

JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP No	2014SYE080
DA Number	DA-519/2013/A
Local Government Area	City of Canterbury
Proposed Development	Section 96(2) modification to amend the layout and design of approved alterations and additions to existing licensed club premises, including additional basement, modified plant room and roof structure
Street Address	26-62 Bridge Road, Belmore
Applicant / Owner	Cerno Management P/L
Number of Submissions	Two submissions including a petition signed by 51 households
Recommendation	Approval
Report by	Rita Nakhle Senior Planner

Assessment Report and Recommendation

EXECUTIVE SUMMARY

- On 16 April 2014, the Joint Regional Planning Panel approved 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' at the subject site.
- On 25 September 2014, Council under Delegated Authority approved a Section 96(1) application which sought to modify Development Consent DA-519/2013 by inserting 'relevant' before the wording 'Construction Certificate' in all conditions that refer to a Construction Certificate.
- The current application is a Section 96(2) modification to amend the layout and design of approved alterations and additions to existing licensed club premises, including additional basement, modified plant room and roof structure.
- The Section 96(2) application is referred to the Joint Regional Planning Panel (Sydney East Region) for determination as per the provisions of Section 96(2) of the Act and Section 118 of the Environmental Planning and Assessment Regulation 2000.

- The modification application has been assessed against the requirements of the relevant planning instruments and development control plan. 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 two submissions objecting to the proposal including a petition signed by 51 households. The issues raised in the submissions and our responses to those issues are provided in the body of this report.
- The modification application is recommended for approval.

BACKGROUND

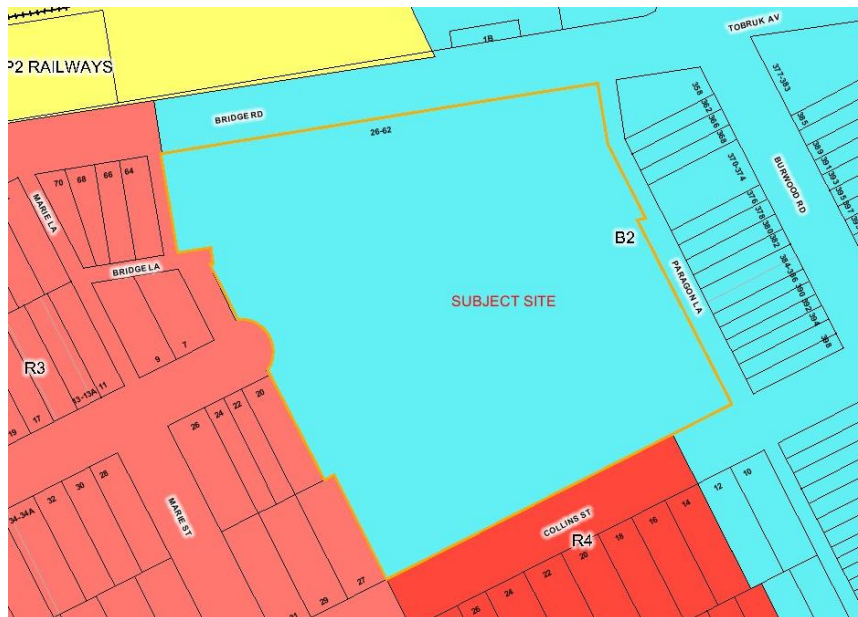
On 16 April 2014, the Joint Regional Planning Panel approved Development Application DA-519/2013 for the 'refurbishment and reconfiguration of the existing Canterbury League Club including the construction of four level basement carpark and new loading dock' at the subject site.

On 25 September 2014, Council under Delegated Authority approved a Section 96(1) application which sought to modify Development Consent DA-519/2013 by inserting 'relevant' before the wording 'Construction Certificate' in all conditions that refer to a Construction Certificate.

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

PROPOSAL

The subject Section 96(2) application seeks to amend the layout and design of approved alterations and additions to existing licensed club premises, including additional basement, modified plant room and roof structure. Specifically, the proposal involves:

- Construction of an additional basement carpark level to accommodate a further 104 car spaces;
- Relocation of roof plant to the Level 1 plant room;
- Ground level mechanical exhaust riser enlarged to support the additional basement level car park;
- The fire control centre has been relocated from the Ground Floor to carpark level 1;
- Enlarged kids play area on ground floor;
- Reconfigured internal gaming area on Level 1; and
- Modified roof structure on the western façade with increased building height.

The proposed internal reconfiguration will result in an additional 15 square metres of gross floor area.

The applicant provides the following information in regard to the proposed changes:

- *The additional 104 parking spaces proposed to be located on basement Level 5 will accommodate the future parking requirements of the Canterbury League Club as it changes incrementally overtime. The additional parking will also provide parking to cater for extraordinary peak periods that occur intermittently.*
- *The existing roof plant and mechanical ventilation will be relocated to the new plant room approved under DA-519/2013.*

- *The mechanical exhaust riser located within the landscaped surrounds on the ground floor has been enlarged to accommodate the requirements of the additional basement level.*
- *The fire control room has been relocated to the front of the site to improve access for the NSW Fire Service. This has allowed the kids areas to be reconfigured on the ground floor.*

Conditions 5 & 39 of Development Consent DA-519/2013 (as modified) relates to the plans approved for the subject development, which will be required to be amended as part of the changes proposed with the subject modification application, if approved.

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

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

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.

Further, the applicant seeks approval to amend part of the wording of the following conditions of consent.

Condition B (Point 7):

B. Details of:

- Ventilation of Basement Carpark (Compliance with Section 4.4 of AS 1668.2)

Condition 32 – Construction Noise Guidelines

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.

Condition 58(a) – Mechanical ventilation system construction requirements

Details with the relevant 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.*

Condition 65 – Mechanical ventilation system construction requirements

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.

Condition 71 – Smoke free environment

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 the relevant Construction Certificate stating that the proposal satisfies the requirements of the Regulation.

Condition 75 – Mechanical Ventilation system construction requirements

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 the relevant 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.*

ASSESSMENT

Section 96(2) of the Environmental Planning and Assessment Act, 1979 allows Council to modify development consent if:

- a) it is satisfied that the development to which the consent as modified relates is substantially the same development,*

It is considered that the proposed development is substantially the same development as that approved under Development Consent DA-519/2013 and later modified. The individual and cumulative impacts of the changes proposed are not considered to be significantly greater than what has been previously considered and approved by the JRPP or Council in both the previous applications. The land use, hours of operation and general built form is not proposed to change with the subject application.

For the above reasons, it is considered that the development as modified is substantially the same development for which consent was originally granted.

- b) *it has consulted with the relevant Minister, public authority or approval body in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

The application did not require any consultation with a Minister, public authority or other approval body.

- c) *It has notified the application in accordance with:*
 (i) *the regulations, if the regulations so require, or*
 (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

In accordance with Part 7 - Notification of Development Applications of Canterbury Development Control Plan 2012, the subject application was publicly exhibited and notified to affected owners and occupants.

- d) *It has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

Two submissions were received objecting to the proposal including a petition signed by 51 households. The issues raised in the submissions and our responses to those issues are discussed below:

Issue of Concern	Comment
<i>Concern is raised in regard to the additional adverse impacts of the new outdoor terraces areas, next to the corner of Paragon Lane and Bridge Road, approved under Development Consent DA-519/2013.</i>	The subject modification application does not propose any changes to this part of the development. This matter was addressed in the assessment report for DA-519/2013. It is noted that the development, as approved, and as proposed to be modified, is subject to a number of conditions that have been imposed to address and protect the

	<p>amenity of neighbouring residents. These conditions relate to controlling noise and vibration impacts including those of the mechanical ventilation system, construction hours, and air pollution.</p>
<p><i>Concern is raised in regard to the increasing traffic congestion on Bridge Road. The proposal for an additional 104 spaces will add more cars and extra traffic on Bridge Road which will create a traffic hazard for drivers and pedestrians.</i></p>	<p>A traffic and parking assessment of the proposed modifications was prepared by Traffix Traffic and Transport Planners (dated 2 June 2014) which concludes that the additional parking will accommodate the existing and future parking demands of the Canterbury League Club, and the additional 15sqm of gross floor area will not increase the traffic generation of the approved development.</p> <p>Our Traffic Engineer has reviewed the subject application and raises no objection to the proposed modifications on parking and traffic generation grounds.</p> <p>In regard to the issue of driver and pedestrian safety, the development, as approved, involved a number of measures to be implemented on site to address safety concerns and maximise visibility for pedestrians and drivers including the installation of convex mirrors to increase sightlines, the operation of a flashing warning system for when trucks are exiting the loading dock, the construction of traffic calming speed humps, low level landscaping and proposed kerb blisters along Bridge Road adjacent to the driveways.</p>
<p><i>Concern is raised in regard to the extent of excavation involved in this development</i></p>	<p>A condition is imposed on Development Consent DA-519/2013 requiring the applicant to provide a dilapidation report for the adjoining properties, prior to the issue of the relevant 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.</p>
<p><i>What is the trigger point that requires the Council or the JRPP to review the entire development application, including the amendments? When is a new</i></p>	<p>The subject application satisfies the assessment made under Section 96(2) of the Environmental Planning and Assessment Act, 1979 (as detailed above) for the proposed changes to be</p>

<i>development application required?</i>	considered as amendments to the original Development Consent DA-519/2013.
<i>Concern is raised in regard to the additional overshadowing impacts from the proposed modified roof structure</i>	This matter is addressed in table below under Development Control Plan - Climate and Resource Efficiency (Part 6.2).
<i>Concern is raised that Council has failed to take proper action against Canterbury League Club for not complying with set guidelines and conditions, despite numerous complaints by local residents</i>	This is not a matter than can be considered and assessed under this modification application. Contact should be made with Council's Customer Service Centre regarding any unresolved complaints and/or compliance issues.

Other Considerations

In determining an application for modification of the development consent, Council must also take into consideration relevant matters referred to in Section 79C (1). The following is a discussion of matters under Section 79C as being relevant to the current Section 96 application.

- **Environmental Planning Instruments**

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 subject modification application was referred to Railcorp. Railcorp did not provide a submission in response and it is thus assumed that no objection is raised by RailCorp.

Further, as the proposal involves new parking for 200 or more vehicles (including all spaces as approved and as proposed), the development application was referred to the Roads and Maritime Services (RMS), in accordance with Clause 104 of the SEPP, who raised no objection to the proposed development.

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 Canterbury Local Environmental Plan 2012 as follows:

Standard	Requirement	Proposal	Complies
Zoning	B2 Local Centre	The proposed modification relate to a permissible and approved 'registered club' use, and as such is permissible in the zone subject to development consent	Yes
Building Height	30m	The development, as proposed to be modified, is well within the 30m maximum building height limit	Yes

- **Development Control Plan**

The proposed modifications are assessed against the applicable parts of Canterbury Development Control Plan 2012 below:

Side Setbacks	<p>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.</p> <p>In the case of the subject proposal, this requirement applies to the proposed western elevation where it adjoins No.20 Gladstone Street, Belmore.</p> <p>The development, as proposed to be modified, 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 adjoining 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.</p>
Climate and Resource Efficiency (Part 6.2)	<p>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 shows that the proposed modifications will increase overshadowing onto the rear yard of the adjoining property at 27 Collins Street between 11.00am and 1pm, however, this property will then receive good sunlight access to its rear yard from 1pm onwards. All other dwellings immediately adjacent to the site will receive at least 2 hours of sunlight access to their living room and open space areas.</p> <p>Further, Part 6.2.6(ix) state it must be demonstrated that solar cells or solar hot water collectors on adjoining land</p>

	<p>would not be overshadowed. The development, as approved, did not comply with this requirement as building works along the western part of the Club building overshadowed 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. The modification application does not alter the shadowing impacts onto these solar panels.</p> <p>To address this above issue, and as per discussions held during the assessment and approval stage of DA-519/2013, the Club has provided evidence that they have initiated discussions with the owners of this affected property to aim 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.</p>
<i>Development Engineering, Flood & Stormwater (Part 6.4)</i>	<p>Our Development Engineer has reviewed the application and has advised that the proposed modification is sufficient and no objections are raised on engineering grounds. Should approval be issued, then Condition 39 is required to be amended to refer to revised 'Stormwater Drainage Concept' plans.</p>
<i>Vehicles Access & Parking (Part 6.8)</i>	<p>The proposed modifications involve a minor increase of 15 square metres of gross floor area. Based on the accepted rate (in the original approval) of 1 space required for every 18.5 square metres, the proposal generates the need for one additional parking space. The proposed modification involves an additional level of basement car parking resulting in an increase of 104 spaces.</p> <p>A traffic and parking assessment of the proposed modifications was prepared by Traffix Traffic and Transport Planners (dated 2 June 2014) which concludes that the additional parking will accommodate the existing and future parking demands of the Canterbury League Club, the additional 15sqm of gross floor area will not increase the traffic generation of the approved development, and the proposed modifications to the internal design of the basement carparking are in accordance with the requirements of AS 2890.14 (2004).</p> <p>Our Traffic Engineer has reviewed the subject application and raises no objection to the proposed modifications on parking and traffic generation grounds.</p>

The proposed modifications do not alter the development's compliance with the relevant requirements in Canterbury Development Control Plan 2012 and as such the application is considered to be acceptable.

- **Section 79C (1)(b) - The likely impacts of the development**

Building

The application has been assessed by Council's Building Officer who considered the proposal to be consistent with the relevant National Construction Code considerations and as such had no objections to the modifications proposed which include:

- Change in the wording of Condition B (Point 7) relating to ventilation of basement carpark, to change from 'compliance with Section 4.4 of AS 1668.2' to 'compliance with the National Construction Code'. The applicant states that AS1668.2 is the 'deemed to satisfy' solution for mechanical ventilation in the National Construction Code, and precludes the applicant's ability to provide an 'alternative solution'. Therefore, this application seeks to have this condition amended to allow the provision of an alternative solution if required.
- Change in the wording of Condition 58(a) relating to the mechanical ventilation system construction requirements, to delete reference to AS 1668 and maintain reference only to the National Construction Code. The applicant states that AS1668.2 is the 'deemed to satisfy' solution for mechanical ventilation in the National Construction Code, and precludes the applicant's ability to provide an 'alternate solution'. Therefore, this application seeks to have this condition amended to allow the provision of an alternative solution if required.
- Change in the wording of Condition 65 relating to the mechanical ventilation system construction requirements, to delete reference to '...at any position over the face area of the hoods of not less than 0.3 / 0.4 / 0.6 m/s)' and replace with 'in accordance with the National Construction Code. The applicant states that the effective capture velocities do not define the applicable velocity for separate types of cooking and that compliance with the National Construction Code will ensure the relevant requirements are met and allow for the provision of alternative solutions if required.
- Change in the wording of Condition 75 relating to the mechanical ventilation system construction requirements, to delete reference to AS 1668.2-1991 and replace with reference to the National Construction Code. The applicant states that AS1668.2 is the 'deemed to satisfy' solution for mechanical ventilation in the National Construction Code, and precludes the applicant's ability to provide an 'alternative solution'. Therefore, this application seeks to have this condition amended to allow the provision of an alternative solution if required.

Environmental Health

The application has been assessed by Council's Environmental Health Officer who considered the proposal to be acceptable and raised no objection to the modifications proposed which include:

- Change in the wording of Condition 32 relating to construction noise guidelines so as to make reference to compliance with the criteria contained under the Quantitative Assessment Method of the DECCW Interim Construction Noise Guidelines. This is considered acceptable given that the NSW Department of Environment, Climate Change and Water (DECCW) document "Interim Construction Noise Guidelines" contain the current and applicable criteria for construction noise relevant to the approved development.
- Change in the wording of Condition 71 relating to 'Smoke Free Environment' so as to require the applicant to provide the relevant report with the application for an Occupation Certificate. The condition as originally worded states that this report is to be provided with the application for a Construction Certificate. The applicant states that Health NSW will ultimately determine whether the Alfresco Terrace Areas and Gaming Areas accord with the relevant legislative requirements and that they do not provide this service during the project design phase. Therefore, it is considered appropriate to satisfy Condition 71 prior to the issue of an Occupation Certificate.

Further, the modification application was supported by the submission of a Mechanical Plant Noise Assessment, prepared by Koikas Acoustics Pty Ltd, dated 6 June 2014. The report provides a list of recommendations to be adopted on the development, which will ensure that adjoining residents will not be subject to adverse levels of noise. The list of recommendations is as below and our Environmental Health Officer has advised that any approval issued for this modification application should impose these as additional conditions on the DA Consent 519/2013.

- The proposed new plant rooms (upper and lower) as well as the basement level supply fan room are to be ventilated through acoustic louvres facing to the west. The acoustic louvres are to be a minimum depth of 600mm and are to have a noise reduction performance equivalent to:

63Hz	125Hz	250Hz	500Hz	1000Hz	2000Hz	4000Hz	8000Hz
8	11	16	22	27	29	27	24
Data typical of insertion loss levels published by Sound Attenuators Australia for their ALH2 product							

- All air handling units (AHU) are to be fitted with appropriate acoustic sandwich panel casings.
- All kitchen exhaust ducts are to have a minimum of 4 metres of internal duct lining (50mm thick fibreglass 24kg/m³) between the fan unit and the discharge point on the rooftop. Alternatively, a silencer type attenuator

may be included in the design in-lieu of the 4 metre length of lined ductwork. The required insertion loss of the silencer would need to be designed at such a time as the fan selection is finalised.

- All car park exhaust and supply fans are to be fitted with outlet/inlet silencers capable of achieving the following insertion loss:

63Hz	125Hz	250Hz	500Hz	1000Hz	2000Hz	4000Hz	8000Hz
8	8	13	22	19	13	12	10

- The proposed new upper and lower plant rooms are to incorporate absorptive ceiling material to minimise any unnecessary building-up of reverberant sound energy from the mechanical plant.
- **Section 79C (1)(c) - The suitability of the site for the development**
The zoning of the site permits the subject use on the site. As previously demonstrated under Development Application DA-519/2013 (as modified), the proposed development is generally compliant with controls and objectives outlined in the relevant plans and policies.
- **Section 79C (1)(d) – Any submissions made in accordance with this Act or the regulations**
Two submissions were received objecting to the proposal including a petition signed by 51 households. The issues raised in the submissions and our responses to those issues are discussed above under Assessment - Section 96(2)(d).
- **Section 79C (1)(e) – The public interest**
Given that the proposed modifications to the development are unlikely to lead to any detrimental impacts on surrounding development, it is considered that supporting the proposed development is not against the public interest.

Having regard to the matters discussed above, the proposed modification is considered to be satisfactory and worthy of support.

CONCLUSION

The proposed modification is substantially the same development that was originally considered and approved by Council. The proposed modification is considered acceptable having regard to the provision of Sections 79C and 96 of the Environmental Planning and Assessment Act, 1979. Approval of the application under Section 96 is recommended.

RECOMMENDATION

THAT the application to modify Development Consent DA-519/2013 (as modified) be APPROVED as set out below:

The rewording of Condition B (Point 7):

B. Details of:

- Ventilation of Basement Carpark (Compliance with the National Construction Code)

The rewording of Condition 5 to read as follows:

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 3	Site Analysis Plan	Altis Architecture	20 June 2014
DA003 Issue 2	Materials & Finishes Door & Window Schedule	Altis Architecture	20 June 2014
DA101 Issue 2	Existing / Demolition Basement Plan	Altis Architecture	20 June 2014
DA102 Issue 3	Existing / Demolition Ground Floor Plan	Altis Architecture	20 June 2014
DA103 Issue 2	Existing / Demolition Level 1 Plan	Altis Architecture	20 June 2014
DA104 Issue 2	Existing / Demolition Level 2 Plan	Altis Architecture	20 June 2014
DA105 Issue 2	Existing / Demolition Roof Plan	Altis Architecture	20 June 2014
DA110 Issue 2	Proposed Key Plans	Altis Architecture	20 June 2014
DA1100 Issue 1	Car Park Level 5	Altis Architecture	20 June 2014
DA111 Issue 2	Car Park Level 4	Altis Architecture	20 June 2014
DA112 Issue 2	Car Park Level 3	Altis Architecture	20 June 2014
DA113 Issue 2	Car Park Level 2	Altis Architecture	20 June 2014
DA114 Issue 3	Basement Plan / Car Park Level 1	Altis Architecture	20 June 2014

Drawing No.	Drawing Title	Prepared by	Received by Council on
DA115 Issue 3	Ground Floor Plan	Altis Architecture	20 June 2014
DA116 Issue 3	Level 1 Plan	Altis Architecture	20 June 2014
DA117 Issue 2	Level 2 Plan	Altis Architecture	20 June 2014
DA118 Issue 2	Services Alterations Plans	Altis Architecture	20 June 2014
DA119 Issue 3	Roof Plan	Altis Architecture	3 September 2014
DA200 Issue 1	Existing Elevations	Altis Architecture	20 June 2014
DA210 Issue 3	External Elevations	Altis Architecture	3 September 2014
DA300 Issue 4	Sections – Sheet 1	Altis Architecture	3 September 2014
DA301 Issue 2	Sections – Sheet 2	Altis Architecture	20 June 2014

The rewording of Condition 32 to read as follows:

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 criteria contained under the Quantitative Assessment Method of the DECCW Interim Construction Noise Guidelines.

The rewording of Condition 39 to read as follows:

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, H112 02, H113 02, H114 02, H115 02, H116 02, H117 02, H118 01 & H119 01, and received by Council on 20 June 2014, drawing numbers H110 02 & H111 03, prepared by Warren Smith & Partners and as amended by the following conditions.

The rewording of Condition 58(a) to read as follows:

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

- (a) mechanical ventilation systems (to the National Construction Code); indicate risers, ductwork and point of discharge.

The rewording of Condition 65 to read as follows:

65. 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 in accordance with the National Construction Code 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.

The rewording of Condition 71 to read as follows:

71. 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 an Occupation Certificate stating that the proposal satisfies the requirements of the Regulation.

The addition of new Condition 72(a) to read as follows:

- 72(a) Carry out all recommendations in Part 3.3 of the 'Mechanical Plant Noise Assessment' as prepared by Koikas Acoustics Pty Ltd (dated 6 June 2014) as detailed below:

- The proposed new plant rooms (upper and lower) as well as the basement level supply fan room are to be ventilated through acoustic louvres facing to the west. The acoustic louvres are to be a minimum depth of 600mm and are to have a noise reduction performance equivalent to:

63Hz	125Hz	250Hz	500Hz	1000Hz	2000Hz	4000Hz	8000Hz
8	11	16	22	27	29	27	24
Data typical of insertion loss levels published by Sound Attenuators Australia for their ALH2 product							

- All air handling units (AHU) are to be fitted with appropriate acoustic sandwich panel casings.
- All kitchen exhaust ducts are to have a minimum of 4 metres of internal duct lining (50mm thick fibreglass 24kg/m³) between the fan unit and the discharge point on the rooftop. Alternatively, a silencer type attenuator may be included in the design in-lieu of the 4 metre length of lined ductwork. The required insertion loss of the silencer would need to be designed at such a time as the fan selection is finalised.
- All car park exhaust and supply fans are to be fitted with outlet/inlet silencers capable of achieving the following insertion loss:

63Hz	125Hz	250Hz	500Hz	1000Hz	2000Hz	4000Hz	8000Hz
8	8	13	22	19	13	12	10

- The proposed new upper and lower plant rooms are to incorporate absorptive ceiling material to minimise any unnecessary building-up of reverberant sound energy from the mechanical plant.

The rewording of Condition 75 to read as follows:

75. The mechanical ventilation system must comply with the National Construction Code. The use of mechanical ventilation and air conditioning in buildings. Details and specifications being submitted to the Principal Certifying Authority with the application for the relevant 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.