains and enhances the landscaped streetscape of Eton Street. There will be no adverse impact on the established heritage significance of Sutherland War Memorial, Forby Sutherland Memorial Gardens or the Church The proposal is, therefore, considered to be consistent with the relevant heritage objectives of the Sutherland LEP 2015. Heritage has been assessed by NBRS Architecture Heritage and is provided at Appendix 16 of the EIS. The HIS report concludes that the proposal: "has been carefully considered and is in keeping with the form and materials of the existing building. The new fly tower is set back from the Eton Street boundary and from the adjacent heritage items. It has been carefully detailed and is in a pale colour so as not to dominate the skyline. All existing views to and from the heritage items in the vicinity, will be retained." No areas of archaeological significance have been identified on the site. Impacts on Aboriginal heritage have been assessed as part of the Aboriginal Cultural Heritage Assessment Report (ACHAR) which is included at Appendix 11 to the EIS. The ACHAR concludes: There is no objection to the proposed redevelopment of the Sutherland Entertainment Centre. No further archaeological assessment, monitoring, testing or excavation is required. An archival recording of the existing water feature containing modern Aboriginal at should be undertaken prior to demolition and the recording should be provided to the La Perouse LALC and to all Registered Aboriginal Parties. If any unexpected or previously undetected Aboriginal objects are uncovered during the redevelopment of the site, all work sh

Assessment against relevant provisions of LEP 2015	
Provision	Assessment
 Clause 6.16 Urban Design - General The consent authority must consider the extent to which: High quality design and development outcomes have been attained. Buildings are designed and will be constructed to strengthen, enhance or integrate into the existing character and the desired future character of the locality. Recognition and improvement given to the public domain in the design. The natural environment will be retained or enhanced. The development responds to the natural landform of the site. The development will preserve, enhance or reinforce specific areas of visual quality. The principles of CPTED are addressed. 	 An Urban Design Report has been prepared by NBRS Architecture and is provided at Appendix 7 of the EIS. The report identifies the urban design attributes of the proposal and how it seeks to integrate with Peace Park to create an improved public domain. The proposal seeks to retain existing trees and vegetation where possible while also better responding to the natural landform and provide a better connection between the proposed built form and the public open space. A CPTED assessment is provided in the EIS.

Sutherland Development Control Plan 2015

Provision	Assessment
Chapter 24. B3 Commercial Core - Sutherland	
1. Centre Aims 1. Recognise and reinforce Sutherland Centre's identity as the main administrative centre of the subregion by allowing an increase in residential population and commercial activity in new mixed use developments.	The SEC redevelopment will result in a facility which is reinforces the importance of the Sutherland Centre by providing a key piece of social infrastructure for the region.
 Improve the amenity of the centre by improving pedestrian connectivity and by creating and improving public open spaces. 	One of the aims of the proposed redevelopment is to improve permeability and pedestrian connectivity through Peace Park.
 Respect and enhance the heritage significance of Sutherland Centre. 	The heritage item on site (War Memorial) and the adjoining heritage item (Uniting Church) are respected as discussed in the Heritage Report at Appendix 16 of the EIS. In addition, the visual accessibility of the war memorial has been enhanced.
2. Centre Strategy The site is identified as a special use and public open space. The pedestrian link through Peace Park is to be maintained and improved. An active street front is required along the northern edge of the SEC	The site remains as a special use and public open space. The pedestrian link through Peace Park will be maintained and improved. An active frontage is proposed long the northern and eastern edges of the SEC.
4. Streetscape and Built Form 4. Development must be designed and sited so that it addresses the street and must have a clearly identifiable entry.	The entry to the SEC will be enhanced and is a focal point of the building. In addition the external works to the SEC and Peace Park improve the address to public space.
The building form must be articulated to avoid large expanses of unbroken wall, and to visually reduce bulk	The building is well articulated with pillars identifying the edge of the structure and verandahs, alternate building materials and protrusions create further articulation.
7. Vehicular access is to be from a rear lane where such is provided	Vehicle access is proposed via Merton Street which acts as a rear service lane.
 Highly reflective materials are not acceptable for roof or wall cladding 	Metal roof sheeting is proposed and is to be a pale coloured and will not be reflective.
10. Development should contribute to a comfortable pedestrian environment with improvement to signage, lighting, planting, awning cover and seating, where appropriate	The proposal will significantly improve the pedestrian environment by making the space more accessible, providing better lighting and safer plantings and providing wider awning spaces. In addition, seating will be provided throughout the precinct.
 Landscape Existing street trees in good health are to be retained and protected. 	The Eton Street frontage between the kerb and the site boundary will remain unchanged. Existing tree planting of Brush Box in planted areas defined by raised brick edging will remain.
2. Where planter boxes are proposed, the space to be planted must be designed and constructed to contain a minimum of 600mm of soil depth.	Planters proposed on upper levels are capable of having a 600mm soil depth.
 Appropriate paving must be provided to driveways, walkways, entries, fire egress points and garbage bin enclosures. 	Pavers are stone or sandstone and are chosen for their durability and non-slip characteristics. Paving is provided to driveways, walkways, entries, fire egress points and garbage bin enclosures.
9. Active Street Frontages 1. An Active street frontage is required on the western elevation and a semi-active frontage is required on the northern elevation.	Both the northern and western facades contain large columns to identify the entry to the SEC and the undercover area encourages walking through the space. The verandah edge along the northern frontage of the SEC will activate this interface with Peace Park
Active frontages must be at footpath level along the full length of the building frontage.	Due to the changes in level across the site, if the footpath cannot be provided at the same level as the active frontages, an accessible path has been provided.

Provision	Assessment
4. Vehicle entrances and service areas are not to be located in active street frontages	Vehicle access is from Merton Street which is not identified as an active street frontage.
5. Continuous awnings must be provided along shop fronts and active street frontages.	Part of the path of travel is beneath an awning.
11. Building and Site Layout 3. Loading areas shall be located to avoid on-street loading and be freely available for use at all times.	The two loading areas are off Merton Street and are located on site.
15. Safety and Security 1. Any design must demonstrate compliance with Crime Prevention Through Environmental Design (CPTED) guidelines.	A CPTED assessment has been prepared and is included in Section 3.2.3 of the EIS.
16. Parking 2. A Traffic Report shall be completed to address parking.	The site is within a town centre location with access to public parking and street parking. The site also has good access to public transport which will be encouraged through the preparation of a Green Travel Plan. A traffic report has been prepared by McLaren Traffic Engineering and is attached at Appendix 19 of the EIS.
3. Motorcycle parking shall be provided at a rate of 1 motorcycle space per 25 car spaces.	It is not proposed to provide on site motorcycle parking. The existing SEC does not provide any motorcycle or bicycle parking spaces.
4. Bicycle parking spaces must be provided at the rate of 1 space per 10 car parking spaces for first 200 car spaces, then 1 space per 20 parking spaces thereafter.	The proposed development provides 20 bicycle spaces for both staff and visitors.
17. Waste Management Requirements 1. A waste storage area is to be provided for all developments to store bins for general waste and recyclables.	A garbage room is provided on the basement level which will provide room for general waste and recycling bins.
 The location of waste and recycling facilities must not impact on car parking or landscaping requirements of the development. 	The waste room faces Merton Street and has a separate door. I will not impact car parking or landscaping.
2. Late Night Trading Activity Areas Intermediate activity areas have the potential to accommodate a range of lower impact late night trading premises. They are intended to function as a transition zone, this is achieved by applying more stringent operating hours	The site is identified as an intermediate activity area. The SEC will provide for some late night activities.
 3. Hours of Operation Non Licenced: Entertainment Facility – Indoor Hours:6am to 11pm, Extended Hours till midnight Restaurant/Café - Base Hours:6am to 11pm, Extended Hours till midnight 	The proposed hours of operation are detailed in the draft Plan o Management at Appendix 21 to the EIS. There will be alcohol available at times. This will be available in conjunction with other activities and performances at the venue. Details are included in the draft Plan of Management at
 Licenced: Monday – Saturday: Indoor: 6am to 11pm, Outdoor: 10am to 10pm Sunday: Indoor: 6am to 10pm, Outdoor: 10am to 9pm Extended hours: Monday-Saturday: till midnight, Sunday: till 11pm 	Appendix 21 to the EIS.
5. Noise Management 1. The movement of garbage should not occur: after 10pm and before 8am Mon to Sat or before 9am on Sun and Public Holidays	Waste collection will occur from Merton Street. No changes to the current waste collection operations are proposed.
3. No loading of any goods shall occur after: a. after 7pm; and b. before 8am Mon to Sat or before 9am on Sun and Public Holidays	As detailed in the Plan of Management - Appendix 21 , there wi be times when a performance 'pump out' occurs after midnight.

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Provision	Assessment
	The potential for this to occur has been assessed in the Acousti Assessment (Appendix 17) and no adverse acoustic impacts are envisaged.
6. Safety and Security 2. Owners, operators or their approved crowd controllers shall appropriately manage queuing of patrons parallel to the building,	This is addressed in the Plan of Management - Appendix 21. Appropriate security will be contracted to assist with crowd management.
5. The venue must be equipped with a CCTV system which complies with Australian Standard 4806.1—2006 - Closed circuit television (CCTV)	This has been included in the recommended mitigation measures at Appendix 3.
7. Management Plans 1. A Management Plan is required	A draft Plan of Management has been prepared - Appendix 21 . This will be reviewed and revised following determination of the application to address any operational conditions as appropriate
Chapter 38. Stormwater and Groundwater Managen	nent
 Permitted Off-Site Disposal The post development rate of stormwater runoff from the site shall not exceed the rate of flow of runoff pre-development. 	The pre-development site runoff is 190L/S. The proposal includes an OSD tank and the post development run off will therefore be 189L/S, i.e. < 190L/S.
2. The peak rate of flow shall be calculated on the basis of catering for up to the 1% AEP event.	The stormwater rates are measured using the 1% AEP event.
4. Where the post development rate of flow would exceed the predevelopment rate, the stormwater must be managed on site by using on-site retention and reuse, infiltration systems or on-site detention techniques.	The post development discharge rate would be 197L/S, therefore a 5.8m ³ OSD tank is proposed which will lower the discharge rate to 189L/s which is below the pre-development sid discharge.
3. On-Site Rainwater Retention and Reuse 1. All development is to provide a rainwater tank(s) to collect run-off from the primary roof of the development.	A 25kL rainwater tank is proposed which will collect water from the roof.
2. All development must use harvested rainwater for the purposes of irrigation, toilet flushing, laundry use, car washing or similar beneficial purposes.	Rainwater is to be collected and reused for irrigation of the communal landscaped areas and neighbouring Peace Park. Using a combination of reuse, roof area and tank storage an efficiency of approximately 70% has been achieved.
 6. Water Quality Control 1. Development must achieve a minimum reduction of average annual loads by: 80% of the Suspended Solids (SS). 40% of the Total Phosphorus (TS) 40% of the Total Nitrogen (TN) 	 The development achieves the following: 80.4% reduction of the SS average annual load. 69.7% reduction of the TP average annual load 51.7% reduction of the TN average annual load

CPTED Assessment

CPTED Assessment		
Principle	Assessment	
	The proposal will increase surveillance by activating the space and providing a better connection between the SEC and Peace Park. There will be greater opportunities for sight lights and overlook from the SEC to Peace Park.	
Surveillance	Landscaping has been designed to ensure sight lights around the SEC and Peace Park are maintained in order to reduce places of concealment. Landscape arrangements are generally low level and does not provide a placed for offenders to hide or entrap victims. Lighting has also been considered for public spaces and lighting is proposed throughout the site and to all building frontages, eliminating darkened areas.	
	CCTV CCTV surveillance will be installed which will include monitoring of internal and external areas, entrances and exits and staff only areas. In addition, the proposed design promotes strong natural surveillance of both the public domain and the interior of the building and car parking area providing a connection to the built form.	
	Security Security personnel will also be engaged for events which are likely to attract large crowds. On Friday and Saturday nights after 9pm a ratio of one [1] security unit per one hundred [100] patrons on ground floor will be deployed, with one [1] security unit will man the front door entrance to the venue.	
Access Control	Access from Eton Street is clearly defined through the columns which identify the entry and through landscaping and paths which direct pedestrians to the building entry. Peace Park is open, well connected, viewed from other public spaces and well-lit and will be welcoming and encouraging for use for people gathering, discouraging inappropriate behaviours.	
	Main entrances and access to seating will be clearly identified by signage and from ushers. The foyer area will only be open prior to performances. Ushers will be employed for performances to check tickets and to direct people to their allocated seats. In addition wandering staff will be available during performances to ensure the patrons and visitors are directed correctly.	
	The loading areas will be fitted with a lockable roller shutter door. Access will only be available to authorised people. In addition, rear entry into the building will only be available for staff and performers. Security will be positioned at this entry to control access. Signage will indicate that the main entrance is from Eton Street and the rear access is only available for performers/staff.	
	Back of house areas will not be accessible to the general public. This will be achieved by signage and when necessary by locked doors.	
Territorial Reinforcement	The SEC will provide better pedestrian routes along the edge of the SEC and Peace Park while ensuring there is a clear definition between the foyer of the SEC and the public area. Landscaping along the western façade will act as a physical barrier preventing people. Automated sliding doors will allow controlled entry into the building.	
	The SEC, Peace Park and adjoining open spaces are community assets that are well maintained. The long term public use of this area has created a sense of community ownership and pride. Well used and maintained spaces reduce opportunities for crime.	
Space Management	The proposed development will be managed in perpetuity by Council. Maintenance will include landscape maintenance, graffiti removal, repairs and maintenance of lighting. Regular maintenance will encourage regular use of the space which discourages criminal activity.	