

JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP No	2013SYE101
DA Number	DA-519/2013
Local Government Area	City of Canterbury
Proposed Development	Refurbishment and reconfiguration of the existing Canterbury League Club including the construction of four level basement carpark and new loading dock
Street Address	26-62 Bridge Road, Belmore
Applicant / Owner	Cerno Management P/L / Bulldogs League Club Ltd
Number of Submissions	Submissions objecting to the proposal from 11 neighbouring residents
Recommendation	Approval with Conditions
Report by	Rita Nakhle Senior Planner

Assessment Report and Recommendation

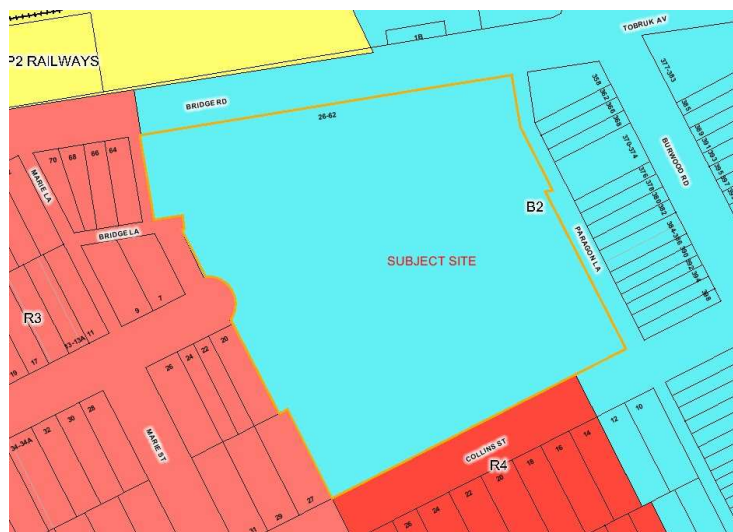
EXECUTIVE SUMMARY

- Council has received Development Application (DA-519/2013) for the refurbishment and reconfiguration of the existing Canterbury League Club including the construction of four level basement carpark and new loading dock.
- This application has been referred to the Sydney East Joint Regional Planning Panel as per Schedule 4A(3) of Environmental Planning and Assessment Act 1979 as the proposed development has a capital investment value of greater than \$20 million.
- The site is zoned B2 Local Centre under Canterbury Local Environmental Plan 2012. The proposal relates to a 'registered club', being an approved, and a permissible development in the subject zone.
- The development application has been assessed against the provisions contained in State Environmental Planning Policy No.55 – Remediation of Land, State Environmental Planning Policy (Infrastructure) 2007, Canterbury Local Environmental Plan 2012 and Canterbury Development Control Plan 2012. The proposal is found to generally be in compliance with the requirements of these policies.
- The development application was publicly exhibited and adjoining land owners notified in accordance with the provisions of Part 7 of Development Control Plan 2012. We received submissions objecting to the proposal from 11 neighbouring residents. The issues raised in the submissions and our responses to those issues are provided in the body of this report.
- The development application is recommended for approval subject to conditions.

SITE DETAILS

The site is located on the southern side of Bridge Road opposite the Bankstown Railway Line and approximately 50 metres west of the intersection of Bridge Road and Burwood Road. The site is bounded on its east and south by Paragon Lane and Collins Street respectively while residential properties fronting Bridge Road, Gladstone Street and Collins Street adjoin the western boundary of the property.

The site is occupied by the Canterbury Bankstown Leagues Club building, with ground level car parking fronting Bridge Road and a multi – level car park provided adjacent to the southern boundary of the site. Landscaping is confined to the car park and along the site's western boundary. Commercial developments / land uses generally occupy sites to the east and north while residential developments occupy sites to the south and west.



Subject Site



Eastern Side of the Club's Bridge Road Elevation



Flame Restaurant Outdoor Area and Upper Floor Function Area



Port Cochere/Drop Off Area & Water Feature



Existing Entry to the Carpark from Bridge Road

PROPOSAL

The development application proposes the refurbishment and reconfiguration of the existing Canterbury League Club including the construction of four level basement carpark and new loading dock. Specifically, the proposal involves:

- Preparatory demolition and excavation works;
- Alterations and additions to the existing building to accommodate an additional 2348 sqm gross floor area:
 - Basement** – New back of house catering facilities and staff facilities;
 - Ground Floor** – Refurbishment and expansion of the existing lounge, bar and restaurant facilities including the provision of a new café and indoor / outdoor seating;
 - Level 1** – Refurbishment and expansion of the existing gaming facilities, including the provision of an expanded alfresco gaming area, and refurbishment and reconfiguration of the existing function rooms and showrooms, including the provision of a new cocktail lounge and wine bar with outdoor terrace;
 - Level 2** – Refurbishment and reconfiguration of the existing administrative facilities;
- New building facades elevations and roofing on the frontages to Bridge Road, Paragon Lane and the western boundary;
- Provision of an additional 195 car parking spaces located in the new basement car park and ground level car park;
- Reconfigured vehicular access from Bridge Road to accommodate a reconfigured car parking and landscape arrangement at ground level, and four new basement levels for customer car parking; and
- New basement loading dock.

STATUTORY CONSIDERATIONS

When determining this application, the relevant matters listed in Section 79C of the Environmental Planning and Assessment Act 1979 must be considered. In this regard, the following environmental planning instruments, development control plans (DCPs), codes and policies are relevant:

- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Canterbury Local Environmental Plan 2012
- Canterbury Development Control Plan 2012
- Development Contributions Plan 2013

ASSESSMENT

The development application has been assessed under Sections 5A and 79C of the Environmental Planning and Assessment Act 1979 and the following key issues emerge:

- **State Environmental Planning Policy No.55 – Remediation of Land**
Clause 7 of SEPP 55 – Remediation of Land requires Council to consider whether the land is contaminated prior to granting consent to the carrying out of any development on that land.

Should the land be contaminated, we must be satisfied that the land is suitable in a contaminated state for the proposed use. If the land requires remediation to be undertaken to make it suitable for the proposed use, we must be satisfied that the land will be remediated before the land is used for that purpose.

The applicant has submitted a “Preliminary Site Investigation” prepared by Douglas Partners (dated November 2013, with an Addendum dated 14th March 2014). It is concluded that based on the analytical results no significant soil contamination has been found at the sampling locations, with all analytical results below the health investigation and screening levels adopted from the National Environment Protection Council 2013, and as such it is considered that the site is environmentally suitable for the proposed development in accordance with Clause 7 of SEPP 55 – Remediation of Land.

Should this application be approved then a condition is to be imposed requiring the applicant/developer to carry out all the recommendations stated in Part 10.0 *Conclusions and Recommendations* of the “Preliminary Site Investigation” report as prepared by Douglas Partners dated November 2013, and in Part 7 *Discussion and Conclusion* of the “Interim Letter on Supplementary Contamination Investigation and Preliminary Waste Classification” as prepared by Douglas Partners dated 14 March 2014.

- **State Environmental Planning Policy (Infrastructure) 2007**
State Environmental Planning Policy (Infrastructure) 2007 aims to facilitate the effective delivery of infrastructure, including providing appropriate consultation with relevant public authorities about certain development during the assessment process.

As the subject site is located adjacent to a rail corridor, in accordance with Clause 85 and 86 of SEPP (Infrastructure) 2007, a copy of the proposal was referred to Railcorp. Railcorp reviewed the application and granted its concurrence to the proposal subject to a deferred commencement and general conditions relating to noise, vibration, lights, reflective materials, excavation, construction, crane and other aerial operations being imposed and made part of any consent issued for the development.

Further, as the proposal involves new parking for 200 or more vehicles (removal of 142 existing spaces and 337 new spaces), the development application was referred to the Roads and Maritime Services (RMS), in accordance with Clause 104 of the SEPP, who raised no objections to the proposed development and provided a number of advisory comments which will be imposed as conditions on any development consent issued.

The proposed development therefore meets the relevant requirements of SEPP (Infrastructure) 2007.

- **Canterbury Local Environmental Plan 2012**

The proposal is consistent with the relevant provisions of CLEP 2012 as follows:

Standard	Requirement	Proposal	Complies
Zoning	B2 Local Centre	The proposed development falls under the definition of a 'registered club' and is permissible with our development consent	Yes
Building Height	30m	The proposal will not increase the existing maximum building height on the site which is approximately 18.11 metres	Yes

- **Canterbury Development Control Plan 2012**

An assessment of the proposal against the relevant requirements of Part 3 Business Centres and Part 6 General Controls of Canterbury Development Control Plan 2012 (CDCP) is detailed below.

PART 3 – BUSINESS CENTRES

The objectives and controls within Part 3 *Business Centres* of CDCP 2012 apply mainly to the construction of new mixed use development. The proposed development relates to a 'registered club', and given the nature of the proposed works, Part 3 only applies in relation to the two items discussed below:

- **Side Setbacks** - Part 3.1.8 (vii)(viii) & (ix) relates to side setback requirements for developments adjoining residentially zoned land. It states that any new development must be contained within a building height plane established at 45 degree angle projected at 1.5 metres (side setback) from the residential boundary. It further states that a two storey limit on the boundary with residential zone applies.

In the case of the subject proposal, this requirement applies to the proposed western elevation where it adjoins No.20 Gladstone Street, Belmore.

It is proposed that a setback distance of at least 2.16 metres is provided along the western side boundary adjacent to No.20 Gladstone Street. The proposed development is generally contained within a building height plane established at 45 degree angle measured at 8.5 metres above ground level, (which is the maximum and permissible two storey height limit of the adjoin residential sites). In this regard, the proposal is found to be consistent with the relevant setback requirements under Part 3.1.8 of CDCP 2012.

- **Car Park & Basement Design** - Part 3.1.12 presents a list of design considerations for car parking and basements in business centres. Of relevance to the proposed development are the following considerations:
 - (v) Design and integrate basement parking so as not to accentuate the scale and bulk of a building , or detract from the streetscape or front setback character
 - (vi) Restrict basement parking to the footprint of the building above to retain and optimise deep soil where possible
 - (vii) Do not allow basement podium to protrude more than 1 metre above existing ground level...

The applicant has responded to the above considerations and provides the following comments:

- *The proposed basement carpark has been integrated into the Club's forecourt landscape treatment to minimise the scale and bulk of the structure. The amount of on-grade car parking will be reduced by 62 car spaces, as the proposal accommodates the additional car parking spaces and the existing car spaces into a basement car park. No building is proposed above the basement car park.*
- *The design requirements of the new loading dock and the underlying slope of the site will result in the basement protruding beyond the existing ground level at the western edge of the site. This will result in a relatively minor increase in bulk and scale. However, the protrusion will be setback a minimum of 23.23 metres from the Bridge Road street frontage.*
- *The physical perception of the scale and bulk of the basement protrusion, when viewed from Bridge Road, will be mitigated by its separation from the street boundary and the generous landscaping proposed within the front setback.*
- *The proposal seeks to construct basement car parking outside the existing building footprint. Notwithstanding the proposed non-compliance, the location, the location of the basement car parking is considered reasonable as it will reduce the existing hardstand area and at grade car parking by 62 spaces. The existing forecourt landscaped area will be increased by approximately 1385 square metres. To ensure that the landscaping is viable, deep planting zones will be provided on the site.*
- *82% of the proposed basement is less than 1 metre above the existing ground level. The remaining 18% is between 1 metre and 2.5 metres above existing ground level. The basement protrusion has resulted from design requirements associated with accommodating the new loading dock. Notwithstanding the protrusion above 1 metre, there will be no adverse material impacts on the residential properties to the west or the public realm along Bridge Road for the following reasons:*
 - *The basement protrusion is significantly setback from the Bridge Road frontage (minimum 23.23 metres) and will be*

- landscaped to mitigate the additional bulk;*
- *The nearest residential properties along the side boundary are separated by a minimum of 15.3 metres from the site by an existing pedestrian laneway and Bridge Lane. In addition, the protrusion is generally setback beyond the 1.5 metres from the side boundary...and will not create any additional overshadowing of the adjacent residential properties on June 21;*
- *The side setback will accommodate a 2 metre high acoustic barrier, which will be obscured by generous landscaping.*

Further, the consideration under Point 3.1.12(ix) states that pedestrian safety is to be maintained by minimising the potential for vehicular and pedestrian conflict, and in particular limit the number of vehicular access points. In this regard, the applicant provides the following information:

- *The proposal consolidates the two existing separate Bridge Road entry and exit driveways into a single combined driveway that clearly delineates the entry only and exit only lanes. This is consistent with the NSW Roads and Maritime Services (RMS) Guidelines and complies with AS2890.1.*
- *The entry and exit driveways are separated by a 2.5 metre wide central median as required by AS 2890.1. This will enable pedestrians to cross in two stages, effectively using the median separation as a 'refuge' should this be necessary.*
- *The separate driveway proposed for loading and service vehicles complies with the RMS Guidelines whereby cars and trucks need to be separated as far as practicable.*
- *Access and egress in a forward direction, the driveway complies with the relevant Australian Standard, and pedestrians will have priority at the crossing.*
- *The following safety measures are proposed to maximise visibility and safety for pedestrians and vehicles:*
 - *The loading dock driveway has been located 1 metre further east from the site's western boundary (from what was originally proposed), to increase visibility and allow pedestrians and vehicles greater time to adjust their manoeuvres to avoid any conflict;*
 - *Convex mirrors will be installed to increase sightlines for vehicles entering and exiting the loading bay. This will allow vehicles to respond to the traffic and pedestrian circumstances along Bridge Road;*
 - *A flashing warning light system will operate when trucks are exiting the loading bay. Warning alarms can be installed to further increase safety and awareness, provided they do not create additional noise impacts;*
 - *Traffic calming speed humps will be located at the entry / exit points of the patron car park and loading bay. They will be setback from the street kerb;*
 - *The driveways will be well lit at night;*

- *Low level landscaping is proposed at the driveways to provide good sightlines along Bridge Road for pedestrians and vehicles. The landscaping will be maintained to avoid obstructing sightlines for vehicles and pedestrians;*
- *Kerb blisters are proposed along Bridge Road adjacent to the driveways. This will prevent on-street parking adjacent to the driveways, and will maximise visibility for traffic entering and exiting the Club as well as traffic travelling along Bridge Road.*

Overall, it is considered that the design of the proposed development satisfactorily addresses the relevant considerations under Part 3.1.8 (vii)(viii) & (ix) and Part 3.1.12 of CDCP 2012.

PART 6 – GENERAL CONTROLS

The proposed development compares to Part 6 of CDCP 2012 as follows:

Part 6.1 Access and Mobility

The Disability Access Committee has provided its comments in relation to the development. The Committee raised no objection to the development proceeding subject to the imposition of conditions of consent, and requirement that the development must be designed and constructed to comply with the Disability Discrimination Act, 1992, Disability (Access to Premises – Buildings) Standard 2010, and National Construction Code.

Part 6.2 Climate and Resource Efficiency

Part 6.2.6(vii) states that where a development in business zones adjoins residential dwellings, then it must be demonstrated that the dwelling's living room and principal area of private open space receive at least 2 hours sunlight daily between 9am and 3pm in mid winter. Details submitted by the applicant indicate that the dwellings immediately adjacent to the site will have at least 2 hours of sunlight access to their living room and open space areas, after 12pm during winter solstice.

Further, Part 6.2.6(ix) state it must be demonstrated that solar cells or solar hot water collectors on adjoining land would not be overshadowed. The proposal does not comply with this requirement as new building works along the western part of the Club building overshadows the existing solar panels on the roof of the adjacent property at 20 Gladstone Street for two additional hours in the morning during June and July. In this regard, Council has been informed that the Club is currently undertaking negotiations with the owners of this affected property to relocate and increase the amount of solar paneling on the roof to compensate for the reduction in the amount of solar access received. The applicant has indicated that the relocation and introduction of additional solar panels will increase the level and length of sun exposure currently experienced by the solar panels on the roof of the affected property.

Part 6.3 Crime Prevention Through Environmental Design

The proposed development will not contribute to creating opportunities for additional criminal activity and is consistent with the objectives and principles

in Part 6.3 of CDCP 2012 relating to natural surveillance, access control and ownership. The applicant outlines the following features in the design of the proposed development that address the CPTED principles:

- The proposal provides direct, legible and well-lit pathways from Bridge Road to the main entrance.
- The League Club is a highly patronised and active site. Levels of passive surveillance are very high.
- The proposed landscape treatment will allow good sightlines between the public domain and the site. The landscaping to Bridge Road and the western boundary is appropriate and delineates the public and private space.
- The proposal will provide outdoor lighting for the car park and pedestrian areas in accordance with the relevant standards.
- The League Club is a 24 hour operation and employs on site security personnel. The use of security grilles and doors is minimal.
- The vehicular and pedestrian entry points are clearly defined and accessible from Bridge Road.
- No public services are located in concealed or quite areas.
- There will be no change to the existing hours of operation of the League Club. The League Club employs a modern and sophisticated security system to manage the site.
- The internal materials will enhance the brightness and sense of security in the car park.
- The car park has been designed to allow for clear sightlines on all levels.
- Signage is proposed on the Bridge Road frontage to identify the location of the car park entry.

Part 6.4 Development Engineering, Flood and Stormwater

The stormwater proposal submitted with the application has been assessed by our Development Engineer and is in accordance with our stormwater disposal requirements. No objection is raised subject to conditions of consent being attached to any consent granted.

Part 6.6 Landscaping & Part 6.7 Preservation of Trees or Vegetation

The landscaping proposal for the subject development has been reviewed by our Landscape Architect who has advised that no objection is raised from a landscaping perspective, subject to appropriate conditions being imposed on any consent issued.

Part 6.8 Vehicle Access and Parking

The proposed development includes an increase in the floor area of the existing club as follows:

-	Basement	→ 1138 m ²
-	Ground Floor	→ 150m ²
-	First Floor	→ 602m ²
-	Second Floor	→ 458m ²
-	Total	→ 2348m ²

For a 'registered club' the car parking rates to be used rely on a parking assessment that takes into account the individual components of the club (i.e. bars, restaurants and entertainment facilities etc.).

The 'Traffic Impact Assessment' prepared by Traffix and submitted with the development application, relies on a recent survey taken at Canterbury League Club which evaluates patronage levels throughout a typical week, and takes into account seasonal variation. It was concluded that 1 car space is required for every 18.5 square metres of gross floor area within the Club. Given that the proposal involves an additional floor area of 2348 square metres, a total of 127 car parking spaces is required to be provided. The proposed development involves new parking for a total of 195 spaces which adequately meets the expected increased parking demand at the site.

In regard to bicycle parking for staff/patrons, it is required that a minimum 4 spaces be provided for every 100 square metres of public floor area. The proposal involves an increase of 725 square metres of public floor area, and as such it is required that a total of 29 bicycle spaces are required to be provided. A total of 30 bicycle spaces have been provided as part of the subject proposal, with 15 spaces for staff provided in the basement level of the existing multi storey car park, and 15 spaces for patrons provided on the ground floor, opposite the main Club entry.

Bridge Road - Blister Island

The applicant's traffic consultant proposes the installation of additional blister islands in Bridge Road at the car park entry and exit point, to address pedestrian safety and driver visibility issues. This was considered to be an acceptable measure by our Team Leader Traffic and a condition is to be imposed on any consent issued stating this measure is subject to approval by Council's Traffic Committee prior to the issuing of a Construction Certificate with all costs associated with the works to be paid by the applicant.

Part 6.9 Waste Management

The development application was referred to our Waste Services Coordinator who was satisfied with the Waste Management Plan submitted by the applicant which addresses waste management during the demolition and stripping out phase, construction phase and the ongoing use phase of the development, and demonstrates full compliance with the relevant requirements in Part 6.9 of CDCP 2012.

- **Development Contributions Plan 2013**

In accordance with our Development Contributions Plan 2013, the proposed development attracts a Section 94A Levy of \$742,862.75 which is to be paid to Council before a Construction Certificate can be issued in relation to the development. The money required to be paid by the applicant is applied towards the provision, extension or augmentation of public amenities or public services. A condition regarding the payment of this levy is to be imposed on any consent issued.

ADDITIONAL CONSIDERATIONS

- **Acoustics**

The proposal involves new outdoor areas, extensions to existing outdoor areas, a new basement car park and a new loading dock area. Given the proximity of these areas to nearby residential properties, an 'Acoustic Assessment' prepared by Koikas Acoustics Pty Ltd (dated 15th November 2013) has been submitted by the applicant.

The assessment considers noise egress from patrons, background music, and entertainment sources such as televisions in the Sports TAB area, gaming machines and the use of the new loading dock such as vehicles entering/ leaving and operation of the roller shutter door and provides recommendations that are to be adopted by the applicant/developer should approval be issued.

The 'Acoustic Assessment' has been reviewed by our Environmental Health Officer who raised no objection to the proposed development from an acoustic perspective. An appropriate condition is to be included in any consent issued requiring the design and operation of the development to comply with all the recommendations in this report, which include:

- Patrons number not to exceed 200 in the Bistro Terrace, 36 in the external café seating area, 36 in the cocktail lounge/outdoor wine bar, and 60 in the Sports TAB Terrace;
- No more than 300 gaming machines to the Alfresco Gaming Area. Each gaming machine limited in noise level to not exceed an LA10 sound pressure level of 55dB(A) at 1 metre at any time during its operation;
- The LA10 noise level from background music within the External Café Seating area and Cocktail Lounge/Wine Bar outdoor area not to exceed 60dB(A) as spatially averaged within that space;
- After midnight no music allowed to any outdoor area;
- Patrons not to occupy the Cocktail Lounge / Wine Bar outdoor area after midnight;
- The LA10 noise level from televisions within the Sports TAB Terrace not to exceed 70dB(A) as an average level along the louvered façade that fronts Paragon Lane;
- A noise barrier of no less than 2 metres in height is to be installed along the western club boundary that adjoins Gladstone Street and the public walkway near 64 Bridge Road. The noise barrier is to extend from the existing concrete block wall along the existing car park entry driveway to the front of the site along Bridge Road;
- Ceiling material to all undercover outdoor areas such as the Bistro Terrace, External Café Seating area, Cocktail Lounge / Wine Bar outdoor area, Alfresco Gaming and Sports TAB Terrace is to have a Noise Reduction Coefficient (NRC) of no less than 0.7. Increasing the absorption within a potentially reverberant space will minimise any unnecessary build-up of sound energy and therefore lower levels within that particular space; and

- A solid wall is to be installed along the western boundary of the Alfresco Gaming Lounge on Level 1 which will consist of no less than 15mm fibre cement panels- this wall extends a minimum of 1.4 metres above the ceiling level of the Alfresco Gaming area;
- A solid wall is to be installed along the northern boundary of the Alfresco Gaming Lounge on Level 1 which will consist of at least 15mm compressed fibre cement sheets and be of a height such that the open area between the top of the wall and the Alfresco Gaming roof does not exceed 900mm; and
- Should subsequent acoustic testing and analysis (as proposed in the Acoustic Assessment report) identify non-compliant noise that is attributed to the Bistro Terrace area, additional acoustic barriers will be a potential noise treatment option.

- **National Construction Code**

The development application has been reviewed and assessed by our Building Officer who has raised no objection to the proposal subject to appropriate conditions being imposed, including that full compliance with the National Construction Code is achieved.

- **Food Health & Safety**

The development application has been reviewed by our Environmental Health Officer who advised that the proposal is satisfactory, provided that conditions of consent are imposed ensuring full compliance with the Australian New Zealand Food Standards Code, and other food preparation related requirements including food storage, food waste and the need for appropriate mechanical exhaust ventilation in the kitchens.

- **Smoke Free Environment**

Any approval issued is to be conditioned to ensure that new outdoor terraces operate in accordance with the Smoke-free Environment Act 2000 and the guidelines outlined in the Smoke-free Environment Amendment (Enclosed Places) Regulation 2006. It is required that the applicant provide a report prepared by a suitably qualified person and submitted prior to the issuing of a Construction Certificate, stating that the proposal satisfies the requirements of the Regulation.

- **Proposed excavation works**

The proposed development involves excavation and construction works in close proximity to property boundaries and neighbouring properties. It has been recommended that a condition be imposed that requires the submission of a report by an accredited Engineer detailing the structural adequacy of the adjoining properties at 7 Gladstone Street and 20 Gladstone Street, Belmore to withstand the excavation works proposed. It is noted that the adjoining residential property at 64 Bridge Road is owned by the same owner as the subject site, being Canterbury League Club.

Further an additional condition requiring the applicant to provide a dilapidation report for these adjoining properties, prior to the issue of the Construction Certificate is also recommended. Should any damage to adjoining properties

result from the proposed excavation works at the subject site, the applicant will be required to rectify all damages.

- **Sediment and Erosion Control**

Standard conditions are included regarding the installation and maintenance of the sediment and erosion control measures as part of the pre and during construction phase of the development.

The development will involve excavation of part of the site to accommodate the development. Any excavated material not utilised elsewhere on the property, will require proper disposal and transport in accordance with the *Waste Avoidance and Recovery Act, and the Protection of the Environment Operations Act*. A condition will be imposed in this regard.

NOTIFICATION

The development application was publicly exhibited and adjoining land owners notified in accordance with the provisions of Part 7 of Development Control Plan 2012. We received submissions objecting to the proposal from 11 neighbouring residents. The submissions raised the following issues of concern, which are discussed below:

- **Concern is raised in regard to the proposed location of the new loading dock access driveway and the overall number of driveways into the subject site posing a safety threat to pedestrians walking along Bridge Road**

Comment

The following measures are proposed to be implemented to address safety concerns and maximise visibility for pedestrians and drivers:

- The loading dock driveway has been located 1 metre further east from the site's western boundary (from what was originally proposed), to increase visibility and allow pedestrians and vehicles greater time to adjust their manoeuvres to avoid any conflict;
- Convex mirrors will be installed to increase sightlines for vehicles entering and exiting the loading bay. This will allow vehicles to respond to the traffic and pedestrian circumstances along Bridge Road;
- A flashing warning light system will operate when trucks are exiting the loading bay. Warning alarms can be installed to further increase safety and awareness, provided they do not create additional noise impacts;
- Traffic calming speed humps will be located at the entry / exit points of the patron car park and loading bay. They will be setback from the street kerb;
- The driveways will be well lit at night;
- Low level landscaping is proposed at the driveways to provide good sightlines along Bridge Road for pedestrians and vehicles. The landscaping will be maintained to avoid obstructing sightlines for vehicles and pedestrians;
- Kerb blisters are proposed along Bridge Road adjacent to the driveways. This will prevent on-street parking adjacent to the driveways, and will maximise visibility for traffic entering and exiting the Club as well as traffic travelling along Bridge Road.

- **Concern is raised in regard to the overshadowing impact of the proposed development**

Comment

As stated previously in this report, the dwellings immediately adjacent to the site will have at least 2 hours of sunlight access to their living room and open space areas, after 12pm during winter solstice – complying with the relevant solar access requirements in CDCP 2012.

As further stated, the proposed new building works along the western part of the Club building overshadows the existing solar panels on the roof of the adjacent property at 20 Gladstone Street for two additional hours in the morning during June and July. In this regard, Council has been informed that the Club is currently undertaking negotiations with the owners of this affected property to relocate and increase the amount of solar paneling on the roof to compensate for the reduction in the amount of solar access received. The applicant has indicated that the relocation and introduction of additional solar panels will increase the level and length of sun exposure currently experienced by the solar panels on the roof of the affected property.

- **Concern is raised in regard to the additional noise impacts of the new areas proposed at the Club**

Comment

As stated above, given the nature and location of the proposed development, an 'Acoustic Assessment' prepared by Koikas Acoustics Pty Ltd (dated 15th November 2013) has been submitted by the applicant. The assessment considers noise egress from patrons, background music, and entertainment sources such as televisions in the Sports TAB area, gaming machines and the use of the new loading dock such as vehicles entering/ leaving and operation of the roller shutter door and provides recommendations that are to be adopted by the applicant/developer should approval be issued.

The 'Acoustic Assessment' has been reviewed by our Environmental Health Officer who raised no objection to the proposed development from an acoustic perspective. An appropriate condition is to be included in any consent issued requiring the design and operation of the development to comply with all the recommendations in this report (refer to the heading 'Acoustics' previously in this report for a list of the recommendations).

- **Concern is raised in regard to the privacy impacts of the proposed development and particularly overlooking opportunities from the Level 1 Alfresco Gaming area**

Comment

The western elevation of the Level 1 Alfresco Gaming area will feature a solid wall which will prevent any overlooking opportunities onto the residential properties to the west. Significant landscaping will be planted to the exterior of the rendered blockwork wall along this elevation.

- **Concern is raised in regard to the potential excessive noise impacts during the excavation and construction phase of the proposed development**

Comment

Should this application be approved, then the following condition should be imposed to address this concern:

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.

- **Concern is raised in regard to the extent of the proposed excavation works and any impacts to adjoining properties. The applicant/developer should submit a dilapidation report to address any potential damage of neighboring properties**

Comment

Should approval be issued, a condition is to be imposed requiring the applicant to provide a dilapidation report for the adjoining properties, prior to the issue of the Construction Certificate. Should any damage to adjoining properties result from the proposed excavation works at the subject site, the applicant will be required to rectify all damages.

- **Concern is raised in regard to the potential air pollution emanating from the exhaust funnel in the basement car park**

Comment

The mechanical exhaust riser for the basement is set back from the Bridge Road frontage and is located a significant distance of approximately 75 metres from the neighbouring residential properties.

- **Concern is raised in regard to the use of loading dock all day Saturday**

Comment

There are no deliveries to the Club on Saturdays and as such the loading dock will not be in use.

- **Concern is raised in regard to the noise impacts from the plant room on Level 1 adjacent to the western boundary**

Comments

A condition of consent is to be imposed requiring that the noise and vibration from the use of the air handling system (mechanical exhaust ventilation) system shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy. The mechanical ventilation system must comply with Australian Standard AS1668.2-1991.

- **Concern is raised in regard to the deterioration of footpaths and roadways from the additional number of trucks travelling to and from the site during the construction phase**

Comment

The following conditions are to be imposed on any consent issued addressing this issue of concern:

- 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.
- 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.
- The implementation of adequate care during building construction to ensure that no damage is caused to any adjoining properties.
- 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.
- 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).

CONCLUSION

The development application has been assessed pursuant to the provisions of Section 79C of the Environmental Planning and Assessment Act 1979 and all relevant development control plans, codes and policies and has been found to be satisfactory and worthy of support. As such, it is recommended that the development application be approved subject to conditions.

RECOMMENDATION

THAT the Joint Regional Planning Panel approve Development Application DA-519/2013 as a “**DEFERRED COMMENCEMENT**” Consent under Section 80(3) of the Environmental Planning and Assessment Act 1979. This consent is not to operate until the Applicant satisfies to Council, within 12 months of the date of this consent that:

- A. The applicant has obtained approval/certification from Railcorp as to the following matters and the approval/certification has been forwarded to the Council. The deferred commencement conditions are:
The applicant shall prepare and provide to Railcorp for approval/certification the following items:
1. Final Geotechnical and Structural report/drawings that meet Railcorp’s requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
 2. Final Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that RailCorp will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
 3. A report assessing the impact or any movement on the rail tunnel that may result from the proposed development. This report is to be based on the Final Geotechnical and Structural Report.
 4. Final cross sectional drawings showing the tunnel easement, tunnel location, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail tunnel. All measurements are to be verified by a Registered Surveyor.
 5. Detailed Survey Plan showing the relationship of the proposed development with respect to Railcorp’s easement and tunnel location.
 6. If required by Railcorp, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.
- B. 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 the relevant Construction Certificate:
 - 1.1. Details of:
 - Structural Engineering Plan including method of shoring during excavation
 - Building Specifications
 - Fire Safety Schedule
 - Landscape Plan
 - Hydraulic Plan
 - Soil and Waste Management Plan
 - Ventilation of Basement Carpark (Compliance with Section 4.4 of AS 1668.2)
 - Compliance with Disability (Access to Premises – Buildings) Standards 2010.
 - The proposed installation of additional blister islands in Bridge Road at the entry and exit of the Club is subject to the approval of Council’s Traffic Committee prior to the issuing of a Construction Certificate. All the costs associated with the works must be paid by the applicant. A detailed design must be submitted for the approval of Council’s Traffic Committee.

- 1.2. Payment of the Long Service Leave Levy to the Long Service Leave Corporation or to Council.
- 1.3. Payment to Council of:
- | | |
|--------------------------------|--------------|
| Kerb and Gutter Damage Deposit | \$3136.50 |
| Section 94A Levy | \$742,862.75 |
| Certificate Registration Fee | \$36.00 |
| Long Service Levy | \$262,017.70 |
- 1.4. If you appoint Council as your Principal Certifying Authority, the following fees are payable:
- | | |
|--|--------------|
| Construction Certificate Application Fee | \$150,994.00 |
| Inspection Fee | \$39,099.00 |
| Occupation Certificate Fee | \$14,627.00 |
- Note 1: If you appoint a Principal Certifying Authority other than Council, the fees shown in this item do not apply, however other fees will apply.
- Note 2: When the items in this condition are provided and have been assessed as satisfactory, your Construction Certificate will be posted to you.
- Note 3: Section 94 contribution payments are payable by cash, bank cheque, or EFTPOS.
- Note 4: All Council 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 the relevant 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.

SITE SIGNAGE

3. A sign shall be erected at all times on your building site in a prominent position stating the following:
- 3.1. The name, address and telephone number(s) of the principal certifying authority for the work, and
- 3.2. 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
- 3.3. That unauthorised entry to the work site is prohibited.

DEMOLITION

4. 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 NCC.
- (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

5. The development being carried out in accordance with the plans, specifications and details set out in the table below except where amended by the following specific conditions and the conditions contained in this Notice:

Drawing No.	Drawing Title	Prepared by	Received by Council on
DA001 Issue 2	Site Analysis Plan	Altis Architecture	18 March 2014
DA003 Issue 1	Materials & Finishes Door & Window Schedule	Altis Architecture	25 November 2013
DA101 Issue 1	Existing / Demolition Basement Plan	Altis Architecture	25 November 2013
DA102 Issue 2	Existing / Demolition Ground Floor Plan	Altis Architecture	18 March 2014
DA103 Issue 1	Existing / Demolition Level 1 Plan	Altis Architecture	25 November 2013
DA104 Issue 1	Existing / Demolition Level 2 Plan	Altis Architecture	25 November 2013
DA105 Issue 1	Existing / Demolition Roof Plan	Altis Architecture	25 November 2013
DA110 Issue 1	Proposed Key Plans	Altis Architecture	25 November 2013
DA111 Issue 1	Car Park Level 4	Altis Architecture	25 November 2013
DA112 Issue 1	Car Park Level 3	Altis Architecture	25 November 2013
DA113 Issue 1	Car Park Level 2	Altis Architecture	25 November 2013
DA114 Issue 2	Basement Plan / Car Park Level 1	Altis Architecture	18 March 2014
DA115 Issue 2	Ground Floor Plan	Altis Architecture	18 March 2014
DA116 Issue 2	Level 1 Plan	Altis Architecture	18 March 2014
DA117 Issue 1	Level 2 Plan	Altis Architecture	25 November 2013
DA118 Issue 1	Services Alterations Plans	Altis Architecture	25 November 2013
DA119 Issue 1	Roof Plan	Altis Architecture	25 November 2013
DA200 Issue 1	Existing Elevations	Altis Architecture	25 November 2013
DA210 Issue 1	External Elevations	Altis Architecture	25 November 2013
DA300 Issue 2	Sections – Sheet 1	Altis Architecture	18 March 2014

Drawing No.	Drawing Title	Prepared by	Received by Council on
DA301 Issue 1	Sections – Sheet 2	Altis Architecture	25 November 2013

6. No vehicles delivering to or picking up goods from the premises outside the hours of 7.00am and 6.00pm from Monday to Friday. No delivery vehicles standing in the street prior to 7.00am in the mornings.
7. The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1 – 2004.
8. All disabled parking space dimensions, cross-falls, vertical clearances for access paths and above spaces are to be in accordance with the requirements of AS2890.6.
9. All bicycle spaces are to be provided in accordance with AS2890.3.
10. Renewal or provision of fencing, attributable to the proposed development being the responsibility of the developer.
11. This condition has been levied on the development in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and in accordance with Canterbury City Council's Section 94 Contributions Plan 2013. The monetary levy of \$742,862.75 shall be paid to Canterbury City Council before a Construction Certificate can be issued in relation to the development, the subject of this Consent Notice.
Council's Section 94 Contributions Plan 2013 may be inspected at Council's Administration Centre, 137 Beamish Street, Campsie or from Council's website www.canterbury.nsw.gov.au. A copy of the Plan may be purchased from Council's Administration Centre, 137 Beamish Street, Campsie during office hours.
12. All materials must be stored wholly within the property boundaries and must not be placed on the footway or roadway.
13. All building operations for the erection or alteration of new buildings must be restricted to the hours of 7.00 a.m. - 5.00 p.m. Monday to Saturday, except that on Saturday no mechanical building equipment can be used after 12.00 noon. No work is allowed on Sundays or Public Holidays.
14. 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.
15. All building construction work must comply with the National Construction Code.
16. Provide a Surveyor's Certificate to the Principal Certifying Authority at all floor levels indicating the finished floor level to a referenced benchmark. These levels must relate to the levels indicated on the approved architectural plans and/or the hydraulic details.
17. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to walls being erected more than 300mm above adjacent ground surfaces to indicate the exact location of all external walls in relation to allotment boundaries.
18. The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
19. 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.

20. 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.
21. 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.
22. 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.
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. All disturbed areas must be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
26. An application being made to Council's City Works Division for the construction of a vehicular crossing either by Council or an approved contractor complying with City Works Division standards and at the owner's cost.
27. Toilet facilities shall 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.
28. The implementation of adequate care during building construction to ensure that no damage is caused to any adjoining properties.
29. Erection of a hoarding/fence or other measure to restrict public access to the site and to building works, materials or equipment when building work is not in progress or the site is otherwise unoccupied.
30. 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.
31. 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).
32. 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.

DILAPIDATION & EXCAVATION

33. A photographic survey of the adjoining properties at 7 and 20 Gladstone Street Belmore detailing the physical condition of those properties, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items, shall be submitted to the Principal Certifying Authority and Canterbury City Council if Council is not the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate. On completion of the excavation and building works and prior to the occupation of the building, a certificate stating to the effect that no damage has resulted to adjoining premises is to be provided to the Principal Certifying Authority and Canterbury City Council if Council is not the Principal Certifying Authority. If damage is identified which is considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person(s) as soon as possible and prior to the occupation of the development. All costs incurred in achieving compliance with this condition shall be borne by the persons entitled to act on this Consent.
34. A dilapidation report prepared by an Accredited Engineer, detailing the structural adequacy of the adjoining properties at 7 and 20 Gladstone Street Belmore and their ability to withstand the proposed excavation, and any measures required to be incorporated into the work to ensure that no damage will occur during the course of the works, shall be submitted to Council, or the Principal Certifying Authority with the Construction Certificate. All costs to be borne by the applicant.

LANDSCAPING

35. Landscaping on the site must be completed according to the submitted landscape plan (Drawing no L-01/5 to L05/05, Drawn by Landscape Management and Horticultural Services PL and submitted to Council on 18th March 2013) except where amended by the conditions of consent.
36. If any works are proposed for the public domain the applicant shall submit landscape construction drawings for these proposed landscaping works within the public domain areas prior to the issue of a Construction Certificate. In this regard, prior to the preparation of such drawings, the applicant shall liaise with our City Works Division to obtain relevant details and specifications for works within the public domain.
37. All the tree supply stocks shall comply with the guidance given in the publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003).
38. All scheduled plant stock shall be **pre-ordered**, prior to issue of Construction Certificate or 3 months prior to the commence of landscape construction works, whichever occurs sooner, for the supply to the site on time for installation. Written confirmation of the order shall be provided to Council's Landscape Architect (Contact no: 9789 9438), prior to issue of any Construction Certificate. In addition to the details in the above table, the order confirmation shall include name, address and contact details of supplier; and expected supply date.

STORMWATER ENGINEERING

39. The stormwater system be constructed in general, in accordance with the plans, specifications and details received by Council on 25th November, drawing numbers, H100 02, H111 02, H112 02, H113 02, H114 02, H115 02, H116 02,

H117 02, H118 01 & H119 01, prepared by Warren Smith & Partners and as amended by the following conditions.

40. Certification from an accredited engineer must be provided to certify that all works has been carried out in accordance with the approved plan(s), relevant codes and standards.
41. All downpipes, pits and drainage pipes shall be installed to ensure that stormwater is conveyed from the site and into Council's stormwater system in accordance with AUS-SPEC Specification D5 "Stormwater Drainage Design", AS/NZS3500.3 and Council's DCP 2012, Part 6.4.
42. Full width grated drains being provided across the vehicular entrance/exit to the site where internal areas drain towards the street, and be connected to the drainage system upstream of the silt arrestor pit and in accordance with Clause 4 of Council's DCP 2012, Part 6.4.
43. Where OSD is required; three (3) copies of plans and calculations must be submitted prior to the issue of Construction Certificate to the Principal Certifying Authority PCA and Canterbury City Council, if Council is not the PCA. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD) and full details of the hydraulic evaluation of the entire stormwater drainage system. The details shall be prepared in accordance with Council's DCP 2012, Part 6.4.
44. 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 1st 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 Councils DCP 2012, Part 6.4.
45. 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.
46. A detailed photographic dilapidation report is to be conducted on all Council infrastructure on associated streets. This is to include stormwater, kerb and gutter, footpaths, roads and trees.
47. 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.
48. Driveways, parking and service areas are to be constructed or repaired in accordance with the appropriate AUS-SPEC #1 Specifications: C242-Flexible Pavements; C245-Asphaltic Concrete; C247-Mass Concrete Subbase; C248-Plain or Reinforced Concrete Base; C254-Segmental Paving; C255-Bituminous Microsurfacing.

49. The driveway grades shall be in accordance with Australian Standard AS 2890.1 "Off-street Parking Part 1 - Carparking Facilities".

PUBLIC IMPROVEMENTS

50. 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".
51. The granting of service easements within the properties to the satisfaction of Council or private certifier. Costs associated with preparation and registration of easements to be borne by the developer.

CONTAMINATION & REMEDIATION

52. Carry out all recommendations in Part 10.0 *Conclusions and Recommendations* of the "Preliminary Site Investigation" report as prepared by Douglas Partners dated November 2013, and in Part 7 *Discussion and Conclusion* of the "Interim Letter on Supplementary Contamination Investigation and Preliminary Waste Classification" as prepared by Douglas Partners dated 14 March 2014.

DISABILITY ACCESS

53. The development must be constructed to comply with the Commonwealth Disability (Access to Premises – Buildings) Standard 2010.
54. *Accessible Parking* - The minimum vertical clearance in the accessible parking spaces and adjacent shared areas is to be 2500mm, and the path of travel from the building entry to accessible parking spaces is to have a minimum vertical clearance of 2200mm. If speed humps are provided in a path of travel to the accessible parking spaces a 1000 mm wide gap is to be provided in the centre of the hump. Gaps at the end of speed humps are sometimes blocked by long vehicles or incorrectly parked vehicles.
55. *Street Entry* - The western street entry from Bridge Street is via several sets of steps. The steps should have equal height risers and comply with AS1428.1 (2009). Kerb ramps are to comply with AS1428.1 (2009). Bench seats at the main entry are to have backrests and armrests. All paving in the entry foyers and throughout the building is to be non-slip in wet and dry conditions.
56. *Doors* – All glazed doors and side panels on a continuous accessible path of travel are required to have a transom or luminance strip with its lower edge at a height between 900mm and 1000 mm above the floor level. The strip is to be at least 75 mm wide for the full width of the door or side panel and is to provide a luminance contrast of at least 30% to its surroundings, when viewed from either the inside or the outside the door, in daylight and night time conditions.
57. *Ground Floor*
- New serveries and bars are to have a 900 mm long section at a height of 850 mm +/- 20 mm, with a clearance below of 820 mm +/- 20 mm.
 - Two accessible toilets in the vicinity of the Showroom are shown to provide left-to-right transfers from a wheelchair to the WC pan. One should provide for a right-to-left transfer, to allow patrons and their carers to select the cubicle that suits their needs. Signage on the doors should indicate the direction of transfer, to comply with AS1428.1 (2009).
 - Stairs to the stage should have equal height risers and handrails on both sides.
 - The platform lift is to comply with AS1735.14. Details are to be provided to Council for approval.

58. *Level 2* – An accessible platform lift or platform stair lift from the squash courts is to be provided.

FOOD HEALTH & SAFETY

59. Details with the Construction Certificate Application plans including the following items:

- a) mechanical ventilation systems (to AS 1668 and National Construction Code); indicate risers, ductwork and point of discharge.
- b) structural alterations, sections/elevations/interior layout/lighting
- c) location/method of installing fittings
- d) wall, ceiling and floor finishes, including location of floor waste
- e) staff clothing/personal effects storage
- f) adequate food storage and trade waste areas
- g) hand wash basins (in food preparation area)
- h) proposed method of transport of plated and ready to eat food from the kitchens to the respective serving and dining areas.

60. All parts of the premises used for storage and preparation of food are to be constructed and fitted out strictly in accordance with by the Australian New Zealand Food Standards Code Parts 3.2.2 and 3.2.3, Australian Standard AS-4674-2004 (Construction and Fitout of Food Premises) and the conditions of any Council consent.

61. Provision shall be made for the storage of cleaning chemicals, equipment and staff personal belongings.

62. Refrigeration, frozen food cabinets, cooking appliances, equipment, fittings, cupboards, and cabinets are to be supported on one of the following systems:

- (a) Wheels or casters which allow the fully loaded fitting to be easily moved
- (b) Plinths or solid impervious material a minimum 75mm high, with 25mm radius coving between the junction of the plinth and the floor.
- (c) Legs which provide a minimum 150mm clearance from the floor to the underside of the fitting.

63. Adequate storage space must be provided on the premises either by the provision of storerooms or cupboards for the proper storage of all foodstuffs and other goods used in connection with the business and details of these must be submitted to the Principal Certifying Authority with the application for a Construction Certificate.

64. The use of the premises must not give rise to air impurities in contravention of the Protection of the Environment Operations Act 1997. Waste gases released from the premises must not cause a public nuisance nor be hazardous or harmful to human health or the environment.

65. Mechanical exhaust ventilation shall be provided to all cooking areas and/or heat or steam emitting areas. Submit details to the Principal Certifying Authority with the application for a Construction Certificate.

66. A system of filtered mechanical exhaust ventilation being provided to the kitchens with hoods over all cooking and heating appliances having an effective capture velocity at any position over the face area of the hoods of not less than (0.3 / 0.4 / 0.6 m/s) and designed to discharge the effluent air above roof level in the position approved by the Principal Certifying Authority where no nuisance will be created.

67. 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.

68. 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.
69. The stainless steel benches 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.
70. All service pipes and electrical conduits shall be concealed within the floors, plinths, walls or ceilings.
71. All service pipes and electrical conduits which are not capable of being concealed within the walls shall be mounted on brackets so as to provide at least 25mm clearance between the pipe and adjacent (wall) vertical surface and 100mm between the pipe and adjacent (floor) horizontal surface.

SMOKE FREE ENVIRONMENT

72. The Alfresco Terrace Areas and Gaming Areas being operated in accordance with the Smoke-free Environment Act 2000 and the guidelines outlined in the Smoke-free Environment Amendment (Enclosed Places) Regulation 2006. A report prepared by a suitably qualified person is to be submitted with the application for a Construction Certificate stating that the proposal satisfies the requirements of the Regulation.

ACOUSTICS

73. Carry out all recommendations in Part 5.4 of the 'Acoustic Assessment' as prepared by Koikas Acoustics (dated 15 November 2013).
74. The proposed use of the premises and/or machinery equipment installed, must not create noise so as to interfere with the amenity of the neighbourhood.
If a noise nuisance occurs, the person in control of the premises must arrange for an acoustic investigation to be carried out (by an accredited Acoustic Engineer), obtain Principal Certifying Authority concurrence for the recommendations of the Consultant, and implement those recommendations so as to reduce the noise levels to the ambient noise level.
75. Noise and vibration from the use of the air handling system (mechanical exhaust ventilation) system shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy
76. 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.

RAILCORP

77. Prior to the commencement of works and prior to the issue of the Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The

submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.

78. An acoustic assessment is to be submitted to Council prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads – Interim Guidelines".
79. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
80. The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of RailCorp. The Principle Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.
81. If required by Railcorp, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Railcorp for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Railcorp confirming that this condition has been satisfied.
82. Prior to the issuing of a Construction Certificate the Applicant is to submit to RailCorp a plan showing all craneage and other aerial operations for the development and must comply with all RailCorp requirements. The Principle Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the RailCorp confirming that this condition has been satisfied.
83. If required by RailCorp, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to RailCorp for review and endorsement prior to the issuing of a Construction Certificate. The Principle Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from RailCorp advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.

ROADS & MARITIME SERVICES

84. The additional off street car parking areas shall be designed and constructed in accordance with AS2890.1-2004 and AS2890.2-2002.
85. All vehicles shall enter and exit the subject site in a forward direction.
86. The swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site shall be in accordance with Austroads.
87. All works associated with the proposed development shall be at no cost to the Roads & Maritime Services.

SYDNEY WATER REQUIREMENTS

88. 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 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.

CRITICAL INSPECTIONS

89. The following critical stage inspections must be carried out by the Principal Certifying Authority (either Council or the Accredited Certifier):

Class 5, 6, 7, 8 or 9 Buildings

89.1. prior to covering any stormwater drainage connections, and

89.2. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

ADDITIONAL INSPECTIONS

90. 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

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

WE ALSO ADVISE:

92. This application has been assessed in accordance with the National Construction Code.

93. You should contact Sydney Water prior to carrying out any work to ascertain if infrastructure works need to be carried out as part of your development.

94. 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
- Final Fire Safety Certificate
- Glazing
- Water Proofing

95. Any works to be carried out by Council at the applicant's cost need to be applied for in advance.

96. 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.

97. 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.

98. 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.

99. Compliance with the National Construction Code does not guarantee protection from prosecution under “The Disability Discrimination Act” and you must comply with the Commonwealth Disability (Access to Premises – Buildings) Standard 2010. Further information is available from the Human Rights and Equal Opportunity Commission on 1800 021 199.
100. 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.
101. 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.
102. If you are not satisfied with this determination, you may:
 - 102.1. 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 6 months of the date of receipt of this Notice of Determination; or
 - 102.2. Appeal to the Land and Environment Court within 6 months after the date on which you receive this Notice of Determination, under Section 97 or Section 97AA of the Environmental Planning and Assessment Act 1979.