



**Parramatta City
Council**

File No: DA/845/2013

**ASSESSMENT REPORT: RECREATION FACILITY (MAJOR)
S79C – Environmental Planning & Assessment Act 1979**

SUMMARY

Application details

DA No:	DA/845/2013
Assessment Officer:	Michael Vine
External Consultant	<i>Planning Ingenuity</i> are consultant town planners that have undertaken an external assessment of the subject application as Council has a financial interest in the development.
Property:	Lots 951, 952, 954, 959, 962, 963 11-13 O'Connell Street, PARRAMATTA (known as Parramatta Stadium).
Proposal:	Alterations and additions to northern, southern and eastern stands to increase seating capacity by 3,827 together with public domain works associated with the Parramatta Stadium.
Date of receipt:	19 December 2013
Applicant:	Venues NSW
Owner:	The State of NSW – Crown Land held in Trust and control by the Parramatta Stadium Trust
Submissions received:	One
Property owned by a Council employee or Councillor:	No
Issues:	Heritage, traffic and parking, Section 94A contributions, and tree removal.

Recommendation: Approval

Legislative requirements

Zoning: RE2 Private Recreation

Permissible under: Parramatta City Centre LEP 2007

Relevant legislation/policies: SEPP No. 55, SEPP No. 64, SEPP (Infrastructure) 2007, Parramatta City Centre LEP 2007.

Variations: None

Integrated development: No

Crown development: Yes

The site

Easements/rights of way: There are no easements of relevance to this application.

Area: Approximately 7.97 hectares

Heritage item: No

In the vicinity of a heritage item: Yes – Parramatta Park and is within proximity to Old Government House which is listed as a World Heritage Item.

Heritage conservation area: No

Site History: DA/48/14/4/5 - Approval of the original stadium on 7 October 1981

DA/659/2007 - Use of stadium for a range of non-sporting events was approved on 18 September 2008 with conditions limiting use of the stadium for an annual motocross event.

DA/659/2007A – A modification application was supported by Council allowing motocross events to be held at the stadium.

DA/729/2013 – An application for works to the western grandstand is currently under assessment.

DA history

19 December 2013
15 January 2014
07 January 2014

21 January 2014
06 February 2014
6 March 2014
7 March 2014
24 March 2014
27 March 2014

DA/845/2013 was lodged with Council
Notification of application
Request for additional information – Water Quality
Additional information received
JRPP Briefing
RMS Concurrence Letter
Request for additional information
Additional information received
Response from RMS received

SECTION 79C EVALUATION

SITE AND SURROUNDS

The site is located on the western side of O'Connell Street in the north-western portion of the Parramatta City Centre. Parramatta Park adjoins the site to the north-west, west and south.

Parramatta Swimming Centre adjoins the site to the south-east and Parramatta Leagues Club adjoins the site to the north-east. Old Government House and Domain is a World Heritage Listed site and is located further to the south of the site on the opposite side of the Parramatta River.

The site is currently occupied by a sports stadium and various detached building and public domain structures. The nearest residence is the residential (convent) component of Our Lady of Mercy College, approximately 800m to the east of the site. The site location is identified in Figure 1 below.

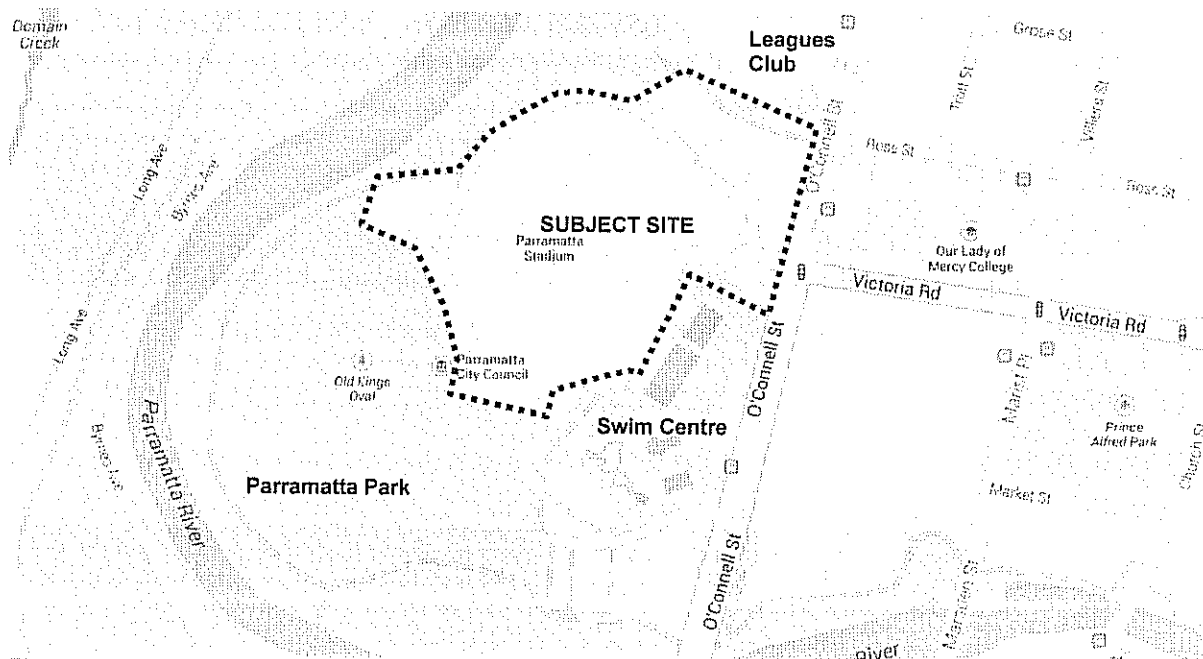


Figure 1: Site Location Plan

THE PROPOSAL

The proposal involves alterations and additions to northern, southern and eastern stands to increase seating capacity together with public domain works. The stadium currently accommodates 20,079 spectators and the proposal will increase spectator capacity by 3,827. The proposal includes the following works:

EASTERN STAND

- Public Domain Works: Demolition of the existing turnstiles, shade structures and all ground level buildings under the eastern grandstand. A suspended deck will extend the ground level at the stadium curtilage to the eastern boundary which will increase the stadium curtilage and pedestrian circulation space. The suspended deck requires the removal of 16 existing trees and includes replacement landscaping works;
- Ground floor: The stadium is to be stripped back to the concrete super structure to allow for the provisions of additional spectator facilities including additional WCs, food and beverage outlets and function rooms with associated commercial kitchen;
- First floor: Existing structures are to be removed to allow for additional seating with associated WCs and food and beverage outlets;
- Second Floor: Existing structures to be removed, lift and stair access is to be provided to 11 new corporate boxes with associated amenities and seating;
- Roof: The roof will be extended to accommodate the alterations to the lower levels; and
- Seating Capacity: The works to the eastern stand will reduce capacity by 261 seats.

NORTHERN STAND

- Public domain works: Demolition of the existing free standing structures and provision of new turnstile access to northern stand; and
- Additional Seating: New uncovered seating terrace to the north of the existing seating, comprising an additional 2,044 seats.

SOUTHERN STAND

- Public Domain Works: Demolition of the existing free standing structures and relocation the existing Big Screen Television. The Big Screen Television will be relocated further to the south of the site to accommodate the additional seating and will be increased in height to achieve an overall height of RL 31.75, which is 5.18m higher than it currently stands; and
- Additional Seating: New uncovered seating terrace to the south of the existing seating, comprising an additional 2,044 seats.

The location of the above works is identified at Figure 2 below.

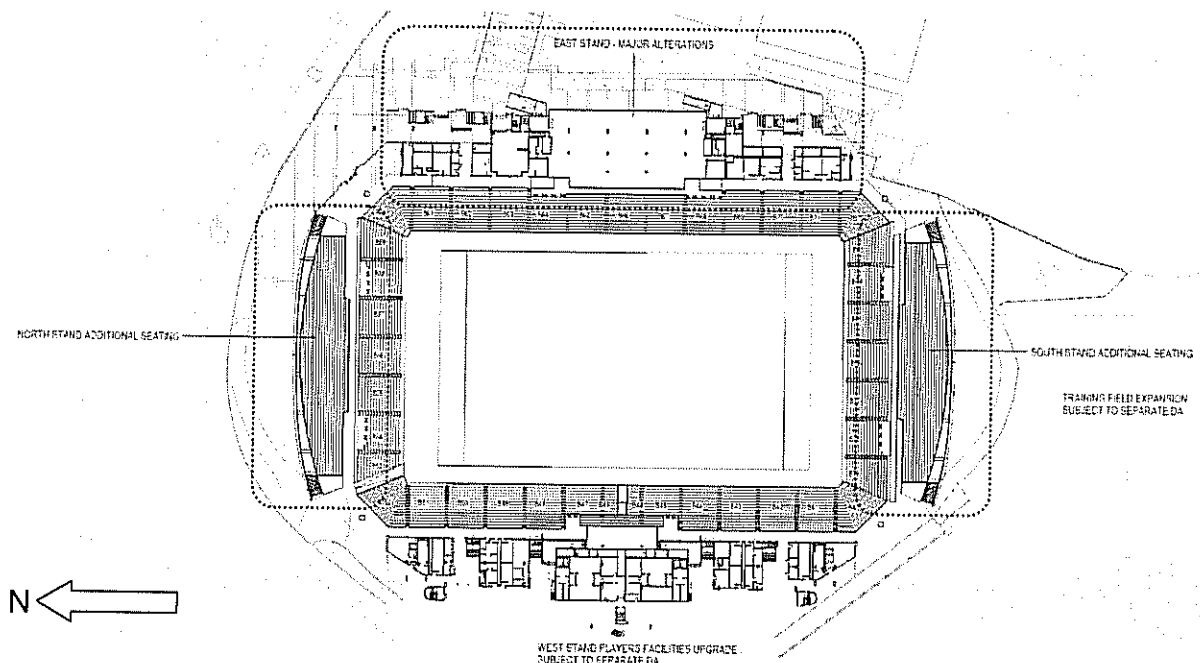


Figure 2: Proposed works at the northern, southern and eastern portions of the site.

Construction of the subject application will be partially funded by Section 94 Contributions (\$3 million) dedicated from Council in accordance with the Mayoral Minute which was adopted at the Council meeting of 26 August 2013. Council resolved in that meeting:

- (a) **That** Council contributes \$3 million from S94 Funds to the proposed upgrade of Parramatta Stadium.
- (b) **That** the Chief Executive Officer be authorised to negotiate the terms of any contract or agreement to provide these funds, in consultation with the Lord Mayor.
- (c) **That** the Council Seal be applied to any contract or agreement.
- (d) **Further, that** an updating memorandum be provided to Council on this issue.

PERMISSIBILITY

The site is located within the RE2 Private Recreation zone under Parramatta Local Environmental Plan 2007.

The proposal is permissible with development consent pursuant to Clause 14 of the LEP which references additional permitted uses as identified at Schedule 1. The site is identified in Schedule 1 as *Parramatta Stadium* and amongst other things, stadiums are permissible with development consent.

We note that the proposed building identification signage and advertising signage which forms part of this application is permissible with consent as it is ancillary to the stadium use. The stadium is clearly the principle use at the site and the proposed

advertising signage is ancillary to the stadium in that it is not capable of standing in isolation to the stadium.

REFERRALS

Traffic, Heritage, Development Engineer, Catchment, Waste Management, Health, Landscaping, Social Outcomes and Strategic Planning.

The development application was reviewed by Council's Heritage, Engineering, Catchment, Waste Management, Health, Landscaping, Social Outcomes and Strategic Planning Officers for comment.

Additional information was requested on 7 January 2014 in relation to water quality treatment and discharge. The requested information was received on 21 January 2014 and further considered.

All officers raised no objections subject to recommended development consent conditions. A summary of each referral response is provided below.

TRAFFIC

Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on O'Connell Street and the surrounding road network. The proposal can be supported on traffic and parking grounds subject to recommended conditions.

Planning Comment: The requested standard conditions will be incorporated into the development consent.

HERITAGE

The site of proposed development is not an item of heritage significance, however, it is sited in the Parramatta Park which is a widely known landmark, an item in the State Heritage Register and in the LEP.

Given the nature of the proposal, which is an expansion of the existing Stadium, without raising height, it is deemed that the impacts on the significance of the Parramatta Park will be within acceptable limits.

Given the significance of the Park to the wider community, it is also recommended to consider any matters that may arise out of public consultation, primarily with the Parramatta City Council's heritage advisory committee, and the Local Aboriginal Land Councils.

Planning Comment: Further information was sought in relation to the impacts of the Big Screen Television on the heritage setting of the site. The applicant provided additional information noting the following:

The proposed relocated and raised "Big Screen TV" would have little negative heritage impact on views northeast from Old Government House and Old

Kings School Oval and views west from Kings School and Grounds. This is due to screening by mature cultural plantings within the world heritage listed site when looking in the direction of Pirtek Stadium.

While the dimensions of the TV screen have not altered, the proposed relocated and raised "Big Screen TV" would have some adverse heritage impact on the adjoining area south of Pirtek Stadium, in particular, on views northeast from the perimeter of Old King's School Oval and north and northeast from the site of Old Government Farm. Consideration was given to mounting the screen at a lower height. However, this was discounted because of obstructed sightlines throughout the stadium and the need to be out of reach of spectators. To mitigate the visual impact, consideration was given to hydraulically raising the Big Screen TV on an as-needs basis. This was discounted because of the prohibitive cost of such a structure.

Mitigative measures have been considered to minimise adverse heritage impact of the relocated TV Screen. It is proposed the six poles that support the screen are to be painted the same colour as the louvre screen façade proposed for the South Stand South Elevation – namely, vertical linear grille charcoal metallic grey finish. This will assist in visually concealing the supporting structure. In addition, it is proposed the rear of the existing TV screen be finished with a mesh treatment in a recessive neutral colour and finish to help conceal the TV screen against the sky and tree foliage setting.

The additional heritage comments were considered by Council's Heritage officer who raised no objection to the application on heritage grounds.

DEVELOPMENT ENGINEERING

The proposal was referred to Council's Catchment management Team and assessed by Council appointed Consultant, Don Still of Brewsher Consulting. The stadium and the immediate precinct are outside the 1 in 20 year and 1 in 100 year flood frequencies and only affected by the PMF. It was also identified in the flood assessment that the stadium and its immediate precinct to be wholly within the Low Hydraulic Hazard Zone.

The Stadium is already existing, comparatively large and the refurbishment will not make and significant changes to the existing situation. Considering the nature of the development, the stadium will only be used by patrons during games and is also considered to be a non-habitable area. Therefore, a Flood Evacuation Strategy will be sufficient enough to satisfy the PMF related requirements. A condition has been included addressing this issue.

Planning Comment: The requested conditions will be incorporated into the consent.

CATCHMENT

The site is affected by the PMF level and is located in a Low Flood Risk precinct. Catchment Officer has recommended the following conditions:

- a. *Reliable access for pedestrians and vehicles is required from the site to an area of refuge above the PMF level, either on site (e.g. second storey) or off site.*
- b. *The applicant is to demonstrate the development is consistent with any relevant flood evacuation strategy or similar plan.*

Planning Comment: The requested conditions will be incorporated into the consent.

WASTE MANAGEMENT

No objection is raised to the development subject to standard conditions.

Planning Comment: The requested conditions will be incorporated into the consent.

ENVIRONMENTAL HEALTH

Environmental health requested a food and acoustic referral, the response of which is provided as follows:

Food: *The proposal satisfies the requirements of Council's controls and can be supported, subject to standard conditions of consent.*

Acoustic: *An Acoustic Impact Assessment (Project No. 25892-SYD-N) was prepared as part of the application by Wood & Grieve Engineers dated 18 December 2013.*

This assessment has been reviewed and it does appear to adequately address any potential noise impacts that may arise as a result of the development both in the demolition and construction phase and in the operational phase.

Recommendations for noise mitigation and control should be included as conditions of approval should consent be granted.

Planning Comment: The recommended noise impact conditions in relation to the demolition and construction phase are included in this consent.

LANDSCAPING

No objection is raised to the proposed works. The detailed information contained within the Arborist Report is supported. It shall be conditioned that the Arborist Report form part of the approved documentation and must be referenced for all tree removal works to be undertaken including all tree protection works to be installed and monitored.

Planning Comments: The requested conditions will be incorporated into this consent.

SOCIAL OUTCOMES

This work includes increasing the net overall seating for 3,827 people, bringing the total capacity to 24,566 seats.

Positive Social Impacts of this development

Neighbourhoods and belonging:

- *The proposal allows better utilisation of an existing asset and facilities for sporting teams and visitors for sporting and cultural events.*
- *The proposal will enhance a cultural asset for the area and City, on a well-connected site.*
- *Economic benefits to the local community through increased patronage for larger events*
- *Economic benefits to the local community through non-match day events such as functions*

Access and Equity:

- *Currently there are 80 accessible seats in the stadium. This will increase to 107 with the new development.*
- *The project design will be subject to ongoing design development and review to ensure that the development as a whole will meet the objectives and Performance Requirements of the Disability (Access to Premises – Buildings) Standards 2010 and the Building Code of Australia. This will deliver improved accessibility to the building including entry, handrails, lifts, signage and minimum standards and passageways and turning spaces.*
- *The proponent has engaged the services of an access consultant, Morris Gooding Accessibility Consulting, to review the design and provide advice so as to ensure that the design will be suitably accessible.*

Health:

- *The proposed extended roof to the Eastern Grandstand will largely overshadow the Stadium site/area for queuing, which is positive in terms of sun protection.*

Potential negative social impacts of this development

Privacy: two main privacy concerns and mitigation strategies for these have been identified in the Statement of Environmental Effects.

- *The proposed double-volume function space is centrally located on the ground floor of the eastern Grandstand. This space has glazed panels in its elevation, facing east. However, due to the distance to the eastern boundary (approximately 4-8m, as the boundary is not parallel to the glass line) and the significant change in grade, there will be no significant or direct privacy impacts from the eye-line of people within the proposed function space to users of the pool.*

- *The proposed concourse level includes the "extension" or new suspended deck, which will result in spectators being closer to the existing pool than currently occurs. This area does not appear to be a viewing area and primary purpose for enabling access and egress. These works do have the potential to cause some overlooking to the pool area. However, the pool area is already visible from the street and this area is planned only for use on "game days" or when the stadium is being used. At such times, queuing for access and egress would be for a relatively short period.*

Noise and Disruption:

- *Short term disruption during construction. This can be mitigated through Council guidelines around construction and it has also been addressed in Council's noise comments (10/01/2012)*
- *Traffic and Parking assessment by Colston Budd Hunt & Kafes indicate that increased traffic and parking impact on the local area will be minimal as there is capacity in the current network and with existing match day practices to cater for predicted additional vehicles.*

Overall the proposal should provide beneficial social outcomes for the community. Potential negative impacts can be managed or are negligible. It is recommended that the DA and Traffic and Parking Report be reviewed by Council's Traffic team.

STRATEGIC PLANNING – SECTION 94A CONTRIBUTIONS OFFICER

The estimated cost of development provided is \$25,902,370.00. For the purposes of levying of contributions (calculated under S25J) a figure of \$22,856,165 has been provided. (It is noted that a detailed report by a Quantity Surveyor has not been provided as required, although the summary report has been prepared by a quantity surveyor). A levy of \$685,684.95 would be payable based on the provided figures.

The proponent has presented an argument that a levy should not be imposed for the reasons summarised below;

- *Upgrade is for a not-for-profit purpose,*
- *Works will improve a cultural facility important to the community health and identity of Parramatta,*
- *Large cost of works related to fixtures and fit-out and not commensurate with increase in GFA,*
- *Additional seating does not involve a permanent increase in population reducing impacts on other infrastructure,*
- *Proposal includes substantial public domain works to an estimated value of \$1.5million.*

The arguments presented above are not accepted and it is considered appropriate that a levy be imposed.

The applicable Section 94A Development Contributions Plan (also known as Parramatta Civic Improvement Plan – Amendment 2) provides a threshold and

criteria (>\$250,000 & increase in G.F.A) for the applicability or trigger of contributions (refer section 4.2) being payable. The proposal clearly meets these thresholds and the plan does not provide for the assessment on a case-by-case basis of the appropriateness, or otherwise, of contributions being payable.

It is recognised that the upgraded stadium facility and its increased capacity will improve an existing facility used for the hosting of sporting and cultural events in Parramatta however the stadium operates as a commercial venture and is run in this manner where it is expected to provide a positive return. Other than for ticketed events the facility is not generally available for use by members of the public or local sporting and community organisations. Further, the increased seating capacity (3,827) will likely increase ticket sale revenue and potential sponsorship opportunity. Unlike development referenced in planning Circular D6 such as health services facilities and educational establishments the stadium is not considered to offer a level of public benefit for which it may be argued a reduction in developer contributions is appropriate.

The works described as 'public domain' include fencing, paving and landscaping works in and around the entry areas to the stadium. The location and nature of these are such that they are considered ordinarily incidental to the stadium. The works are contained within the overall stadium site boundary and partially within the ticketed area of the stadium. Some of the landscaping works also replace trees and vegetation (16 trees) that are proposed to be removed.

The only manner in which Council cannot impose conditions relating to payment of contributions is where a proponent is carrying out specific works identified in the plan or through the entering into of a Voluntary Planning Agreement (VPA). A VPA provides a means under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide material public benefit, to be used for or applied towards a public purpose. To date, the VPA's which Council have determined provide a public purpose have included land dedication and embellishment for use as public open space, affordable housing, lane-way dedication and construction and bushland re-generation works. This is consistent with Council's Planning Agreement Policy and the provisions of Section 93F of the EP&A Act. The 'public domain' works proposed as part of this application are not considered to deliver a substantial public benefit sufficient to warrant any reduction in payment of contributions.

It is noted that a further development application (DA/729/13) for works to the western grandstand is currently under assessment. The proponent is requesting that development contributions levy be waived for this application also. The contributions payable for that DA would be approximately \$121,000. The accumulative effect of Council not receiving developer contributions may result in Council not being able to deliver the infrastructure, high quality urban design and public domain works needed to support the desired growth and development of the Parramatta City Centre.

Planning Comment: A condition of consent will be imposed requiring the submission of a detailed estimate of cost for the development (to be prepared by a qualified quantity surveyor) for the purpose of identifying the Section 94A monies that are payable prior to commencement of works.

CONCURRENCE FROM STATE AUTHORITIES

In accordance with Clause 104 of SEPP (Infrastructure) 2007 the application was referred to the Roads and Maritime Service for concurrence. A response was received raising no objection to the application.

PUBLIC CONSULTATION

In accordance with Council's Notification DCP, the proposal was advertised as a development application for the Joint Regional Planning Panel. The application was notified for 21 days from 15 January till 5 February 2014. One (1) submission was received from the owner of No. 75/20 Victoria Road, Parramatta

The issues raised are outlined below:

Issue 1: There is no apparent need for additional spectator capacity

It was contended that due to typical attendance levels in recent sporting events that there is no apparent need for additional seating capacity at the stadium.

Planning Comment: The question of whether there is sufficient capacity at present to support the proposed development is not a matter for consideration in the assessment of this application.

Issue 2: Impacts of increased capacity

Concern was expressed that the increased capacity of the stadium will attract more people which will result in additional noise, local safety concerns from fans drinking inside and outside of the stadium as well as there being increased traffic and police pressures.

Planning Comment: The existing stadium is well established locally and has a current capacity of 20,079 spectators. The proposal seeks to increase the existing capacity by 3,827 people, representing a 19% increase. The proposal does not change any operational aspects of the existing stadium use which is approved under separate development consents.

ENVIRONMENTAL PLANNING INSTRUMENTS

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

The provisions of SEPP No. 55 have been considered in the assessment of the development application. The site is not identified in Council's records as being contaminated. Further, the site does not have a history of a previous land use that may have caused contamination and there is no evidence that indicates that the site is contaminated. Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under SEPP 55.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

SEPP (Infrastructure) 2007 applies to the subject site as it has a frontage to a classified road, being O'Connell Street. The submitted Transport Report adequately demonstrates that the safety, efficiency and ongoing operation of the O'Connell Street will not be adversely affected by the development that will increase the capacity of the existing stadium.

In addition, the proposed development is identified as Traffic Generating Development pursuant to Schedule 3 of the SEPP. In accordance with Clause 104 of the SEPP concurrence is required from the NSW Roads and Maritime Authority. As detailed above, the RMS raise no objection to the application.

STATE ENVIRONMENTAL PLANNING POLICY No. 64 – ADVERTISING AND SIGNAGE

SEPP No. 64 applies to the development by virtue of the proposed advertising and building identification signage. The provisions of the SEPP were addressed as part of requested additional information and the signage proposed is considered acceptable in terms of Schedule 1 of the SEPP.

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

SREP (Sydney Harbour Catchment) 2005 applies to the LGA of Parramatta and accordingly the subject site. The proposal has been considered by Council's Catchment Engineer and will not adversely impact on water quality nor will the proposal impact on biodiversity. In addition, the proposal will not affect the scenic quality of Sydney Harbour.

PARRAMATTA CITY CENTRE LOCAL ENVIRONMENTAL PLAN 2007

Parramatta City Centre Local Environmental Plan 2007 was gazetted on 21 December 2007. The sections relevant to the proposed development are addressed below:

Zoning, aims and objectives – RE2 Private Recreation

The proposed alterations and additions to the existing stadium are permissible with development consent from Council pursuant to Clause 2(3) of Schedule 1 of the LEP which identifies additional permitted uses at the Parramatta Stadium Site. The relevant Clause specifically identifies *stadiums* as permissible with consent at the subject site. Furthermore, the building identification signage and the internal advertising are considered to be both incidental and ancillary to the stadium as advertising is typically associated with any stadium use and the advertising signage could not stand in isolation to the principle purpose, that is the stadium.

The proposal is consistent with the aims and objectives of the RE2 Private Recreation zoning applying to the land as:

- the proposal is for a continuation of the recreational purposes;

- it conserves the heritage significance of Parramatta Park, its natural assets and cultural heritage including its setting;
- it does not disrupt significant views;
- it maintains the vast majority of the park in its role as a community and recreational resource for the people of Parramatta and Western Sydney at large;
- It protects the ecological, scenic, and historical values along Parramatta River;
- It does not disrupt the water based recreational uses in the park; and
- It will improve the interface between the park and the natural environment.

Subject to recommended conditions the development will be consistent with the zone objectives.

Part 4 - Principle Development Standards

Clause 21 - Height and Clause 22 - Floor Space Ratio

This clause provides the maximum permitted height and floor space ratio that apply to sites identified on the LEP Maps.

Comment: There is no identified maximum height or floor space ratio that applies to the subject site and as such Clauses 21 and 22 do not apply. In any event, the proposal provides modest additional floor area and generally maintains the height and scale of the existing building and associated structures.

Clause 22B – Design Excellence

This clause requires the consent authority to be satisfied that any external building work exhibits design excellence in accordance with a specified criteria.

Comment: The applicant has provided sufficient justification in the Statement of Environmental Effects and supporting documentation (which includes a Statement of Heritage Impact) that the proposal is consistent with the intent of this standard and that the development exhibits design excellence.

Part 5 – Miscellaneous Provisions

Clause 22G – Special Areas

The clause provides objectives for Special Areas identified within the DCP.

Comment: The subject site is located adjacent to the Parramatta Park Special Area. The proposed use is consistent with the stated aims of the special area, which are to ensure that the park remains an important recreational resource for the people of Parramatta and the wider region.

29A Advertising and Signage

This clause provides provisions for advertising and signage and notes that advertising on land zoned RE2 – Private Recreation is prohibited.

Comment: The subject application seeks consent for the construction of a building identification sign on the eastern façade of the stadium and advertising signage at various internal parts of the stadium. As previously discussed, the proposed signage is considered to be both incidental and ancillary to the stadium building and are therefore permissible with consent pursuant to Schedule 1 of the LEP, notwithstanding the provisions of Clause 29A.

30 Classified Road

Contains provisions relating to the ongoing operation and function of classified roads, which includes O'Connell Street.

Comment: The impacts of traffic generation and intersection performance are assessed in the submitted Transport Report which has been considered and accepted by Council's Traffic Officer. It is considered that the proposed development which will increase the capacity of the existing stadium will not have unacceptable impacts on O'Connell Street.

33A Development on Flood Prone Land

This clause applies to development on flood prone land and applies to the subject site.

Comment: The subject site is located in a Low Flood Risk precinct as it is affected by the PMF levels. Conditions of consent have been recommended by Council's catchment officer and have been included in this consent.

Clause 33B - Acid Sulphate Soils

The proposal involves minimal excavation within a Class 5 Acid Sulphate soils area and is also within 500m of adjacent Class 1,2,3, or 4 land that is below 4 metres Australian Height Datum (AHD). The minor extent of excavation would not lower the water table below 1m AHD relative to adjacent Classes 1 - 4 land. The proposal is satisfactory subject to recommended standard conditions of consent.

34 Preservation of Trees and Vegetation

This clause requires a permit or consent for the removal or any damage to trees.

Comment: The proposal involves the removal of 16 trees. The removal of the trees and their replacement was considered in the submitted Arborist Report. This was considered and accepted by Council's Landscape officer subject to conditions.

35 Heritage Conservation

This clause requires a Heritage Impact Assessment for works within the vicinity of a heritage item and applies to the subject application.

Comment: A Heritage Impact Assessment has been prepared by NBRSP+Partners which concludes as follows:

While the proposal will have some minor visual impact on Government Farm near Noller Bridge, located southwest of the subject site, the proposed works will be obscured by existing tree plantings when viewed from key locations throughout much of Old Government House and Domain. Located within a precinct of historic associations with a wide variety of sporting activities, the proposed Pirtek Stadium Upgrade works maintains a sympathetic scale and proposes materials that have a recessive colour and texture to minimise negative heritage impacts.

The proposed works described above do not adversely affect the identified heritage significance of Old Government House and Domain, a world heritage listed property, located in close proximity to the site. We would, therefore, recommend the heritage aspects of this application be approved.

The above comments were considered and accepted by Council's Heritage Officer. Further information was requested in relation to the impacts of the relocation, and increase in height, of the Big Screen TV at the southern end of the stadium. The applicant provided additional information from the heritage consultant addressing the impacts of the Big Screen Television on heritage conservation. The heritage consultant stated that:

The proposed relocated and raised "Big Screen TV" would have little negative heritage impact on views northeast from Old Government House and Old Kings School Oval and views west from Kings School and Grounds. This is due to screening by mature cultural plantings within the world heritage listed site when looking in the direction of Pirtek Stadium.

While the dimensions of the TV screen have not altered, the proposed relocated and raised "Big Screen TV" would have some adverse heritage impact on the adjoining area south of Pirtek Stadium, in particular, on views northeast from the perimeter of Old King's School Oval and north and northeast from the site of Old Government Farm. Consideration was given to mounting the screen at a lower height. However, this was discounted because of obstructed sightlines throughout the stadium and the need to be out of reach of spectators. To mitigate the visual impact, consideration was given to hydraulically raising the Big Screen TV on an as-needs basis. This was discounted because of the prohibitive cost of such a structure.

Mitigative measures have been considered to minimise adverse heritage impact of the relocated TV Screen. It is proposed the six poles that support the screen are to be painted the same colour as the louvre screen façade proposed for the South Stand South Elevation – namely, vertical linear grille charcoal metallic grey finish. This will assist in visually concealing the supporting structure. In addition, it is proposed the rear of the existing TV screen be finished with a mesh treatment in a recessive neutral colour and finish to help conceal the TV screen against the sky and tree foliage setting.

The additional heritage comments were considered by Council's Heritage officer who raised no objection to the application on heritage grounds.

35A Historic View Corridors

This clause requires consideration of the impacts of development within historic view corridors.

Comment: The impact on significant view corridors is considered in the submitted Statement of Heritage Impacts and subsequent additional information provided by the Heritage Consultant. The proposal is considered to be satisfactory as it maintains the scale and proportions of the established stadium building and does not adversely impact on existing historic view corridors.

"HOUSEKEEPING" DRAFT AMENDMENTS TO PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

Under the provisions of section 79C(1)(a)(ii) of the Environmental Planning & Assessment Act 1979, any draft environmental planning instrument that is, or has been placed on public exhibition is a relevant matter for consideration in the assessment of a development application. Any such assessment must consider the degree of weight placed upon such provisions and whether the implementation of the draft LEP is certain and imminent. It must also consider the effect of any savings provisions contained within the instrument.

The subject site is included in draft "Housekeeping" amendments to Parramatta Local Environmental Plan 2011. Draft Parramatta LEP 2011 was placed on public exhibition between 1 August 2013 and 31 August 2013 and is therefore a draft environmental planning instrument for the purposes of section 79C(1)(a)(ii) of the Act.

The draft amendments do not affect the permissibility of the subject application which remains permissible under the additional permitted use Schedule as a Stadium. In addition, there are no other amendments that relating to this application requiring consideration.

DEVELOPMENT CONTROL PLANS

PARRAMATTA CITY CENTRE PLAN DEVELOPMENT CONTROL PLAN 2007

Parramatta City Centre Plan Development Control Plan was gazetted on 21 December 2007. The relevant sections of Parramatta City Centre DCP 2007 as they relate to the proposed development are addressed over page:

Consideration of views and vistas

As described above, the impact on significant view corridors is considered in the submitted Statement of Heritage Impacts. The proposal is considered to be satisfactory as it maintains the scale and proportions of the established stadium building which is generally screened by existing vegetation. In addition, the treatment of the additional visible elements of the stadium ensures that it is recessive to the landscape. The relocation and increase in height of the Big Screen TV is considered to be acceptable due to mitigating measures proposed to reduce the visual impacts of the screen when viewed from sensitive locations.

Access, Parking and Servicing

The proposed development will update the existing building to comply with access requirements of the BCA. The proposal retains the existing vehicular access arrangements to the site and the existing number of on-site parking spaces. The provision of on-site parking has been considered in the submitted Transport Report and is found to be acceptable in light of the ability of the local street network accommodating the likely increase in cars generated by the proposal.

Loading areas will remain unchanged as part of this application.

OTHER MATTERS

Drainage Impacts to the Park

The proposed works will result in some new drainage, however, subject to recommended conditions the proposal will be satisfactory and will not result in excessive stormwater run-off to Parramatta Park.

Pedestrian Amenity/Safety

The proposal will improve pedestrian amenity and circulation within the curtilage of the existing stadium. The public domain works are commensurate with the proposed additional spectator capacity at the stadium and are considered to be a significant improvement.

Operational Aspects of the Existing Stadium

The existing stadium will increase in capacity, however, will continue to operate in accordance with existing consents that apply to the stadium. These being

DA/48/14/4/5 - Approval of the original stadium on 7 October 1981

DA/659/2007 - Use of stadium for non-sporting events was approved on 18 September 2008 with conditions limiting use of the stadium for an annual motocross event.

DA/659/2007A – A modification application was supported by Council allowing motocross events to be held at the stadium.

The extent of works proposed will not significantly change the character and intensity of the existing stadium and do not necessitate a review of any existing approved operational aspects.

BCA Compliance and Disabled Access

A BCA Compliance Report has been submitted with the application which demonstrates that the proposal is capable of complying with the relevant requirements of the BCA with minor amendments to drawings and performance based alternative solutions.

A condition of consent will be imposed requiring the architectural plans to be modified demonstrating compliance with the BCA and where compliance cannot be achieved alternative solutions are to be provided as part of the construction certificate.

Construction Impacts

Construction traffic and heavy truck movements as well as the construction of a temporary access are required to facilitate the proposed development. The subject site is not in close proximity to residential streets. Subject to standard recommended conditions for construction management the proposal will be satisfactory.

S94A DEVELOPMENT CONTRIBUTIONS PLAN – PARRAMATTA CITY CENTRE

The applicant has sought an exemption to payment of Section 94A contributions and presented an argument that a levy should not be imposed for the reasons summarised below:

- Upgrade is for a not-for-profit purpose,
- Works will improve a cultural facility important to the community health and identity of Parramatta,
- Large cost of works related to fixtures and fit-out and not commensurate with increase in GFA,
- Additional seating does not involve a permanent increase in population reducing impacts on other infrastructure,
- Proposal includes substantial public domain works to an estimated value of \$1.5million.

The arguments presented above were not accepted by Council's Strategic Planning staff and a levy of approximately \$685,684.95 will be imposed for the reasons previously mentioned.

BONDS

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979 and Councils Schedule of Fees, security bonds are required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. In addition, an infrastructure restoration fee is required as a recommended condition of consent.

PLANNING AGREEMENTS

The proposed development is not subject to a planning agreement entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

REGULATIONS

There are no specific regulations that apply to the land to which the development application relates.

LIKELY IMPACTS

Site Analysis

The proposed works affect an existing stadium which has both an established visual presence and land use impact in the immediate area. The proposed works will improve the appearance and pedestrian amenity external to the site and will result in an increase in capacity by 3,827 spectators. It is considered that the increase in capacity will not significantly change the nature of the proposed use and that the operational aspects of the stadium can remain controlled by the existing operational consents that apply.

Surrounding development is predominantly recreational in nature being the park, training facilities and swimming pool complex. As demonstrated in the submitted Heritage Impact Assessment, the proposal will not detract from the setting of surrounding heritage items.

Access, Traffic & Parking

The proposal will increase capacity at the stadium without providing additional on-site parking. The impacts of traffic generation and parking have been assessed in the submitted Transport Report. The report takes into account existing shuttle buses, public transport and the percentage of people likely to rely on cars when visiting the site as part of major events. The report also assumes an occupancy rate of each vehicle to determine the additional traffic and parking generated as a result of the increase in capacity at the stadium.

The report concludes that the additional parking generated by the increased capacity (approximately 1,000 cars) will be accommodated by the existing on street parking network. The conclusions of the report are endorsed by Council's Traffic Officer.

Further, the application was considered by the Roads and Maritime Authority pursuant to Clause 104 of SEPP (Infrastructure) 2007 and no objection was raised.

The submitted BCA Report indicates that the site will be upgraded to comply with the equitable access requirements of the BCA. Details demonstrating compliance will be required as part of the construction certificate.

Utilities/Infrastructure

The proposed use will not adversely impact existing utilities or public infrastructure.

Fire Safety

As indicated in the submitted BCA Report, the building is capable of compliance with the requirements of the BCA with minor amendments to the drawings and performance based alternative solutions.

Social & Economic Impact

The social impacts of the proposal have been considered by the social outcomes officer who concludes that:

Overall the proposal should provide beneficial social outcomes for the community. Potential negative impacts can be managed or are negligible

The proposed development is not expected to have an adverse economic impact.

ESD & The Cumulative Impact

The development satisfactorily responds to ESD principals. The proposal is not expected to have any adverse cumulative impacts. The proposal will not inhibit the ability of future generations to use or further develop the subject site.

SUITABILITY OF THE SITE

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development.

SUBMISSIONS & PUBLIC INTEREST

Submissions

One (1) submission was received in response to the notification of the application.

The proposed development is not contrary to the public interest.

Public Interest

Parramatta Draft DCP 2011 has been publically exhibited and will come into force upon gazettal of the Parramatta Draft LEP 2011 which is understood to be imminent. The DCP contains specific provisions that relate to the Park Edge Special Area and accordingly the subject site. The Draft DCP is not a matter for consideration pursuant to Section 79C(1)(a) of the EP&A Act, 1979, however is considered to be of public interest. In any event, the impacts of the proposal on the setting of the Parramatta Park have been considered in detail in the submitted Statement of Heritage Impact and in relation to the applicable DCP controls. The Draft DCP does not raise any matters that require further consideration.

CONCLUSION

After consideration of the development against Section 79C of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest subject to recommended conditions of consent.

RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

General Matters

APPROVAL SUBJECT TO CONDITIONS

That Council as the consent authority grant development consent to Development Application No. 845/2013 for alterations and additions to the northern, southern and eastern stands to increase seating capacity by 3,827 together with public domain works associated with the Parramatta Stadium at 11-13 O'Connell Street, Parramatta for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the following conditions:

1. The development is to be carried out in compliance with the following plans as amended by annotation and documentation listed below and endorsed with Council's stamp.

Drawing Name	Drawing N ^o	Dated
Site Plan - Proposed	DA3-A003 Rev A	19.12.13
Demolition Ground Floor Plan – East Stand	DA3-A050 Rev A	19.12.13
Demolition Level 1 Plan – East Stand	DA3-A051 Rev A	19.12.13
Demolition Level 2 Plan – East Stand	DA3-A052 Rev A	19.12.13
Demolition Plan - Ground – North Stand	DA3-A055 Rev A	19.12.13
Demolition Plan - Ground – South Stand	DA3-A056 Rev A	19.12.13
Ground Floor - Proposed – East Stand	DA3-A100 Rev A	19.12.13
Level 1 - Proposed – East Stand	DA3-A101 Rev A	19.12.13
Level 2 - Proposed – East Stand	DA3-A102 Rev A	19.12.13
Roof Plan – Proposed – East Stand	DA3-A103 Rev A	19.12.13
Floor Plan – Ground – North Stand	DA3-A105 Rev A	19.12.13
Floor Plan – Upper Level – North Stand	DA3-A106 Rev A	19.12.13

Drawing Name	Drawing N°	Dated
Floor Plan – Ground – South Stand	DA3-A107 Rev A	19.12.13
Floor Plan – Upper Level – South Stand	DA3-A108 Rev C	14.03.14
Elevations – East Stand	DA3-A150 Rev B	19.12.13
Elevations – North Stand	DA3-A155 Rev D	19.03.14
Elevations – South Stand	DA3-A156 Rev D	19.03.14
Sections – East Stand 1 of 4 – East Stand	DA3-A200 Rev A	19.12.13
Sections – East Stand 2 of 4 – East Stand	DA3-A201 Rev A	19.12.13
Sections – East Stand 3 of 4 – East Stand	DA3-A202 Rev A	19.12.13
Sections – East Stand 4 of 4 – East Stand	DA3-A203 Rev A	19.12.13
Sections – North Stand 1 of 2	DA3-A250 Rev A	19.12.13
Sections – North Stand 2 of 2	DA3-A251 Rev A	19.12.13
Sections – South Stand 1 of 2	DA3-A252 Rev D	19.03.14
Sections – South Stand 2 of 2	DA3-A253 Rev C	14.03.14
FSR Plan – Ground	DA3-A400 Rev A	19.12.13
FSR Plan – Level 1	DA3-A401 Rev A	19.12.13
FSR Plan – Level 2	DA3-A402 Rev A	19.12.13
Notes and Legends Sheet	C2001 Rev P1	13.12.13
Erosion and Sediment Control Plan	C2003 Rev P1	13.12.13
Site Works and Stormwater Plan Sheet 1	C2010 Rev P1	13.12.13
Site Works and Stormwater Plan Sheet 2	C2020 Rev P1	13.12.13
Site Works and Stormwater Plan Sheet 3	C2030 Rev P1	13.12.13
Site Works and Stormwater Plan Sheet 4	C2040 Rev P1	13.12.13
Details Sheet Job No. 131158	C2100 Rev P1	13.12.13
Landscape Site Plan	DA3-L100 Rev A	19.12.13
Landscape Plan 1 of 5	DA3-L200 Rev A	19.12.13
Landscape Plan 2 of 5	DA3-L201 Rev A	19.12.13
Landscape Plan 3 of 5	DA3-L202 Rev A	19.12.13
Landscape Plan 4 of 5	DA3-L203 Rev A	19.12.13
Landscape Plan 5 of 5	DA3-L204 Rev A	19.12.13
Landscape Sections 1 of 2	DA3-L500 Rev A	19.12.13
Landscape Sections 2 of 2	DA3-L501 Rev A	19.12.13

Document(s)	Dated
Acoustic Report prepared by Wood and Grieve Engineers Revision 2	18 December 2013
New Leaf Arboriculture (Jackie Brown) Parramatta Stadium Training Field Proposed Upgrade, Aboricultural Impact Assessment,	December 2013
BCA Report prepared by Steve Watson and Partners	18 December 2013
Statement of Heritage Impacts prepared by NBRS + Partners	19 December 2013
Statement of Environmental Effects Parramatta Stadium – prepared by Perica & Associates	18 December 2013
Waste Management Plan prepared by Prcia & Associates	December 2013

2. Trees numbered 2, 9, 10, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 & 35 are to be removed in accordance with the recommendations provided within the Arborist Report prepared by New Leaf Arboriculture dated 18 December 2013. The Arborist Report should be referred to for all tree numbers, locations and approved actions.

Reason: To facilitate development.

3. All approved trees are to be removed by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Draft Tree Work Code of Practice 2007.

Reason: To ensure works are carried out in accordance with the Draft Tree Work Code of Practice 2007.

4. Demolition work must be carried out in accordance with Australian Standard 2601-2001 - *Demolition of Structures* and the requirements of the NSW WorkCover Authority.

Reason: To ensure appropriate demolition practices occur.

5. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600 mm in height or within 900 mm of any property boundary.

Reason: To minimise impact on adjoining properties.

6. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

Prior to Work Commencing

17. A detailed estimate of the cost for the development shall be prepared by a suitably qualified quantity surveyor. A monetary contribution comprising 3% of the detailed estimate of the cost of the development to be paid to Parramatta City Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta City Centre Civic Improvement Plan (Amendment No. 1). Payment must be by EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to work commencing. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. Parramatta City Centre Civic Improvement Plan (Amendment No. 1) can be viewed on Council's website at: http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions.

Reason: To comply with legislative requirements.

7. A BCA Compliance Report shall be submitted to the principal certifying authority (PCA) prior to work commencing, demonstrating that the works

forming part of this approval comply with the provisions of the Building Code of Australia (National Construction Code).

Reason: To ensure that the proposal is capable of compliance with the Building Code of Australia (National Construction Code) with minor amendments to drawings and performance based alternative solutions.

8. Where work is likely to disturb or impact upon a utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must be provided prior to works commencing.

Reason: To ensure no unauthorised work to public utility installations and to minimise costs to Council.

9. Detailed plans of any food / beverage preparation facilities and waste storage areas shall be submitted to the principal certifying authority (PCA) prior to the issue of the construction certificate.

The fit-out of the food premises shall comply with:

- a) Australian Standard AS4674-2004 - Design, Construction and Fit-out of Food Premises.
- b) Food Safety Standards
Standard 3.2.2 Food Safety Practices and General Requirements
Standard 3.2.3 Food Premises and Equipment
- c) The cool rooms shall be provided with safety devices to comply with G1.2 of the BCA.
- d) No approval is granted for any remote storage area.
- e) The business being registered with NSW Food Authority.
- f) Comply with the requirements of Sydney Water – Trade Waste Section (grease trap).

If a Private Certifier is to be used, the final inspection shall be carried out by a suitably qualified person to ensure that food standards are met. Council's Environmental Health Officer may be engaged to carry out the required inspection for a prescribed fee.

Note: Copies of AS 4764 may be obtained from Standards Australia
Copies of the Food Standards Code may be obtained from Australia and New Zealand Food Authority.

Alternatively, you may obtain a copy of the 'Food premises design, construction and fit-out guide' from Council. This guide is based on the above standards and sets out minimum requirements to achieve compliance.

Reason: To ensure design of the premises meets relevant public health standards.

10. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

Reason: To prevent any damage to underground utility services.

11. A minimum of five (5) working days prior to any demolition work commencing, written notice is to be given to Parramatta City Council. This notice is to include:

- The date when demolition will be commenced;
- Details of the principal contractors name, address, contact telephone number during business hours;
- Council's after hours contact number; and
- The appropriate NSW WorkCover Authority licence.

Reason: To protect the amenity of the area.

12. Prior to commencement of work, the person having the benefit of the Development Consent must:
- (a) appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed within 7 days; and
 - (b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

The PCA must determine when inspections and compliance certificates are required.

Reason: To comply with legislative requirements.

13. An *Environmental Enforcement Service Charge* is to be paid to Council prior to construction. The fee paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment. Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

14. An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to construction. The fee to be paid is to be in accordance with Councils adopted 'Fees and Charges' at the time of payment. Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

15. All trees to be removed and those to be retained as well as the recommended tree protection measures as identified in the approved Aboricultural Impact Assessment prepared by New Leaf Aboriculture are to be indicated on a plan to be and submitted to the Principal Certifying Authority prior to construction.

Reason: To ensure tree protection measures.

16. Prior to works commencing, tree protection signage is to be attached to the fencing of each tree protection zone. It is to be displayed in a prominent position and in locations where the fence changes direction. Each sign must contain the following detail in clear and legible form:

- a) Tree protection zone is a "No Go Zone";
- b) This fence has been installed to prevent damage to trees and their growing environment, both above and below ground level, access to this area is restricted; and
- c) The name address and telephone number of the developer and the site Arborist.

Reason: To protect existing trees during construction phase

17. Prior to works commencing, consent from Council must be obtained prior to any pruning works being undertaken on any tree on site or any trees located on adjoining properties.

All approved pruning works must be supervised by an Australian Qualification Framework (AQF) Level 3 certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

Reason: To ensure the protection of trees to be retained.

18. Prior to works commencing, tree protection measures are to be installed and maintained, under the supervision of an Australian Qualification Framework (AQF) Level 5 certified Arborist in accordance with AS4970- 'Protection of trees on development sites'

Reason: To ensure trees are protected during construction.

19. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Principal Certifying Authority (and Council if not the PCA) of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters and drainage pits.

Reason: To ensure that the applicant bears the cost of all restoration works to Council's property damaged during the course of this development.

20. The design and construction of any food / beverage preparation facilities and waste storage areas associated with this activity shall satisfy the requirements of food safety standards prescribed under the Food Act 2003, as well as Australian Standard AS 4674 – 2004: 'Design, Construction and Fit-out of Food Premises'. Final design drawings for these areas are to be submitted to the principal certifying authority prior to commencement of work.

Reason: To ensure design of the premises meets relevant public health standards.

21. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:

- Above;
- Below; or
- On

Any public land owned or controlled by Council. The public risk insurance must be maintained for the period during which these works are being undertaken.

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party. A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

Note: Applications for hoarding permits, vehicular crossing etc. will require evidence of insurance upon lodgement of the application.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

During construction works

22. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.

Reason: To ensure Council's assets are appropriately constructed

23. No service, structure, conduit or like is permitted to be fixed or attached to any tree.

Reason: To ensure protection of trees.

24. Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To ensure proper management of Council assets.

25. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.

Reason: To ensure proper management of Council assets.

26. A copy of this development consent, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.

Reason: To ensure compliance with this consent.

27. Noise from the construction, excavation and/or demolition activities associated with the development shall comply with the NSW Department of Environment and Conservation's Environmental Noise Manual and the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

28. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.

Reason: To protect the amenity of the area.

29. No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.

Reason: To ensure pedestrian access.

30. The applicant shall not enter or undertake any work within adjoining public lands not included in this consent (i.e. parks, reserves, roads etc.) without the prior written consent of Council. In this regard the applicant is to liaise with Council prior to the commencement of any design works or preparation of a Construction Management Plan.

Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land.

31. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries and not encroach onto Parramatta Park unless shown on the approved plans.

Reason: To ensure public safety and amenity on public land.

32. All work including building, demolition and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Note: Council may allow extended work hours for properties located on land affected by Parramatta City Centre LEP 2007 in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance.

Such circumstances where extended hours may be permitted include:

- Delivery of cranes required to the site outside of normal business hours;
- Site is not located in close proximity to residential use or sensitive land uses;
- Internal fit out work.

Reason: To protect the amenity of the area.

33. Prior to the commencement of any works on the site the applicant must submit, a Construction and/or Traffic Management Plan to the satisfaction of Principal Certifying Authority. The following matters must be specifically addressed in the Plan:

Construction Management Plan for the Site indicating:

- I. Dedicated construction site entrances and exits.
- II. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- III. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- IV. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- V. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
- VI. All traffic control devices installed in the road reserve shall be in accordance with the *NSW Transport Roads and Maritime Services* publication '*Traffic Control Worksite Manual*' and be designed by a person licensed to do so (minimum RMS 'red card' qualification).

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

34. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site are to be maintained in a safe and tidy manner. In this regard the following is to be undertaken:

- I. all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
- II. all site boundaries are to be secured and maintained to prevent unauthorised access to the site
- III. all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis
- IV. the site is to be maintained clear of weeds

V. all grassed areas are to be mown on a monthly basis.

Reason: To ensure public safety and maintenance of the amenity of the surrounding environment.

35. The applicant shall record details of all complaints received during the construction period in an up to date complaints register. The register shall record, but not necessarily be limited to:

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made;
- (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
- (d) Nature of the complaints;
- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register shall be made available to Council and/or the Principal Certifying Authority upon request.

Reason: To ensure residential amenity is maintained in the immediate vicinity

36. Noise emissions and vibration must be minimised and work is to be carried out in accordance with Department of Environment and Conservation guidelines for noise emissions from construction/demolition and earth works which are to comply with the provisions of the Protection of the Environment Operations Act 1997.

Reason: To ensure residential amenity is maintained in the immediate vicinity.

37. All bonded and friable asbestos waste material on-site shall be handled and disposed off-site at a Department of Environment and Climate Change licensed waste facility by an DECC licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 1996 and the EPA publication Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999 and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

38. Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the contractor.

Reason: To protect public safety.

39. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. The contractor may be required to produce these documents to Council on request during the site works.

Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2005 are met.

40. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely as described in the Waste Management Plan. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.
- (d) Kerbside restrictions, construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

Reason: Proper management of public land.

41. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

42. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

Reason: To ensure that building materials are not washed into stormwater drains.

43. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and ANZECC standards for water quality.

Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason: To prevent pollution of waterways.

44. The Applicant must ensure that if substantial intact 'relics' within the meaning of the NSW Heritage Act, 1977, are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Such 'relics' would include artefacts and occupation deposits. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery. A qualified Historical Archaeologist would need to be appointed for such work if 'relics' were found.

Reason: To protect the integrity of heritage items.

45. Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately. The Applicant must inform the Office of Environment and Heritage in accordance with Section 89A of the National Parks and Wildlife Act, 1974 (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act, 1974.

Reason: To protect the integrity of heritage items.

46. The vehicular entry/exits to the site within Council's road reserve must prevent sediment from being tracked out from the development site. This area must

be laid with a non-slip, hard-surface material which will not wash into the street drainage system or watercourse. The access point is to remain free of any sediment build-up at all times.

Reason: To ensure soil and water management controls are in place before site works commence.

Prior to Occupation/Use of the Expanded Stadium

47. An Evacuation Report and Procedure shall be prepared by an appropriate consulting engineer. This report is to demonstrate how patrons of the stadium will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. higher floors, higher grounds etc). Suitable Flood Warning Signs with evacuation routes shall be installed at easily noticeable locations to warn patrons, in the event of extreme flooding. The report shall be submitted to the Principle Certifying Authority prior to the use of the additional seating area. A copy of the report shall be forwarded to Council.

Reason: To make patrons of the stadium aware of the evacuation procedure in the case of extreme flooding.

48. Certification is to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.

It is incumbent on the PCA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.

Reason: To ensure construction and fit-out of the premises meets relevant public health standards.

49. Prior to the commencement of the use written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Parramatta City Council, stating that all control recommendations approved by Council in the following report have been completed:

Acoustic Impact Assessment No. (25892-SYD-N), dated (18 December 2013), prepared by (Wood & Grieve Engineers)

Reason: To protect residential amenity.

50. Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To ensure proper management of public land.

51. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to Occupation, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The Principal Certifying Authority shall ensure that the following documentation is completed and submitted:
- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink.
 - The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
 - The original Work-As-Executed plans and all documents mentioned above have been submitted to Council's Development Services Unit.

Reason: To ensure works comply with approved plans and adequate information is available for Council to update the Upper Parramatta River Catchment Trust.

Operational Conditions

52. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined by the Protection of the Environment Operations Act 1997.

Reason: To reduce noise levels.

53. The proprietors of the venue shall be responsible at all times for the orderly dispersal of patrons from the venue.

Reason: To protect the amenity of the surrounding neighbourhood.

54. The use of the premises is not to give rise to:
- (a) transmission of unacceptable vibration to any place of different occupancy,

- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

55. No additional advertisement/signage shall be erected on or in conjunction with the development without prior development consent unless the advertisement is 'exempt development' in accordance with the relevant planning instruments.

Reason: To comply with legislative controls

Right of Appeal:

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court **within six months after the date** on which you receive this notice.

Section 82A of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged and determined **within six (6) months** of the date on which you received this notice.

Note: To enable the Section 82A review to be considered within the six month timeframe prescribed by under the Environmental Planning and Assessment Act 1979, it is advisable to lodge the application for review under Section 82A as soon as possible to facilitate the statutory timeframes.

Section 82A does not apply to complying development, designated development, integrated development, or a determination made by Council under Division 4 in respect of Crown applications.

Report prepared by:

Planning Ingenuity Pty Ltd
Consultant Town Planners

Signature: 

Date: 02 April 2014

Yes	All DA fees paid.
Yes	Consent of all owners provided.
Yes	DA notified in accordance with Council's Notifications DCP.
Yes	Acknowledgement letters sent to all persons who lodged submissions.
Yes	All issues raised in submissions have been considered in the assessment of the application.
Yes	Comments from stakeholders considered in assessment of application.
Yes	Relevant matters for consideration (s79C assessment) addressed in report.
n/a	Section 94A Contributions calculated (if required).
Yes	Standard conditions of consent and extraordinary conditions or reasons for refusal prepared.