

<b>JRPP Ref. No.</b>	<b>2010SYE081</b>
<b>D/A No.</b>	<b>DA-527/2010</b>
<b>Property</b>	<b>Lot G1 DP 400451, Lot 1 DP 35579, Lot 38 DP 14007, Lot 1 DP 125540, Lot 17 DP 660637 and Lot L DP 414108, No. 23 Roseland Avenue, Roselands</b>
<b>Proposal</b>	<b>Demolition of the existing club building and the construction of a new club premises, retention of one existing bowling green and the construction of a new synthetic bowling green, new car parking area for 143 vehicles, revised access arrangements and associated landscaping</b>
<b>Zoning</b>	<b>Private Recreation 6(b) under the Canterbury Planning Scheme Ordinance</b>
<b>Applicant/Owner</b>	<b>Mingara Recreation Club Limited</b>
<b>Report By</b>	<b>Stephen Pratt - Team Leader, Development Assessment</b>

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### **SUPPLEMENTARY REPORT**

#### **Introduction**

As noted in the original report to the Joint Regional Planning Panel, the peer review with respect to the acoustical aspects of the development had not been completed. Further, the revised access arrangements for Roselands Drive to address previous safety concerns were to be forwarded to Council's Local Traffic Committee for consideration.

The Secretariat of the Joint Regional Planning Panel advised that these aspects of the proposed development should be the subject of a supplementary report to be submitted prior to the Joint Regional Planning Panel Meeting on 16 March 2011. The subject report now deals with these aspects of the proposal.

#### **Acoustical Considerations**

The development application was accompanied by an Acoustical Assessment Report prepared by Acoustic Logic Consultancy Pty Ltd. The report made certain conclusions that are contained within the original report to the Joint Regional Planning Panel on this matter.

In accordance with Council's usual practice, the acoustic report was forwarded to an independent acoustic consultant (Noise and Sound Services) for peer review. The peer review concludes that subject to conditions, no objections are raised to the proposed development on acoustic grounds. The specifics of the proposed conditions relate to hours of operation, treatment of mechanical plant and the use of live music.

The peer review concluded that insufficient information was provided to permit the hours of operation sought by the applicant. It was concluded that a noise

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assessment (including the car park noise) should be provided that includes a screening test for the assessment of sleep disturbance for early Saturday and Sunday mornings in line with the requirements of Section 2.2.4 of the Noise Guide for Local Government (2010). This information has not been provided and as such, the club premises should only be permitted to operate up to 10.00pm each evening.

It is acknowledged that the existing club premises operate beyond 10.00pm on some evenings. Given these circumstances, it is reasonable to allow some relaxation to the above hours of operation (to 10.00pm each evening) and in this regard, it is recommended that the facility be permitted to operate 9.00am to 10.00pm, Sunday to Thursday and 9.00am to 11.00pm, Friday and Saturday.

However, the additional noise and the potential sleep disturbance generated by the proposed development from the late night use of the car parking areas (and having regard to the increase in the overall number of car parking spaces on site from the existing 80 car parking spaces to the proposed 143 car parking spaces) needs to be further considered. Any further relaxation of the proposed hours beyond 11.00pm on Friday and Saturday is not warranted without the submission of additional screening tests required by the peer reviewer.

Conditions relating to the mechanical plant and use of live music within the premises are listed in the draft conditions of consent below.

### **Access Arrangements**

Council's Local Traffic Committee considered a report on the revised access arrangements to Roselands Drive proposed as part of this development application, where at its meeting of 7 March 2011, resolved to accept the revised access arrangements off Roselands Drive and revised pedestrian access provisions in lieu of a roundabout. The proposed access arrangements also require the construction of two median strips on Roselands Drive to further discourage right turn movements into and out of the subject site.

The list of amended conditions contained below includes an additional condition requiring the provision of the medians in Roselands Drive as required by the Local Traffic Committee with details to be provided to the Local Traffic Committee for approval prior to the release of the Construction Certificate.

### **Draft Conditions of Consent**

Following preparation of the original report to the Joint Regional Planning Panel for the subject item, Council has liaised with the applicant regarding the proposed conditions. This process has resulted in the revision and deletion of a number of draft conditions. A list of revised conditions as generally agreed by the parties and those taking into account the matters dealt with in the subject report are contained in the recommendation below.

### **Conclusion**

The proposed redevelopment of the site is not expected to have any detrimental impacts on the amenity of the locality and is considered to be a suitable

development of the site. It is recommended that the development application be approved, subject to conditions.

**RECOMMENDATION:**

THAT the Joint Regional Planning Panel approve DA-527/2010 for the demolition of the existing club building and the construction of a new club premises, retention of one existing bowling green and the construction of a new synthetic bowling green, new car parking area for 143 vehicles, revised access arrangements and associated landscaping, subject to the following conditions:

**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

1. The following must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate:

1.1. Details of:

- Structural Engineering Plan
- Building Specifications
- Fire Safety Schedule
- Landscape Plan
- Hydraulic Plan
- Sydney Water Notice of Requirements
- Mechanical ventilation
- Energy Efficiency and design certification to comply with Section J of the Building Code of Australia

1.2. Evidence of compliance with Condition Nos. 10, 11, 29, 31, 62, 64, 65, 66, 67, 68, 69, 71, 81, 82, 87 and 90 of this consent.

1.3. Payment of the Long Service Leave Levy to the Long Service Leave Corporation or to Council.

1.4. Payment to Council of:

Kerb and Gutter Damage Deposit	\$2662.00
Certificate Registration Fee	\$30.00
Long Service Levy	\$47,460.00

1.5. If you appoint Council as your Principal Certifying Authority, the following fees are payable:

Construction Certificate Application Fee	\$24,127.00
Inspection Fee	\$6636.00
Occupation Certificate Fee	\$2362.00

Note 1: Long Service Leave is payable where the value is \$25,000 or more under Part 5 Section 36 of the Building and Construction Industry Long Service Payments Act 1986.

Note 2: If you appoint a Principal Certifying Authority other than Council, the fees shown in the fee quote attachment do not apply, however other fees will apply.

Note 3: When the items in this condition are provided and have been assessed as satisfactory, your Construction Certificate will be posted to you.

Note 4: All fees referred to above are subject to change. You need to refer to our website or contact our Customer Service Centre for a current schedule of fees prior to payment.

#### BEFORE COMMENCING THE DEVELOPMENT

2. Before the erection of any building in accordance with this Development Consent;
  - 2.1. detailed plans and specifications of the building must be endorsed with a Construction Certificate by the Council or an Accredited Certifier, and
  - 2.2. you must appoint a Principal Certifying Authority (either Canterbury City Council, or an Accredited Certifier) and notify the Council of the appointment (see Attachment – Notice of Commencement copy), and
  - 2.3. you must give the Council at least 2 days notice of your intention to commence erection of the building (see Attachment – Notice of Commencement copy).
  - 2.4. In the case of work which includes residential development, you must inform us in writing before the commencement of work of the following:
    - 2.4.1. The name and contractor or licence number of the licensee who has contracted to do or intends to do the work; or
    - 2.4.2. The name and permit number of the owner-builder who intends to do the work.

#### INSURANCE

3. If it is intended to engage a builder or licensed contractor to do the work where it is valued over \$12,000 and is not a multi storey building then this person must take out home building insurance with a private insurer. The builder or person doing the work must also satisfy Council that they have taken out an insurance policy by producing evidence of the insurance certificate or other documentation. Further information on insurance requirements is available from the Department of Fair Trading (NSW Consumer Protection Agency) on 1800 802 055.

#### SITE SIGNAGE

4. A sign shall be erected at all times on your building site in a prominent position stating the following:
  - 4.1. The name, address and telephone number(s) of the principal certifying authority for the work, and
  - 4.2. The name of the person in charge of the work site and a telephone number at which that person may be contacted during and outside working hours, and
  - 4.3. That unauthorised entry to the work site is prohibited.

#### DEMOLITION

5. Demolition must be carried out in accordance with the following:
  - (a) Demolition of the building is to be carried out in accordance with applicable provisions of Australian Standard AS 2601-2001: The Demolition of Structures and the Construction Safety Act Regulations.
  - (b) The demolition of a structure or building involving the removal of dangerous or hazardous materials, including asbestos or materials containing asbestos must be carried out in accordance with the requirements of the Workcover Authority of New South Wales (Ph. 9370 5099 – Asbestos Hotline).
  - (c) Demolition being carried out in accordance with the requirements of the Occupational Health and Safety Regulation 2001.

- (d) A hoarding or fence must be erected between the building or site of the building and the public place, if the public place or pedestrian or vehicular traffic is likely to be obstructed or rendered inconvenient because of the carrying out of the demolition work.
- (e) Demolition of buildings is only permitted during the following hours:  
7.00 a.m. – 5.00 p.m.        Mondays to Fridays  
7.00 a.m. – 12.00 noon       Saturdays  
No demolition is to be carried out on Sundays or Public Holidays.
- (f) Burning of demolished building materials is prohibited.
- (g) Adequate care is to be taken during demolition to ensure that no damage is caused to adjoining properties.
- (h) Soil and water management facilities must be installed and maintained during demolition in accordance with Council's Stormwater Management Manual. If you do not provide adequate erosion and sediment control measures and/or soil or other debris from the site enters Council's street gutter or road you may receive a \$1500 on-the-spot fine.
- (i) Council's Soil and Water Management warning sign must be displayed on the most prominent point on the demolition site, visible to both the street and site workers. The sign must be displayed throughout demolition.
- (j) The capacity and effectiveness of soil and water management devices must be maintained at all times.
- (k) During the demolition or erection of a building, a sign must be provided in a prominent position stating that unauthorised entry to the premises is prohibited and contain all relevant details of the responsible person/company including a contact number outside working hours.
- (l) A sign is not required where work is being carried out inside, or where the premises are occupied during the works (both during and outside working hours).
- (m) Toilet facilities must be provided to the work site in accordance with WorkCover's NSW "CODE OF PRACTICE" for Amenities for construction work and any relevant requirements of the BCA.
- (n) Removal, cleaning and disposal of lead-based paint conforming to the current NSW Environment Protection Authority's guidelines. Demolition of materials incorporating lead being conducted in strict accordance with sections 1.5, 1.6, 1.7, 3.1 and 3.9 of Australian Standard AS2601-2001: Demolition of Structure. Note: For further advice you may wish to contact the NSW Community LEAD Advisory Service on 9716 0132 or 1800 626086 (freecall).
- (o) Hazardous dust not being allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended.
- (p) Any existing accumulations of dust (eg. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during

adverse winds, which may cause dust to spread beyond the site boundaries.

GENERAL

6. The development being carried out substantially in accordance with plans referenced Drawing 1.00 to 7.00, dated 13 September 2010 and drawn by Graphite Architects except where amended by the conditions of consent.
7. All activity being conducted so that it causes no interference to the existing and future amenity of the adjoining occupations and the neighbourhood in general by the emission of noise, smoke, dust, fumes, grit, vibration, smell, vapour, steam, soot, ash, waste water, waste products, oil, electrical interference or otherwise.
8. All materials must be stored wholly within the property boundaries and must not be placed on the footway or roadway.
9. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights must be observed at all times. Where damage occurs to adjoining property, all necessary repair or suitable agreement for such repairs are to be undertaken by the applicant in consultation with, and with the consent of, the affected property owner prior to the issue of an Occupation Certificate.
10. Full details of the proposed boundary fencing being submitted to Council for approval prior to the issue of a Construction Certificate. All fencing shall be erected in materials which are compatible with the construction materials and colour scheme to be used in the development.
11. The applicant shall prepare and submit, as part of the documentation for a Construction Certificate, a Construction Management Plan. This plan shall include the following:
  - (a) details of proposed hours of work and contact details of the site manager;
  - (b) proposed method of access to and egress from the site for construction vehicles;
  - (c) proposed method of loading and unloading of excavation and construction machinery and building materials;
  - (d) proposed areas within the site to be used for the storage of excavated materials, construction materials, waste storage containers and construction vehicles during the construction period;
  - (e) proposed traffic management measures to ensure safe ingress and egress from the site;
  - (f) proposed method of support to any excavation adjacent to adjoining properties or the road reserve;
  - (g) proposed methods to remove loose material from all vehicles and machinery before entering the road reserve and any run-off from the washing of vehicles and associated sediment control measures.
12. All building construction work must comply with the Building Code of Australia.

#### ENVIRONMENTAL HEALTH

13. All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act 1997.
14. The Management shall ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. The Management shall be responsible for the control of noise and litter generated by patrons of the premises and shall ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council.
15. No construction work outside the hours of Monday to Friday, 7.00 a.m. to 5.00 p.m. and Saturday, 7.00 a.m. to 12.00 noon, is permissible without the prior approval of Council. Noise from construction activities associated with the development shall comply with the following guidelines (from NSW Environment Protection Authority Environmental Noise Control Manual Chapter 171).  
Construction periods of 4 weeks and under:  
The LA10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background (LA90) noise level by more than 20dB(A) when assessed to the any sensitive noise receiver.  
Construction periods greater than 4 weeks and not exceeding 26 weeks:  
The LA10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background (LA90) noise level by more than 10dB(A) when assessed to the any sensitive noise receiver.
16. Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
17. Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could lead to the discharge of materials into the stormwater drainage system.
18. All vehicles carrying materials to or from the site having their loads covered at all times with tarpaulins or similar covers in accordance with the Roads (General) Regulation 2000, Section 11 (1) (d).
19. Council's warning sign for Soil and Water Management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction.
20. The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
21. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.
22. The construction site must have soil and water management controls implemented as described in Specifications S1 and S2 of Council's Stormwater Management Manual.

23. Concrete pumping contractors must not allow the discharge of waste concrete to the stormwater system. Waste concrete must be collected and disposed of on-site.
24. Materials must not be deposited on Council's roadways as a result of vehicles leaving the building site.
25. Drains, gutters, roadways and accessways must be maintained free of soil, clay and sediment. Where required, gutters and roadways must be swept regularly to maintain them free from sediment. Do not hose down.
26. The site must be provided with a vehicle washdown area at the exit point of the site. The area must drain to an approved silt trap prior to disposal to the stormwater drainage system in accordance with the requirements of Specification S2 of Council's Stormwater Management Manual. Vehicle tyres must be clean before leaving the site.
27. A single entry/exit point must be provided to the site which will be constructed of a minimum of 40mm aggregate of blue metal or recycled concrete. The depth of the entry/exit point must be 150mm. The length will be no less than 15m and the width no less than 3m. Water from the area above the entry/exit point shall be diverted to an approved sediment filter or trap by a bund or drain located above.
28. Suitable site storage, handling and disposal of waste material arising upon the premises. Disposal options may include recycling, removal by private contractor, or by Council Trade Waste Services. Further information is available on 9789-9392.

#### ACOUSTICS

29. The development shall be carried out in accordance with the recommended treatments and controls contained in Section 7 and 8 of the Environmental Noise Assessment Report prepared by Acoustic Logic (Document Reference – 2010242/0809A/R1/MAS) submitted with DA-527/2010.
30. The hours of operation of the development shall be limited to 9:00 am to 10:00 pm, Sunday to Thursday (and Public Holidays) and 9:00 am to 11:00 pm, Friday and Saturday.
31. Prior to the issue of a Construction Certificate, an acoustical assessment report should be provided for all mechanical plant. The report shall include the sound power level specifications for proposed mechanical plant and advise if the plant is tonal or intermittent in line with the requirements of the NSW Government's Industrial Noise Policy (2000). The noise from the mechanical plant must not exceed noise level objectives as given in the Report (Table 5) and take into account the cumulative effect of the combination of all noise emissions from the development. The report shall be prepared by a suitably qualified and experienced acoustic practitioner (e.g. a member of the Australian Acoustical Society, the Institution of Engineers, working within a firm that is a member of the Association of Australian Acoustical Consultants or a person with other appropriate professional qualifications)
32. Live amplified music is to consist only of a piano player or a single guitarist as specified in Section 5.1 of the acoustic report referred to in Condition 30 above. No live music with bands, drums (acoustic or electric) or bass instruments shall be permitted. The live music



shall not exceed the octave band spectrum stated in Table 10 of the report when measured 4 metres from any loudspeaker or musical instrument. Recorded music should not exceed the octave band spectrum stated in Table 8 of the report when measured 1 metre from any loudspeaker.

33. Within thirty (30) days of the commencement of operations of the use of the premises, an acoustic compliance test is to be carried out by an acoustic engineer without the prior knowledge of the Management of the premises at the applicant's expense. Council will make arrangements for access to the nearest residential premises and a Council Officer will be in attendance during the testing procedure. The compliance test is to determine the effect the activities on the amenity of the residential neighbourhood. If the effectiveness of the measures implemented to minimise any noise do not meet the required standard, then additional works need to be undertaken to bring the premises up to the required standard as recommended by the acoustic engineer.

#### FOOD PREMISES

34. Provide a rigid smooth faced impervious ceiling over the food preparation, cooking and serving areas. The surface finish shall be free of open joints, cracks, crevices or openings with the intersection of the walls and ceiling being tight jointed, sealed and dustproof.
35. The light fittings being installed flush with the ceiling, or alternatively, provided with approved diffuser covers, and constructed and installed so as to be easily cleaned.
36. The floor of the food preparation area being finished with an approved rigid impervious material coved to a minimum radius of 25mm at the intersection with the walls.
37. All walls where not tiled shall be cement rendered to a smooth even surface and painted with a light coloured washable paint.
38. The walls at the rear and sides of the wash hand basin being finished with glazed ceramic tiles or other material, in accordance with the Australian New Zealand Food Standards Code, evenly laid from the floor to a height of at least 450mm above the fitting.
39. The butting together of fittings such as refrigerator cabinets, counters, sinks, stoves, where inaccessible crevices are created is not permitted. Such crevices including those between fittings and walls are to be provided with a cover flashing, or sealed with a non-setting caulking compound. Where a space is provided between fittings, such space must be at least 75mm for fittings up to 750mm in width and at least 150mm for fittings wider than 750mm.
40. All plinths being coved to a minimum radius of 25mm at the intersection with the walls and floor.
41. All stoves, ranges, deep fryers and similar heating appliances being sealed to the walls or kept at least 200mm clear of the walls.
42. The stainless steel bench being located not less than 100mm clear of the wall or, alternatively sealed into the wall in such a manner as to be vermin-proof.
43. All crevices between fittings and walls and between fittings and floors or plinths are to be sealed against access by vermin, liquids, grease, with a non-setting caulking compound.

44. A wash hand basin is to be provided in an approved position in the food preparation area connected to both hot and cold water as required by the Australian New Zealand Food Standards Code (Standard 3.2.3). Provide/maintain dispensable soap and single use towels or other suitable hand drying facilities near the wash hand basin.
45. Approved washing facilities in the form of sinks and tubs with an adequate supply of hot and cold water (the hot water to be at a temperature of not less than 45°C) are to be provided in the food preparation area for the purpose of cleaning all receptacles, implements, articles, utensils, tools of trade, benches, fittings, machinery and appliances.
46. An appliance used for the storage of hot or cold food, which is being stored for sale, shall be provided with numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius, the sensing element of which is located:
  - (i) in the case of an appliance used for the storage of hot food - so as to measure the air temperature in the coolest part of the appliance; or
  - (ii) in the case of an appliance used for the storage of cold food - so as to measure the temperature in the warmest part of the appliance, and so as to be able to read easily from outside the appliance.
47. Detailed plans of the coolroom construction shall be submitted to Council for approval prior to installation. Such plans shall indicate the position of motors and compressors.
48. The coolroom shall be constructed with a concrete floor finished to a smooth even surface and graded to drain to the door. A sanitary floor waste shall be located outside the coolroom.
49. All internal intersections and external intersections of the floor with walls of the coolroom shall be coved to a minimum radius of 25mm.
50. The coolroom being capable of operating so that all food capable of supporting rapid bacterial growth is kept cold at a temperature of not more than 5°C and the coolroom being provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius and able to be easily read from the outside.
51. Storage racks of the coolroom shall be constructed of galvanised steel or other approved material all of which shall be treated to prevent corrosion. Racks may be fixed or free standing, the lowest shelf shall be at least 300mm clear of the floor.
52. Provision shall be made for the storage of cleaning chemicals, equipment and staff personal belongings.
53. The premises being made proof against the access of rats and vermin.
54. All openings in walls, floors and ceilings through which service pipes pass being made proof against access of vermin.
55. All putrescible waste must be stored in approved, lidded, flyproof containers. Proper arrangements such as waste paper bales and stands are to be provided for any waste paper or cardboard.
56. A sufficient number of approved garbage receptacles must be provided on the premises for the storage of garbage and trade waste. Such receptacles are to be fitted with close fitting and flyproof lids.

57. The mechanical ventilation system must comply with Australian Standard AS1668.2-1991. The use of mechanical ventilation and air conditioning in buildings. Details and specifications being submitted to the Principal Certifying Authority with the application for a construction Certificate. At the completion of the installation of the mechanical ventilation system, provide the Principal Certifying Authority with a certificate from the installer, the certificate must include:
- (a) inspection, testing and commissioning details,
  - (b) date of inspection testing and commissioning,
  - (c) the name and address of the individual who carried out the test,
  - (d) statement that the service has been designed, installed and is capable of operating to the above standard.
58. A copy of the Permission to Discharge Trade Wastewater must be obtained from Sydney Water and a copy provided to the Principal Certifying Authority with the application for the Construction Certificate. The Wastewater Source Control office is on Level 2, 432 Victoria Avenue, Chatswood 2067, telephone 131110. A Trade Waste Agreement must be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.
59. Construction/outfitting of the premises in accordance with the Australian New Zealand Food Standards Code and Council's Food Premises Code wherever any articles of food or drink are to be sold. Details of compliance with the above requirements shall be provided with the application for the Construction Certificate.

#### CAR PARKING AND ACCESS

60. One hundred and forty-three (143) off-street parking spaces being provided in accordance with the submitted plans to the satisfaction of the Principal Certifying Authority. Such spaces to be sealed, line marked and made freely available at all times during business hours for staff and customers.
61. Of the one hundred and forty-three (143) off-street car parking spaces provided, six (6) spaces will be accessible parking spaces suitable for use by people with disabilities. The accessible parking spaces must comply with the dimensions of AS 2890.1 and have a firm, level surface with minimal crossfall. These spaces must be marked with the international symbol of disability.
62. A total of 14 bicycle spaces and 5 motorcycle spaces shall be provided to cater for the proposed development, located adjacent to the entrance to the facility. In this regard, details shall be provided with the application for the Construction Certificate for further provision of bicycle parking spaces in the event that future demands dictate that additional bicycle parking is required in accordance with the requirements of DCP 20.
63. Adequate lighting (to AS 1158.3.1:1999 standards) being provided and maintained in the car parking areas.
64. Two concrete median strips shall be constructed immediately adjacent to the proposed access driveways on Roselands Drive to prevent right turn movements in and out of the subject site. Details of the proposed

medians shall be provided for approval of Council's Local Traffic Committee prior to the issue of the Construction Certificate.

#### CRIME PREVENTION MEASURES

65. All recommendations contained within the Crime Prevention Through Environmental Design Report prepared by Urbis submitted as part of the DA- 527/2010 shall be implemented as part of the construction and on-going operations of the development. Where required, details shall be provided with the application for the Construction Certificate.
66. The applicant shall prepare a revised Plan of Management addressing the safety and security of the club and its patrons. The revised Plan of Management shall be forwarded as part of the documentation provided with the application for the Construction Certificate.
67. Proactive security measures, including CCTV cameras being provided to ensure that the premises and surrounding areas are monitored at all times. Details shall be provided with the application for the Construction Certificate.
68. The building and surrounding structures shall be treated with anti-graffiti paint (or by acceptable alternative means) to deter graffiti offenders targeting the building and its perimeter. Details shall be provided with the application for the Construction Certificate.

#### DISABILITY ACCESS

69. All measures identified in the Access for People with Disabilities Report prepared by Graphite Architects submitted as part of the DA- 527/2010 shall be implemented and where required, details shall be provided with the application for the Construction Certificate.
70. To assist persons who use a wheelchair, tables used within the main dining room and alfresco dining areas shall comply with the requirements of AS1428.2 Part 2, Design for Access and Mobility, Clause 24 Furniture and Fitments.

#### WASTE MANAGEMENT

71. The applicant shall prepare and submit, as part of the documentation for the Construction Certificate, a Waste Management Plan to the PCA identifying those materials to be recycled, those materials to be re-used and those materials to be disposed of in accordance with the requirements of Council's Development Control Plan No. 48. A maximum amount of materials shall be recycled or reused.

#### GEOTECHNICAL MATTERS/LAND CONTAMINATION

72. Demolition and construction works associated with the development, shall be carried out in accordance with the recommendations contained within the Preliminary Environmental Site Assessment Report prepared by Environmental Investigation Services dated May 2010 submitted with DA-527/2010, and specifically:
  - (a) After demolition of the building but prior to the commencement of construction of the development, an additional environmental site assessment, meeting the minimum sampling density as recommended in the NSW EPA Sampling Design Guidelines, being conducted.
  - (b) Prior to the commencement of demolition works, a survey of hazardous building materials to be carried out.

- (c) Inspections by suitably qualified personnel shall be carried out during demolition and construction to assess unexpected conditions.
  - (d) If garden areas are proposed in areas where concentrated levels of arsenic are found, then soil should be removed and replaced with clean soil.
73. Any new information which comes to light during demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.

#### ENGINEERING

74. The stormwater system shall generally be constructed in accordance with the plans, specifications and details prepared by Meinhardt Infrastructure and Environment, received by Council on 17 February 2011 and referenced as follows:

Project Number	Drawing Number	Revision Number	Date
104429-00	MIE006	F	8/2/2011
104429-00	MIE007	F	8/2/2011
104429-00	MIE010	D	8/2/2011
104429-00	MIE011	D	8/2/2011
104429-00	MIE012	C	8/2/2011
104429-00	MIE015	F	8/2/2011

75. A Works-as-Executed plan must be submitted to Canterbury City Council at the completion of the works, the plan must clearly illustrated dimensions and details of the site drainage and the OSD system. The plan shall be prepared by a registered surveyor or an engineer. A construction compliance certification must be provided prior to the issuing of the Occupation Certificate to verify, that the constructed stormwater system and associate works has been carried out in accordance with the approved plan(s), relevant codes and standards. The required certification must be issued by an accredited professional in accordance with the accreditation scheme of the Building Professional Board issued 1 March 2010. An appropriate instrument must be registered on the title of the property, concerning the presence and ongoing operation of the OSD system as specified in appendix 7.5 of Council's Stormwater Management Manual – Specification 9.
76. A full width heavy duty vehicular crossing shall be provided at each vehicular entrance to the site, with a width at the boundary line complying with the requirements of Australian Standard AS 2890.1-2004 Off Street Car Parking. This work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
77. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
78. The levels of the street alignment are to be obtained by payment of the appropriate fee to Council. These levels are to be incorporated into the

designs of the internal pavements, carparks, landscaping and stormwater drainage. Evidence must be provided that these levels have been adopted in the design. As a site inspection and survey by Council is required to obtain the necessary information, payment is required at least 14 days prior to the levels being required.

79. A qualified practicing Civil Engineer shall design the pavements and certify that all driveways, parking and service areas have been constructed in accordance with the approved specifications. Design to be carried out in accordance with AUS-SPEC #1 Specification 0042 Pavement. Construction is to be carried out in accordance with appropriate AUS-SPEC #1 Specifications: 1141-Flexible Pavements; 1144-Asphaltic Concrete; 1132-Mass Concrete Subbase; 1133-Plain or Reinforced Concrete Base; 1145-Segmental Paving; 1146-Bituminous Microsurfacing.
80. All internal driveways, circulation roadways, parking modules and parking spaces are to be designed and constructed in accordance with the requirements of Australian Standard AS 2890.1 - 2004 "Off-street Parking Part 1 - Carparking Facilities".
81. Prior to the issue of any Construction Certificate a Deed of Agreement is to be entered into by the applicant and the owners of Roselands Drive, formally acknowledging a permission to connect a site stormwater discharge pipe to the existing stormwater infrastructure in Roselands Drive, and acknowledging a permission to drain water through that infrastructure. The Deed of Agreement is to acknowledge the requirement on the part of the owners of Roselands Drive to provide for an alternate gravity fed drainage solution in the event that the existing stormwater infrastructure is altered or relocated by the owners of Roselands Drive. A copy of the Deed of Agreement is to be provided to Canterbury City Council where Council is not the certifier.
82. Prior to the issue of any Construction Certificate a Deed of Agreement is to be entered into by the applicant and the owners of Roselands Drive to allow vehicular access and carriage over Roselands Drive to and from 23 Roseland Avenue. A copy of the Deed of Agreement is to be provided to Canterbury City Council where Council is not the certifier.
83. All redundant vehicular crossings shall be replaced with kerb and the footpath reserve made good by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
84. The reconstruction of all cracked and damaged sections of kerb and gutter along all areas of the site fronting Roseland Avenue and Sylvester Avenue is required. Work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
85. The reconstruction of all cracked and damaged sections of concrete footpath paving and associated works along all areas of the site fronting Roseland Avenue and Sylvester Avenue is required. Work being carried out by Council or an approved contractor, at the applicant's cost. The

work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".

#### LANDSCAPING

86. Landscaping of the site being carried out in accordance with the approved landscape plan (drawn by Habitation, Drawing No. 10\_003 L003 submitted to Council on 2 December 2010) and with AUS-SPEC #1 Specification C273-Landscaping, except where varied by conditions of this development consent.
87. A maintenance schedule over a minimum 12 month period shall be included with the details forwarded with the application for the Construction Certificate which provides details of a replacement strategy for failures in planting and built works and the maintenance schedule for watering, weeding and fertilising during the establishment period.
88. Trees numbered 1, 2, 3, 11, 12, 13, 22, 23, 24, 25, 26, 27, 31 and 48, as nominated in the Arborist Impact Assessment Report and Tree Protection Specification prepared by Integrated Vegetation Management submitted to Council with DA-527/2010 may be removed to accommodate construction of the development. All other vegetation not listed above must be retained and protected during construction in accordance with the recommendations contained in Appendix 2 of the Arborist Impact Assessment Report and Tree Protection Specification prepared by Integrated Vegetation Management.
89. General tree protection shall be carried out strictly in accordance with the requirements contained in Appendix 7 of the Arborist Impact Assessment Report and Tree Protection Specification prepared by Integrated Vegetation Management submitted with DA-527/2010.
90. Prior to the commencement of works, a AQF5 qualified arborist shall be appointed to inspect protected trees and oversee all associated works including the installation of tree protection fencing, any modifications of the tree protection fencing and any works proposed to be carried out within the tree protection zones. Details of the AQF5 qualified arborist engaged to undertake this role shall be provided with the details submitted with the application for the Construction Certificate.
91. A tree protective barrier must be erected for around all protected trees in accordance with the details contained in Appendix 8 of the Arborist Impact Assessment Report and Tree Protection Specification prepared by Integrated Vegetation Management submitted with DA-527/2010. The tree protection barriers shall be maintained during construction of the development. No building material or construction activity is to be carried out within the tree protection zones.
92. On completion of the construction/works, a report shall be submitted to Council from the consulting site arborist detailing the following matters:
  - (a) Full name, business address, telephone numbers, evidence of qualifications and experience as a consulting arborist;
  - (b) Full address of the subject site;
  - (c) Full name and details of the person/company the report was prepared for;
  - (d) Details of their attendance on the site; and,

- (e) Details of any work conducted on site, including any required root pruning of protected trees.
93. The landscaping is to be maintained at all times to the Council's satisfaction.

#### SYDNEY WATER REQUIREMENTS

94. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92. Following application, a "Notice of Requirements" will be forwarded detailing water and sewage extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the final plan of subdivision.

A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.

#### CRITICAL INSPECTIONS

95. Class 5, 6, 7, 8 or 9 Buildings
- 95.1. at the commencement of the building work, and
- 95.2. after excavation for, and prior to the placement of the first footing, and
- 95.3. prior to covering any stormwater drainage connections, and
- 95.4. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.
96. Section 81(A) of the EP&A Act 1979 requires that a person having the benefit of a development consent, if not carrying out the work as an owner-builder, **must notify the principal contractor for the building work of any critical stage inspections and other inspections that are to be carried out in respect of the building work**, as nominated in this development consent.
- To arrange an inspection by Council please phone 9789-9300 during normal office hours.

#### COMPLETION OF DEVELOPMENT

97. Obtain an Occupation Certificate/Interim Occupation Certificate from the Principal Certifying Authority before partial/entire occupation of the development.

#### WE ALSO ADVISE

98. This application has been assessed in accordance with the Building Code of Australia.
99. Where Council is appointed as the Principal Certifying Authority, you will be required to submit Compliance Certificates in respect of the following:
- Structural Engineering Work
  - Air Handling Systems
  - Glazing
  - Electrical



- Energy Efficiency requirements of Section J of the Building Code of Australia
  - Plumbing
  - Final Fire Safety Certificate
100. Any works to be carried out by Council at the applicant's cost need to be applied for in advance.
  101. Australian Standards AS3500 Plumbing and Drainage and Part 5 Domestic Installations requires that eaves gutters are installed with continuous overflow measures that prevent water from overflowing gutters flowing back into the building.
  102. Private contractors shall submit an application and pay an inspection fee to Council seven days prior to commencement of any works on the footpath or roadway. No work shall be carried out without Council approval.
  103. The applicant is to ensure that landscaping and hydraulic plans are co-ordinated. Hydraulic details such as pits, stormwater lines, detention tanks and retaining walls are to be shown on the Landscape Plan as these can effect layout of garden beds and plantings.
  104. Before you dig, call "Dial before you Dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and distance from the nearest cross street) for underground utility services information for any excavation areas.
  105. In granting this approval, we have considered the statutory requirements, design, materials and architectural features of the building. No variation to the approved design and external appearance of the building (including colour of materials) will be permitted without our approval.
  106. Compliance with the Building Code of Australia does not guarantee protection from prosecution under "The Disability Discrimination Act". Further information is available from the Human Rights and Equal Opportunity Commission on 1800 021 199.
  107. Our decision was made after consideration of the matters listed under Section 79C of the Environmental Planning and Assessment Act 1979, and matters listed in Council's various Codes and Policies.
  108. If you are not satisfied with this determination, you may:
    - 108.1. Apply for a review of a determination under Section 82A of the Environmental Planning and Assessment Act 1979. A request for review must be made and determined within 12 months of the date of this Notice of Determination and be accompanied by the relevant fee; or
    - 108.2. Appeal to the Land and Environment Court within 12 months after the date on which you receive this Notice of Determination, under Section 97 of the Environmental Planning and Assessment Act 1979.  
(Section 97 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.)

If you should require any further information, please do not hesitate to contact Stephen Pratt in City Planning on 9789 9350.