



PROPOSED INSTALLATION OF LIGHTS TO ILLUMINATE THREE EXISTING OUTDOOR SPORTS COURTS IN THE DRILL HALL PRECINCT PERMIT AND CONDITIONS – DA 2019/08

Permit issued pursuant to Regulation 25 of the *Sydney Harbour Federation Trust Regulations 2001*.

DOCUMENTATION

The applicant submitted a planning action form and paid the relevant assessment fee. The following relevant documents comprising the application were received on 28 August 2019:

- Planning Statement prepared by Mosman Council and dated 27 August 2019
 - Netball Court Lighting Report, prepared by Webb Australia for Mosman Council and dated 23 October 2017
 - Project Report entitled “Have your say Mosman – Mosman Drill Hall Common – Netball Court Lighting Concept – Preliminary Community Consultation”, dated 28 December 2017
 - Agenda Report entitled Drill Hall Common Netball Lighting Court Lighting Proposal, dated 15 February 2018
 - Council Resolution Item entitled Drill Hall Common Netball Lighting Court Lighting Proposal Update, dated 20 November 2018
 - Drill Hall Operations Plan, prepared by Mosman Council (undated)
 - Council Resolution Item entitled Netball Grounds and Facilities Response, dated 8 March 2019
 - Bushfire Assessment – Drill Hall Common, Headland Park, 1A Cross Street, Mosman, prepared by Travers Bushfire & Ecology for Mosman Council, dated 13 August 2019
 - Mosman Drill Hall Precinct – Transport Assessment Addendum, prepared by GTA Consultants for Mosman Council, dated 2 May 2019
 - Mosman Drill Hall Precinct – Transport Impact Assessment, prepared by GTA Consultants for Sydney Harbour Federation Trust, dated 30 August 2018
 - Off-Street Parking Accessed from Cross Street Mosman, prepared by ARRB, dated 25 September 2018
 - Flood Lighting the Netball Courts Near Mosman Drill Hall – Heritage Advice, prepared by NBRS Architecture, Heritage for Mosman Council, dated 27 August 2019
 - Flora and Fauna Impact Statement – Drill Hall Common – Report, prepared by Ecosure for Mosman Council, dated August 2018
 - Noise Impact Assessment for Sydney Harbour Federation Trust – Mosman Drill Hall Precinct, Mosman, prepared by Benbow Environmental, dated 30 August 2018
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DEVELOPMENT DESCRIPTION

The proposed works involve the illumination of three existing outdoor sports courts in the Drill Hall Precinct, as specified below:

- Installation of twelve, 8-metre tall light poles (four poles each court), with LED floodlights affixed to each pole;
- Installation of a new electricity service to facilitate the use of the floodlights.

Once installed, the courts would be lit to comply with AS2560.2.4 'Lighting for outdoor netball and basketball' and AS 4282 'Control of the obtrusive effects of outdoor lighting'.

The proposed action is to use the outdoor netball courts for sports training until 8.30 pm, on up to four evenings per week.

Approval is granted to the above action, subject to compliance with the following conditions:

NOTE

Works or activities other than those authorised by this approval, including changes to building configuration or use required to ensure compliance with codes, standards or regulations, are to be provided for separate planning approval from the Harbour Trust.

The Harbour Trust may, at its absolute discretion, revoke approval for the proposed action should the conditions of the approval at any time not be met.

The applicant must provide a copy of the Conditions of Consent to all contractors engaged to carry out the works as approved by this consent.

The contractors engaged by the applicant, to undertake the building works as per this consent, must comply and carry out the works in accordance with the Conditions of Consent.

Exemptions to certain NSW Laws afforded by SHFT Act: In the event that the property is no longer owned by the Harbour Trust, exemptions to certain NSW laws afforded by section 71 of the *Sydney Harbour Federation Trust Act 2001* may no longer apply and therefore, additional approvals may be required.

CONDITIONS 1-33

A: SITE SPECIFIC CONDITIONS

1. Use of the Outdoor Courts and Lighting

The outdoor courts are only to be used for practice and training purposes only. Practice and training may include school matches on school days.

Lighting usage is limited to Monday to Thursday (except public holidays), and only during the period from 1 March to 15 September every year (dates inclusive).

To assist in managing traffic impacts, there is to be an interval of at least 15 minutes between the end of each netball training session, and the start of the next training session, and/or start/finish times of training sessions should also be staggered. The purpose of these restrictions is to encourage the orderly turnover

of carparking spaces, thereby reducing congestion on local streets.

No more than twelve, 8-metre tall floodlights are to be installed (four floodlights for each of the three outdoor courts).

All floodlights are to be extinguished by 8.30 pm, or earlier if training finishes sooner.

The floodlights are to have the following specifications:

- The three floodlights that are closest to the Indoor Sports Centre are to be constructed on non-combustible materials;
- The Harbour Trust is to be provided with details of the new electrical services, including as built drawings and manuals for the switching system;
- Lights are to be constructed of non-combustible materials;
- Light levels must at all times comply with and not exceed AS2560.2.4 (lighting for outdoor) “Recreation or training and competition with few spectators” and AS4282 “Control of the obtrusive effects of outdoor lighting”;
- The lights are to be directed towards the netball courts, and not towards bushland, the Drill Hall or nearby residences;
- Following installation of the lights, they are to be tested for compliance with relevant Australian Standards and adjusted accordingly;
- If only one court is to be used, the eastern-most court (no 3), is to be used. If two courts are to be used, the eastern (no 3) and central (no 2) courts are to be used. The western-most court (no 1) is only to be used when all three courts are required to be used simultaneously. Only those courts that are in use may be illuminated; and
- The automated system for turning on and off the lights must be programmed so that lights are to be manually activated and only when natural light is insufficient for the safe use of the courts for sports. Lights must switch off automatically at 8.30 pm. This means that the lights would not be activated if training does not proceed for whatever reason (eg illness, poor weather, school holidays etc).

A lighting impact survey is to be conducted at the following milestones: at one-year, and three-years after the first use of the lights for formal training. The findings of the survey are to be provided to the Harbour Trust.

2. Amendment of Lease

Before works commence, the lease for the Drill Hall Precinct must be varied allow for the installation of floodlights to the outdoor netball courts, and for the courts to be used in the evenings. Council is to pay all costs associated with the variation of the lease.

3. Operational Management Plan

Mosman Council must prepare an Operational Management Plan (OMP) for the Drill Hall precinct, that as a minimum addresses operational matters identified in Section 8 of the Mosman Drill Hall Management Plan – Amendment 1. The OMP must address the coordinated management of the Drill Hall /Rawson Park Sport and Recreation Area, including the scheduling of activities. The OMP must be submitted to the Harbour Trust before the lights are first used for formal sports training.

Mosman Council must review the OMP on an annual basis for the first five years following the installation of the lighting on the outdoor courts. The review shall include consultation with key stakeholders, including Cross Street residents, relevant sports groups, and interested community groups.

The outcome of these reviews, including identified action items, is to be reported to the Harbour Trust.

The OMP, and periodical reviews, must be informed by the Transport Management Plan, and the ongoing monitoring of light, traffic, and noise, as required at **Conditions 1, 4 and 5**.

4. Transport Management Plan

Mosman Council must prepare a Transport Management Plan (TMP) that identifies physical and operational measures to manage access to and from the Drill Hall precinct, and which addresses the coordinated management of the Drill Hall /Rawson Park Sport and Recreation Area. The TMP must be submitted to the Harbour Trust before the lights are first used for formal sports training.

The TMP should also investigate potential traffic management measures on Cross Street and Drill Hall/Rawson car parks, including:

- Painting a dividing line down the centre of Cross Street;
- Providing bicycle route markings on Cross Street;
- Installing crossings/refuges for pedestrians;
- Installing speed humps across the entrance/exit to the Rawson Oval carpark;
- Installing signage that encourages vehicles to “slow down”;
- Conduct regular ranger patrols of Cross Street and the Rawson Oval carpark, during periods of peak utilisation to monitor driver behaviour and if necessary identify additional mitigation measures; and
- Installing a “stop” sign at the end of Cross Street where it meets Bradleys Head Road.

A traffic survey is to be conducted at the following milestones: at one-year, and three-years after the first use of the lights for formal training. The findings of the survey are to be provided to the Harbour Trust.

To help spread parking demand across local parking areas, signage is to be installed at suitable locations regarding the availability of parking at Alexander Ave/Croquet Lane.

5. Noise Management

The applicant must comply with relevant NSW EPA standards governing noise generation and the Noise Impact Assessment for the Mosman Drill Hall Precinct, prepared by Benbow Environmental, dated 30 August 2018.

The following are to be implemented to limit noise generated by users of the outdoor netball courts and Mosman Drill Hall Precinct more generally:

- Ensuring outdoor netball training ceases by 8.30 pm;
- Focusing evening netball activities on the eastern most courts where possible;
- Not using whistles during evening netball activities after 6 pm;
- Not using amplified sound systems in outdoor areas;
- Encouraging users of the precinct to depart the site promptly; and
- Erecting signs to encourage quiet behaviour when leaving the site.

Noise is to be monitored at the following milestones: at one-year, and three-years after the first use of the lights for formal training. The outcome of the monitoring is to be provided to the Harbour Trust.

B: GENERAL CONDITIONS

6. Lease/Licence

This planning permit only has effect if there is a signed lease or licence between the Harbour Trust (or any successive owner of the property) and the applicant relating to the proposed land and/or use.

In the event of any inconsistency between the conditions contained in this planning approval, and the conditions of any related lease or licence for the land and/or use, the lease or licence will prevail.

7. Approved Use

The outdoor courts shall be occupied solely for the approved use. No change of use or additional use of any part of the leased area shall take place without the Harbour Trust's approval. The use of the premises is limited to the approved days / hours of use.

8. Previous Approval

The previous approval (DA 2007/01) prohibited the installation of lighting at the outdoor netball courts. This planning approval supercedes that prohibition, and allows lighting (subject to conditions). In the event of any inconsistency, this planning approval prevails.

9. Appointment of a Principal Certifying Authority (PCA)

The applicant must engage and appoint a Principal Certifying Authority (PCA) prior to commencing works. The PCA must be a suitably accredited person (this person is to be accredited as an 'Accredited Certifier' under the *NSW Building Professionals Act 2005*). This person's accreditation is to be of a category which enables the holder to issue 'Construction Certificates' and 'Occupation Certificates' for the type of development proposed. The PCA will be responsible for endorsing and submitting relevant documentation required under this planning permit to the Harbour Trust. Based on the advice of the PCA the Harbour Trust will then issue a Construction Approval and Occupation Approval for the proposed action.

A copy of the person's current accreditation and relevant insurances are to be provided to the Harbour Trust prior to the commencement of works.

See **Condition 17** (Construction Approval), **Condition 28** (Supervision of works) and **Condition 31** (Occupation Approval) for further details.

10. Compliance with all relevant legislation, standards, regulations, codes and guidelines

All works are to be carried out properly and in accordance with the conditions of this approval, including compliance with all relevant legislation, standards, regulations, codes and guidelines. This may include (where relevant), but is not limited to:

- *National Construction Code (comprising the Building Code of Australia and Plumbing Code of Australia)*
- *All relevant Australian Standards*
- *Disability Discrimination Act 1992 (Cth)*
- *All relevant Occupational/Workplace Health and Safety requirements, including the Work Health and Safety Act 2011 (Cth)*
- *Protection of the Environment Operations Act 1997 (NSW)*
- *Building and Construction Industry Long Service Payments Act 1986 (NSW)*

- *Guidelines prepared by NSW WorkCover, Department of Environment and Climate Change (in relation to noise, hazardous materials, and potentially polluting activities)*
- *"Blue Book" ("Managing Urban Stormwater: Soils & Construction" (4th edition, Landcom, 2004)*
- *Provisional Fit-out and Planning Approval Guidelines (Harbour Trust)*
- *Draft Environmental Management Plan for the Drill Hall Precinct, dated 2008 (prepared by URS)*

11. Plumbing and Drainage

Any plumbing and drainage works must be carried out in accordance with the relevant legislation; including but not limited to the Plumbing Code of Australia, *Plumbing and Drainage Act 2011* and *Regulations 2012*. It is the responsibility of the plumber/person carrying out the works to ensure relevant documentation is submitted to NSW Fair Trading.

12. Hours of Work

The hours of construction for all works shall be restricted as follows:

- 7am and 5pm, Mondays to Fridays inclusive;
- 8 am to 1 pm Saturday.
- No works on Sundays and public holidays.
- No hammering or sawcutting before 7.30 am Monday to Friday or before 8.30 am on Saturday

Despite the above, works are to be scheduled to minimise interference with scheduled outdoor activities at the Drill Hall Precinct.

Unless otherwise approved construction vehicles, machinery, goods or materials shall not be delivered to the Drill Hall Precinct outside the approved hours of works.

Construction works are to comply with the NSW Interim Construction Noise Guideline prepared by Department of Environment and Climate Change NSW.

All works are to be undertaken in accordance with the NSW Department of Environment and Conservation Environmental Noise Control Manual – Construction Noise Criteria.

13. Signs for Building Sites

A sign must be erected in a prominent position on any work site on which building work or demolition work is being carried out:

- (a) Showing the name of the person in charge of the work and a telephone number at which that person may be contacted outside work hours; and
- (b) Stating that unauthorised entry to the work site is prohibited.

Any such sign shall be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

14. Parking on site during construction

Vehicles on Harbour Trust land are to be parked in accordance with Harbour Trust regulations and must not impede pedestrian or vehicular access.

Unauthorised vehicles must not stand or park in areas designed as no parking/standing or for disabled persons. Harbour Trust rangers and security patrol Headland Park (including the Drill Hall Precinct) every day and penalties will be issued under the *Sydney Harbour Federation Trust Act and Regulations 2001*.

15. Hazardous Materials and Contamination & draft Environmental Management Plan

The Drill Hall Precinct has a draft Environmental Management Plan (EMP) for the Precinct prepared by URS in 2008 that sets out the requirements for the management of the presence and potential presence of contaminants sub-surface environment at the site.

All works must comply with the EMP.

All persons engaged by the applicant to carry out the works must be made aware of the possible presence of hazardous or contaminated material in the vicinity of the site, the presence of hazardous materials in the sub floor of the building is unknown.

The applicant is to notify the Harbour Trust immediately if the proposed work involves, removes or modifies any unidentified hazardous materials. Any use, removal or modification of hazardous or dangerous materials is to be undertaken in accordance with relevant safe work practices, and all applicable standards relating to safe management of hazardous materials.

Hazardous materials must only be removed by a suitably qualified professional. Any removed hazardous materials must be disposed of appropriately and to a licensed facility.

Any soil removed as part of the works must be tested for the presence of contaminants. If the soil is confirmed to contain contaminants, it must be disposed of at a suitably licensed facility in accordance with the relevant Guidelines, Standards, Codes, Acts and Regulations that may apply.

16. Damage to Infrastructure – Buildings, Services and Public Areas

Contractors shall bear the cost of all restoration works to any property owned or managed by the Harbour Trust or any other authority damaged during the course of works. The contractor shall advise the Harbour Trust, in writing, of any existing damage to public or private property before the commencement of the works.

Any infrastructure displaced, damaged or destroyed by the works will be required to be replaced with like for like replacement infrastructure, in terms of colour, texture, materials and sizing.

C: PRIOR TO THE ISSUE OF A CONSTRUCTION APPROVAL

17. Construction Approval

The PCA is to endorse the documentation below and provide the Harbour Trust with a written statement endorsing the adequacy of any documentation required. Upon satisfactory receipt of this statement, the Harbour Trust will issue construction approval for the proposed development. Works are not to commence until the Harbour Trust issues construction approval.

Relevant documentation may include but is not limited to the following:

- **Architectural Plans for all works**
Two sets of architectural plans, reflecting this application approved by the Harbour Trust but incorporating any changes required as detailed in conditions of consent. One set of plans should be coloured to indicate the extent of new works.
- **National Construction Code (NCC) statement**
A statement detailing how the performance requirements of the NCC are to be complied with.
- **Fire Safety Schedule**
Should the proposed works require any additional fire safety measure or any modifications to the fire safety measures provided, an updated fire safety schedule and certificate must be provided
- **Services**
Details of all new building services, and any changes to existing site and building services. This includes but is not limited to electricity, telecommunications, water, waste water, air conditioning and fire services.
- **Specifications and Manuals**
Specifications for new works and services that describe the construction and materials to be used. Give particulars for any second hand materials to be used. Provide a description of any accredited components, processes or designs and copies of any compliance certificates to be relied upon.
- **Construction Environmental Management Plan**
As detailed in **Condition 18** below

- Compliance with the conditions of consent as required prior to the issue of the Construction Approval.

Upon receipt all documentation required by this permit, the Harbour Trust will issue a **Construction Approval**, allowing works to commence on site.

18. Construction Environmental Management Plan

A detailed construction management plan is to be submitted to the Harbour Trust prior to the issue of a Construction Approval. The plan is to include:

- Detailed works program;
- Site management plan;
- Methodology for undertaking works in the vicinity of existing services and infrastructure;
- Number and type of construction vehicles and machinery;
- Detailed construction traffic management plan including access vehicle access routes and where vehicles, plant and equipment are proposed to park during the works, access arrangements and traffic control measures;
- Number of construction personnel; and
- How pedestrian access will be managed and maintained throughout the works;
- Number and type of construction vehicles and machinery to be brought onto the site throughout the project;
- How pedestrian access will be managed and maintained throughout the works;
- The collection, removal and disposal of debris in accordance with EPA waste disposal practices;
- Control and minimisation of dust, noise and fumes generated with the works; and
- Neutralisation of any chemicals used with the works in accordance with NSW EPA legislation, regulations and guidelines.

A copy of the CEMP is to be reviewed by the applicant and their accredited certifier for consistency with the conditions of this permit, before being provided to the Harbour Trust prior to the issue of Construction Approval.

19. Safe Works Method Statement and Project Safety Plan

A detailed Safe Work Method Statement (SWMS) and Project Safety Plan is to be prepared, reviewed by the applicant and their accredited certifier, before being provided to the Harbour Trust prior to the issue of Construction Approval.

Safe Work Method Statement:

The Safe Work Method Statement (SWMS) must address all aspects of the specific works and meet relevant Occupational/Workplace Health and Safety standards including WorkCover requirements and Australian Standards, detailing procedures that will be put in place throughout the works to ensure the safety of workers and people within adjacent public areas.

All contractors undertaking works must be nominated in the SWMS. The head contractor must have a copy of this on site for the duration of the works.

Project Safety Plan

This plan is to include WH&S measures for the personnel working on site, Emergency First Aid procedures, First Aid Stations, nearest hospitals route maps, etc and Risk Assessment & Management Plan including Job Safety Analysis & Work Method Statements for each step of the works to be carried out.

20. Public Liability Insurance

Public Liability Insurance to the value of \$20,000,000 per occurrence must be taken out by the builder to protect any person, firm or company from injury, loss or damage sustained as a consequence of the carrying out of site works. Copies of the policies must be provided to the Harbour Trust upon request.

D: PRIOR TO AND/OR DURING WORKS**21. Notification of works commencing**

The Harbour Trust must be notified at least 5 business days prior to works commencing.

This will provide sufficient time for Harbour Trust staff to review supplied documentation, and to arrange for site inductions and meetings with contractors prior to the commencement of works.

Works must not commence until after the Harbour Trust has acknowledged receipt of all documentation required by this consent.

22. Site Access, Induction and sign in

All contractors involved the works are to be inducted by Harbour Trust rangers.

23. Protection of Adjoining Areas

Prior to the commencement of any works, a temporary hoarding, fence, awning or safety tape must be erected between the work site and adjoining public areas and private areas potentially affected by the works. This must be removed when the work has been completed.

24. Protection of Heritage Assets

All works should be carried out in such a manner which does not adversely impact on the heritage significance of the site.

25. Potential Archaeological Remains

All persons engaged by the applicant working on the site are to be made aware of the possible presence of archaeological remains.

If archaeological remains are uncovered, work is to cease immediately and the Harbour Trust is to be informed. The remains are not to be removed or disturbed in any way but will be fully recorded.

26. Protection of Flora and Fauna

The works are to be carried out using all the necessary mitigation measures to ensure that the construction process has minimal impact on nearby vegetation. Any displaced native vegetation will be replanted where possible.

No soil or vegetation is to be brought on site without approval from the Harbour Trust.

No domestic pets or other animals are to be brought on to the site. Native birds and animals are not to be fed.

27. Protection of Trees

The existing avenue of poplar trees along the driveway are to be retained. The trees and their root systems are to be protected during excavation/construction works.

28. Supervision of Building Works

To ensure building works are carried out properly and in accordance with the conditions of this consent, with the Building Code of Australia and/or with relevant Australian Standards, the applicant is to appoint

a suitably accredited person to supervise the proposed works.

This person is to be accredited as an 'Accredited Certifier' under the NSW *Building Professionals Act 2005*. Their accreditation is to be of a category which would enable them to perform this role. (Their function can be understood to be equivalent to a 'Principal Certifying Authority' under NSW planning legislation.)

A copy of the person's current accreditation and relevant insurances are to be provided to the Harbour Trust.

This person is to provide the Harbour Trust with documentary evidence of compliance with the relevant terms of the approval/standards of construction detailed in the Building Code of Australia, prior to proceeding to the subsequent stages of construction, encompassing (where relevant), but not limited to the following stages:

- All sediment and erosion control and tree protection measures and installations in place on the site prior to the commencement of any earthworks, excavations or other work.
- Any pier holes.
- Any foundation material before the placement of any component of this structure.
- Trenches and pier holes with reinforcing steel in position but before concrete is poured.
- All reinforcement of floors, slabs, columns, beams and stairs.
- Any structural components (i.e. timber framework, structural steelwork or the like) before fixing any lining or covering.
- Wet area damp-proofing and flashing before covering.
- Any drainage lines including any agricultural subsoil drainage lines (if these are a component of this project) prior to any covering or filling.
- The completed landscape works in accordance with the approved plans.
- The completed structure ready for Occupation Certificate.

E: PRIOR TO USE OF THE FLOODLIGHTING

29. Testing of Lights

Following installation of the lights, they are to be tested for compliance with relevant Australian Standards and adjusted accordingly.

30. Upon Completion of Works

Immediately following the finalisation of the works, a site inspection will be arranged between Harbour Trust staff and the appointed contractor to ensure that the Harbour Trust is satisfied with how the works have been undertaken.

31. Completion of Works – Occupation Approval

Immediately following the finalisation of all works, copies of all relevant documentation must be submitted for the Harbour Trust's approval. Relevant documentation may include but is not limited to:

- Statement of Compliance with NCC. Amongst other matters, the statement must specifically address:
 - Structural Certification;
 - Waterproofing certification;
 - Electrical Certification;
 - Plumbing Certification;
 - Fire Safety Certificate;
 - NCC Compliance statement;

- Statement of Compliance with Conditions of Approval;
- Completion Statement issued by the Private Certifier with responsibility for certifying the works; and
- Specifications and Manuals (including for the new floodlights).
- If any hazardous materials were encountered, statements/certificates demonstrating their appropriate treatment/disposal.
- Final as-built plans (must be provided in pdf and dwg format).

Upon satisfactory receipt of all required documentation, the Harbour Trust will issue an Occupation Approval authorising the use of the floodlights at the outdoor courts.

F: ONGOING OPERATION

32. Reversal of Works

At the end of the tenancy, the Harbour Trust may require the tenant to make good any works in accordance with the executed lease.

G: LAPSING OF CONSENT

33. Lapsing of Consent

Works must commence within 1 year of the date of this approval, otherwise this approval will lapse, unless agreed in writing by the Harbour Trust.
