

**JOINT REGIONAL PLANNING PANEL**  
(Sydney East Region)

<b>JRPP No</b>	<b>2015SYE145</b>
<b>DA Number</b>	<b>DA-425/2015</b>
<b>Local Government Area</b>	<b>City of Canterbury</b>
<b>Proposed Development</b>	<b>Redevelopment of Roselands Shopping Centre, including expansion of retail floor area, provision of new cinema and entertainment area, construction of new car park, expansion of loading dock facilities, relocation of part of Roselands Drive and upgrade works to the Roselands Drive / King Georges Road Intersection.</b>
<b>Street Address</b>	<b>24 Roseland Avenue, Roselands</b>
<b>Applicant / Owner</b>	<b>Federation Development Pty Ltd</b>
<b>Number of Submissions</b>	<b>18 submissions and two (2) petitions containing 39 signatures and 38 signatures respectively have been received objecting to the proposal</b>
<b>Recommendation</b>	<b>Approval with Conditions</b>
<b>Report by</b>	<b>Michael Brewer (Willana Associates)</b>

**EXECUTIVE SUMMARY**

- Council has received Development Application (DA-425/2015) for the redevelopment of the Roselands Shopping Centre. The proposal includes additional retail floor area, a new cinema and entertainment area, the construction of new car park, expansion of loading dock facilities and relocation of part of Roselands Drive.
- The Panel was briefed on the development on 2 February 2016. Initial concerns related to the following matters:
  - i) Hours of operation, public safety, public transport integration, traffic management and amenity of adjoining residents;
  - ii) Contamination from former service station site and proposed remediation strategy;

- iii) Heavy vehicle management, noise, number of trucks and manouvering;
  - iv) Quantity, location and access to bicycle parking, provision of end of trip facilities and provision of car parking spaces for shoppers;
  - v) Clarification of the existing, proposed and required number of car parking spaces;
  - vi) Clarification of whether road works form part of the application and RMS's position;
  - vii) Layout, operation and management of loading docks, particularly Myer Loading Dock and proposed Loading Dock 4, and noise/ amenity impacts on adjoining residents;
  - viii) Traffic Assessment to be extended to the construction phase, given the proximity to residential properties and surrounding local road network;
  - ix) Compliance with the building height plane;
  - x) Visual and amenity impacts of future signage;
  - xi) Acoustic impacts on adjoining properties, particularly from heavy vehicles;
  - xii) Waste Management practises, volumes and traffic generation; and
  - xiii) Public submissions regarding traffic, noise, anti social behaviour and amenity impacts.
- The applicant submitted additional information on 12 February 2016. Following a review of the information, a number of matters remained outstanding, including the provision of details of the proposed road upgrading works within the King Georges Road reserve; justification for the hours of operation with additional traffic and acoustic assessments; clarification of the proposed car parking provision; heavy vehicle management in relation to Loading Dock 4; submission of a Construction Management Plan; details of security staffing; mechanical ventilation details of the basement car park; and submission of a Waste Management Plan.
  - The applicant subsequently provided the remaining outstanding information on 11 March 2016. The amended plans and consultants reports, which are the subject of this assessment, demonstrate the approval has planning merit, notwithstanding the variation sought to the strict numerical application of some development standards and controls.
  - The subject site is zoned B2 Local Centre and SP2 Infrastructure (Car Parking) zoning under Canterbury Local Environmental Plan 2012 ('CLEP 2012'). The Site has been occupied by the Roselands Shopping Centre since 1965, when it was the largest shopping centre in the Southern Hemisphere and one of the first enclosed shopping centres in Sydney. The Site has undergone a number of cosmetic and major upgrades over the years with the most recent approval on DA-341/2004 consisting of a twelve theatre cinema complex, a bowling alley, restaurant and additional retail floor space, a new two level car park to the south of the centre and a new loading dock area adjacent to the Myer loading dock. This consent was not taken up and has since lapsed.
  - The development application has been assessed against the provisions contained in State Environmental Planning Policy (State and Regional Development) 2011, State

Environmental Planning Policy 55 – Remediation of Land, State Environmental Planning Policy (Infrastructure) 2007, Canterbury Local Environmental Plan 2012 (CLEP 2012), Canterbury Development Control Plan 2012 (CDCP 2012) and the Canterbury Development Contributions 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 Part 7 of the CDCP 2012 between 30 October 2015 and 25 November 2015. Council received submissions from twenty-three (23) people (some of which were from the same household) as well as two (2) petitions containing 60 and 66 signatures respectively, objecting to the proposal. A third petition was received by Council containing 56 signatures, however upon examination, it was determined to be a copy of the first petition, but with four (4) less signatures. It is noted that the petitions contain examples of multiple signatures from the same address and the same people signing all petitions
- The application was renotified between 15 March 2016 and 12 April 2016 to include the road works within the King Georges Road/ Roselands Drive Intersection, which originally did not form part of the DA.
- This application has been referred to the Sydney East Joint Regional Planning Panel as per Schedule 4A(3) of Environmental Planning and Assessment Act 1979 because the proposed development has a capital investment value of greater than \$20 million.

Notwithstanding the variations sought to building height, the development application is recommended for approval subject to conditions.

#### **SITE DETAILS:**

The site, known as the Roselands Shopping Centre, is located at 24 Roseland Avenue, Roselands and includes the following titles:

Lot 1 in DP 227383  
 Lot 1 in DP 383899  
 Lot 101 in DP 547125  
 Lots 441 and 442 in DP 752026  
 Lots B, C and D in DP 383413  
 Lot B in DP 400333  
 Lots D and E in DP 414375  
 Lot X in DP 389607  
 Lot 1 in DP 650257  
 Lots 3 and 4 in DP 519464

The Site has frontages to Roselands Drive, King Georges Road, Roseland Avenue, Martin Street, Roseland Avenue, Centre Avenue, Violet Street and Raymond Avenue. The total site area is approximately 11.25 hectares.

The site slopes from a high point in the centre of the site, adjacent to Roselands Avenue to its boundaries. There are a range of development on the site currently, including the main

shopping centre building, a vehicular over pass and a number of hardstand car parks. There is scattered vegetation around the perimeter of the site. **Figure 1** is an Aerial View of the Site, extracted from the Statement of Environmental Effects. As shown in **Figure 1**, the site is predominantly surrounded by low density residential development. An extract of the zoning plan under Canterbury Local Environmental Plan 2012 is provided in **Figure 2**, illustrating the split B2 Local Centre and SP2 Infrastructure (Car Parking) zoning of the site, as well as the surrounding residential and recreational zones.

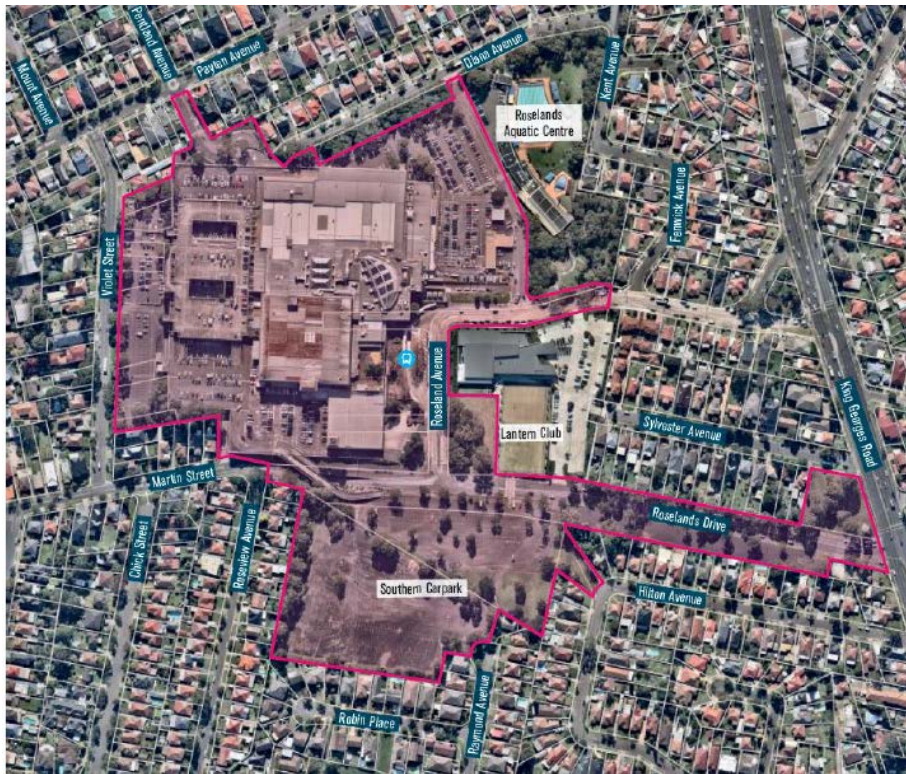


Figure 1 | Aerial view of the Site, 24 Roselands Drive, Roselands.

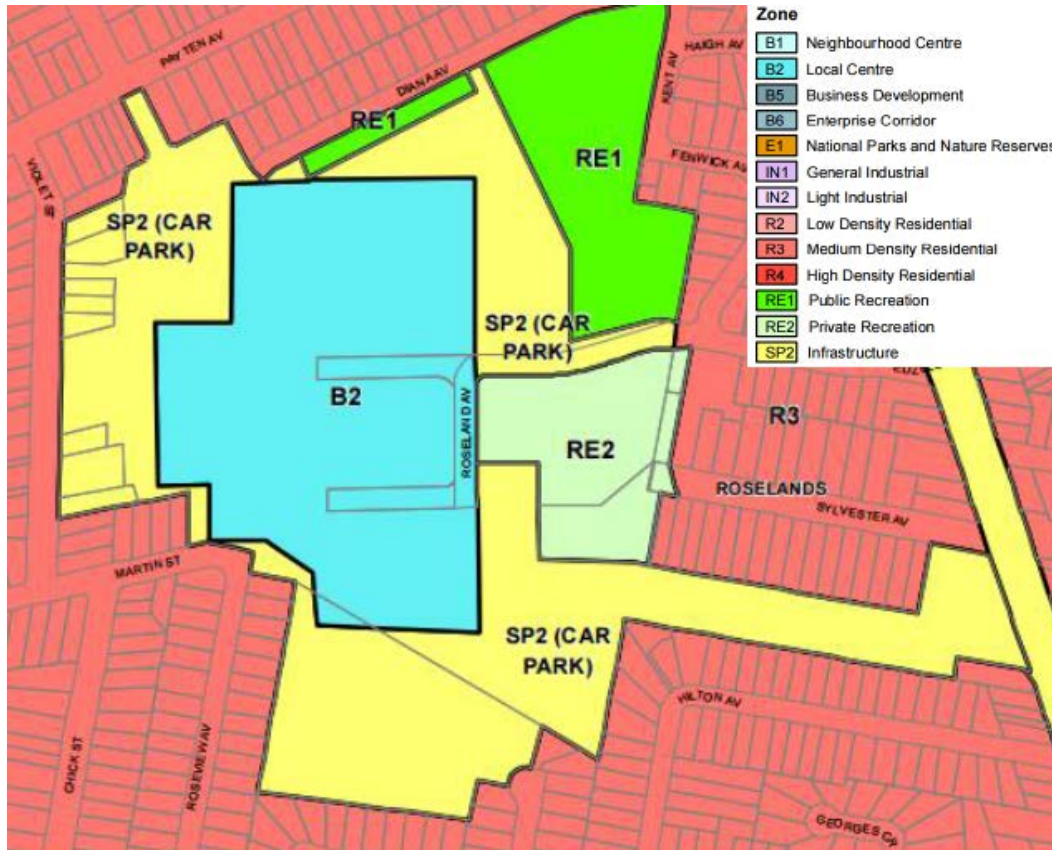


Figure 2 | Extract of the Zoning Map LZN\_005 of the Canterbury Local Environmental Plan 2012.

## PROPOSED WORKS:

The proposed works generally include:

- Demolition for the southern section of the existing shopping centre.
- Excavation of the southern car park area and in areas adjacent to the eastern site boundary.
- Reconfiguration of the existing layout to accommodate the proposed additions and relocation of existing tenants.
- Building additions on Levels 1-4 including significant expansions to Levels 2 and 3 to accommodate a new discount department store, mini majors and retail tenancies.
- Provision of cinema and entertainment areas on the upper level of the building currently occupied by the uppermost level of Myer.
- Relocation of Roselands Drive between King Georges Road and Martin Street around the southern section of the site with and upgrade to surface treatment.
- Relocation and upgrade of the existing bus stop to the eastern side of Roseland Avenue adjacent to the bowling club,
- Construction of the southern car park and additions to the existing north-eastern car park providing under cover car parking with direct access to the retail floors.
- Expansion of existing loading dock facilities to accommodate the increased demand for service vehicles.
- Signage zones designated on the building for the provision of future signage.

- Relocation of the existing high voltage cables along Roselands Drive and the subsequent relocation of the electricity easement that applies in this location.
- A range of ancillary works to facilitate the new development, including stormwater, landscaping and retaining works.
- Proposed tree removal, retention and tree protection works as set out in the accompanying Arboriculture Report.
- The works will result in a total Gross Floor Area of 124,459m<sup>2</sup> across five shopping centre levels.

## **BACKGROUND:**

While a number of development approvals have been issued since the shopping centre's initial construction, the most relevant is DA-341/2004, which was approved on 31 January 2005. This consent was for alterations and additions to the existing centre consisting of a twelve theatre cinema complex, bowling alley, restaurant, additional retail floor space, new two level car park to the south of the centre and new loading dock area adjacent to the Myer loading dock, with extended trading hours. These works did not proceed, however they appear to have been of a similar configuration to the proposal before the Panel, albeit for the retention of Roselands Drive in its present location.

In terms of the current application, a pre-DA application was made on 26 May 2015. Following a review of the documentation, Council's formal advice was provided to the applicant by way of a letter dated 8 July 2015, with a number of issues raised. The applicant subsequently met with Council staff on several occasions and held a Councillor Briefing Session on 4 June 2015. The DA was lodged with Council on 17 September 2015.

Following a detailed assessment of the DA, an Information Request was issued by Council on 22 January 2016, raising a number of concerns. The matters raised by Council included the following:

- i) Hours of operation, public safety, public transport integration, traffic management and amenity of adjoining residents;
- ii) Contamination from former service station site and proposed remediation strategy;
- iii) Heavy vehicle management, noise, number of trucks and manouvering;
- iv) Quantity, location and access to bicycle parking, provision of end of trip facilities and provision of spaces for shoppers;
- v) Clarification of the existing, proposed and required number of car parking spaces;
- vi) Clarification of whether road works form part of the application and RMS's position;
- vii) Layout, operation and management of loading docks, particularly Myer Loading Dock and proposed Loading Dock 4, and noise/ amenity impacts on adjoining residents;
- viii) Traffic Assessment to be extended to the construction phase, given the proximity to residential properties and surrounding local road network;
- ix) Compliance with the building height plane;



- x) Visual and amenity impacts of future signage;
- xi) Acoustic impacts on adjoining properties, particularly from heavy vehicles;
- xii) Waste Management practises, volumes and traffic generation; and
- xiii) Public submissions regarding traffic, noise, anti social behaviour and amenity impacts.

In addition to this, the Roads and Maritime Services (RMS) requested the applicant provide details of the proposed road upgrade works to the intersection of King Georges Road and Roselands Drive. The SEE stated that these works did not form part of the DA however the submitted Traffic Impact Assessment noted that it relied upon those works forming part of the DA.

The applicant subsequently responded to the Information Request on 12 February 2016. with details of the proposed road works being received by Council on 3 March 2016. A detailed assessment of the applicant's response identified that a number of matters had still not been addressed or suitably resolved, namely:

- Submission of full details of the proposed road works to the King Georges Road / Roselands Drive intersection;
- Justification for the proposed trading hours, demonstrating that the movement of vehicles and patron noise would not have an adverse impact on nearby residences;
- Confirmation of the total number of existing and proposed parking spaces;
- Confirmation of the parking demand likely to be created by the three (3) proposed car washes and "Entertainment Mini Major" had included in the parking assessment;
- Details demonstrating the operational capacity and manoeuvrability of Loading Dock 4 and the adjoining roadway;
- Clarification of the anticipated heavy vehicle movements;
- Submission of a Construction Management Plan; and
- Submission of a Waste Management Plan;

These matters were detailed in Council's letter dated 26 February 2016. The applicant's response was subsequently received on 11 March 2016.

#### Other Matters:

The development application has a capital investment value in excess of \$20 million and in accordance with Schedule 4A(3) of the Environmental Planning and Assessment Act, as such is referred to the Joint Regional Planning Panel (Sydney East Region) for determination.

The proposed development is permissible within the split B2 Local Centre and SP2 Infrastructure (Car Parking) zoning of the site, although a small component of the shopping centre does fall within the SP2 Infrastructure (Car Parking) zone.

The development application was notified and advertised in accordance with Part 7 *Notification of Development Applications* of Canterbury Development Control Plan 2012. A total of 18 submissions and two (2) petitions containing 39 signatures and 38 signatures respectively were received by Council objecting to the proposal. The applicant has also

undertaken a significant voluntary community engagement process prior to lodging the DA with Council.

Issues raised by objectors include overshadowing of surrounding dwellings, financial implications, traffic and parking impacts, impact upon visual and acoustic privacy and amenity, excessive building height, overshadowing, health issues and reduced quality of life, increased noise pollution, intrusion from headlights, excessive landscaping maintenance costs, increased anti-social behaviour, public safety for residents and pedestrians and loss of pedestrian crossings.

Following the receipt of the details regarding the road works to the King Georges Road / Roselands Drive intersection, the application was re-advertised between 15 March and 12 April 2016. No additional public submissions have been received by Council.

## STATUTORY CONSIDERATIONS

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

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Canterbury Local Environmental Plan 2012
- Canterbury Development Control Plan 2012
- Canterbury Development Contributions Plan 2013

## ASSESSMENT

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

- **State Environmental Planning Policy (State and Regional Development) 2011**

Part 4 (Clauses 20 and 21) of State Environmental Planning Policy (State and Regional Development) 2011 applies to development in Schedule 4A to the EP&A Act 1979 to be determined by a regional panel. The proposal is for development with a Capital Investment Value of more than \$20 million and is therefore referred to the Sydney East Joint Regional Planning Panel ('JRPP') for determination.

- **State Environmental Planning Policy 55 – Remediation of Land**

Clause 7 of SEPP 55 – Remediation of Land requires Council to consider whether the land is contaminated prior to granting consent to the carrying out of any development on that land. Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. If the land requires remediation to be undertaken to make it suitable for the proposed use, Council must be satisfied that the land will be remediated before the land is used for that purpose.



Part of the Site contains a former service station with evidence of at least one underground fuel storage tank where further remediation may be required. The DA is accompanied by a report from EIS Environmental Investigation Services which states that:

*“... there is a risk of contamination at the site posed by the (former) USTs in the central and north-east sections of the site. Groundwater in these areas was known to have been impacted by petroleum hydrocarbons. Further investigation will be required to better assess the impact of the USTs on the surrounding areas.*

*Asbestos was encountered in the fill material in BH106. Further investigation should be undertaken to better assess the extent of this contamination and to better assess the risk of asbestos contamination across the remainder of the site.”*

Clarification was then sought from the applicant regarding the proposed remediation strategy to determine whether the remediation works would be either Category 1 or Category 2 Works within the meaning in the SEPP. The applicant has confirmed by way of a response from EIS dated 9 February 2016 a remediation strategy which would be classified as Category 2 works and therefore not need separate development approval.

The proposed testing and remediation strategy is deemed to be acceptable considering the nature of the proposed development and suitable conditions can be imposed on any consent.

- **State Environmental Planning Policy (Infrastructure) 2007**

State Environmental Planning Policy (Infrastructure) 2007 (the ISEPP) aims to facilitate the effective delivery of infrastructure, including providing appropriate consultation with relevant public authorities about certain development during the assessment process. Several clauses are relevant to the assessment of the application, as discussed below.

Clause 42 applies to new or existing electricity substations and requires Council to refer the DA to the electricity supply authority. The Site contains two substations as well as several associated easements, one of which along Roselands Drive, is to be relocated as part of the proposed road works. The application proposes four (4) new chamber substations with one of the two existing substations to be removed. The application was referred to Ausgrid with no objections raised to the proposed development subject to conditions being imposed on any development consent issued. The applicant has also consulted with Ausgrid over both the new substations and new high voltage power lines, which will need to be provided from the existing Punchbowl Zone Substation.

Clause 45 requires Council notify the electricity supply authority in certain circumstances, as well as give consideration to any response received within 21 days. The application was referred to Ausgrid and no objections were raised, subject to conditions being imposed on the consent. Council's standard conditions requiring the

applicant liaise with relevant service providers prior to the commencement of works have also been included in the consent.

Clause 101 applies to development on land which has a frontage to a classified road so as to ensure the continued safe and effective ongoing operation of that road. The Site has a frontage to King Georges Road, which is a Classified Road and proposes works within its road reserve. The DA does not propose any new access points onto King Georges Road. Having regard to the provisions contained within Clause 101(2), the proposal is considered satisfactory.

Clause 104 requires Council refer a DA to the Roads and Maritime Services (RMS) in respect to development specified in Schedule 3 of the ISEPP, where the relevant size or capacity is triggered, as shown in Table 1 below.

Given the size and nature of the proposal, referral is triggered and the RMS were consulted on both the original development proposal and following submission of the additional design details for the King Georges Road/ Roselands Drive intersection upgrade. The RMS have advised that they do not have any objections to the proposal, subject to the imposition of conditions on the consent.

*Table 1 | Traffic Generating Triggers for RMS Referral*

Column 1 - Purpose of development	Column 2 - Size or capacity - site with access to any road	Column 3 - Size or capacity - site with access to classified road or to road that connects to classified road
Parking	200 or more motor vehicles	50 or more motor vehicles
Shops and commercial premises	4,000 m <sup>2</sup> in area	1,500 m <sup>2</sup> in area

- **State Environmental Planning Policy 64 (Advertising and Signage)**

The controls within State Environmental Planning Policy 64 (Advertising and Signage) or SEPP 64, aim to facilitate signage which both serves the intended purpose while maintaining the desired amenity and visual character of the surrounding area. The application proposes a number of signage zones to demonstrate the overall advertising strategy for the shopping centre. The applicant has advised that details of signage will be subject to a further approval process once the overall mix of tenants and their advertising needs are finalised.

Overall, the proposed signage zones in themselves do not raise any significant concerns, given the locations and types of signage provided around the existing shopping centre. It is considered appropriate to impose Council's standard conditions on any consent dealing with the future signage.

- **Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment (REP No. 2)**

The controls contained within Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (REP 2) apply to the City of Canterbury and therefore, apply to the subject application. REP 2 aims to protect and maintain water quality within the catchment of the Georges River.

REP 2 contains a number of general and specific planning principles relating to matters such as acid sulfate soils, flooding, stormwater runoff, land degradation and water quality, which must be taken into account in the assessment of a DA. Having regard to the specific and general principles and the proposed mitigation measures, it is considered that the proposal will not have an adverse environmental impact on the Georges River catchment.

- **Canterbury Local Environmental Plan 2012**

As shown in Figure 2, the Site is zoned B2 Local Centre and SP2 – Infrastructure (Car Park) under the CLEP 2012. An assessment of the proposed development is provided in Table 2 below:

*Table 2 | CLEP 2012 Matters for Consideration*

Standard	Requirement	Proposal	Comments
Zoning	B2 Local Centre and SP2 – Infrastructure (Car Park)	The proposal is for alterations and additions to the existing Roselands Shopping Centre, including associated car parking.	The proposed development is permissible with consent and consistent with the respective zone objectives.
Building Height	The Height of Buildings Map does not specify a maximum height for the Site.	The proposal will see the height increase to a maximum of approximately 35m.	Refer to submitted architectural drawing no. DA-0610 Issue 2 for a comparison between the existing and proposed building. Bulk of building retained in the central portion of the centre.
FSR	No maximum FSR specified	The proposed development has an FSR of 1.11:1 and a gross floor area (GFA) of 124,459m <sup>2</sup> . The existing centre has an FSR of 0.67:1 and a GFA of 75,571m <sup>2</sup>	No maximum FSR. These figures are provided for comparative purposes.

Standard	Requirement	Proposal	Comments
Development Near Zone Boundaries	Provide flexibility to development near zone boundaries to achieve a more appropriate and logical outcome to a maximum encroachment of 5m.	Encroachment of the retail centre into the SP2 zone by up to 5m is proposed at the following locations: <ul style="list-style-type: none"> <li>▪ South eastern boundary (5m)</li> <li>▪ North western boundary (5m)</li> </ul>	The proposed encroachments are relatively minor in their context and strict compliance will not achieve any better outcome or any noticeable difference in the external appearance of the centre. The numerical extent of the encroachment is within the stipulated limit and will achieve a more appropriate and logical outcome.

#### Clause 5.9 – Tree Preservation

This clause aims to preserve the amenity, biodiversity values and cultural heritage values of an area, through the preservation of trees and other vegetation. Council's consent is required before trees can be removed or damaged.

As demonstrated in the applicant's supporting documentation, it is proposed to remove a number of native and introduced trees on the Site as part of the redevelopment. Existing tree cover on the Site is largely restricted to the perimeter at the interface between the Centre and adjoining residential properties and along access points. The existing Southern at-grade car park is also vegetated with a sparse covering of trees. The supporting documentation accompanying the DA indicates the trees are planted specimens of predominantly *Eucalyptus maculata* (Spotted Gum), *E. sideroxylon* (Ironbark), *E. botryoides* (Swamp Mahogany), *Melaleuca quinquenervia* (Swamp Paperbark) and *Casuarina cunninghamiana* (River She-Oak) that range between 10-35 years old. Exotic species, mostly in existing landscaped areas, include *Platanus x hybrida* (Plane trees), *Cupressus sempervirens* (Pencil Pines), *Pinus spp.* (Pine), *Macadamia spp.* (Macadamia), *Schinus molle var areira* (Pepper Tree) and *Liquidambar styraciflua* (Liquidambar).

The applicant has provided an Arboricultural Impact and Assessment Report, which makes a number of specific recommendations, including:

- The removal of 126 trees on the Site as well as a number of additional trees that are exempt from Council's Tree Preservation Order;
- Tree protection measures to be put in place to ensure the retention of 93 trees on the Site, 14 street trees and four (4) trees on neighbouring properties;
- Tree removal work being carried out by an experienced tree surgeon, in accordance with NSW WorkCover Code of Practice for Amenity Tree Industry (1998); and

- An AQF Level 5 Project Arborist being engaged to supervise the building works and certify compliance with all Tree Protection Measures.

The Report also noted that 32 trees identified on the Survey Plan of the Site were no longer evident.

The applicant has also submitted a detailed Landscape Design Statement and Landscape Plans. The Landscape Design Statement outlines the proposed landscaping, lighting, irrigation and maintenance strategy for the Site, which includes the integration of landscaping into the proposed acoustic mounds and barriers.

The application has been assessed by Council's Landscape Section and no objections have been raised, subject to suitable conditions being imposed on the consent.

#### Clause 5.10 – Heritage Conservation

The subject site is not a Heritage Item or within a Heritage Conservation Area, nor is it located near the same.

#### Clause 6.1 – Acid Sulfate Soils

The subject site is not affected by Acid Sulfate Soils.

#### Clause 6.2 – Earthworks

This clause aims to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. The clause requires Council consider a range of factors such as impact on drainage patterns, the quality of any imported fill, the impact on the amenity of adjoining properties and the potential impact on the water catchment.

Earthworks proposed include (but are not limited to) excavation and filling associated with:

- The expansion of the centre over the southern portion of the Site and excavation for the new Myer loading dock and lower level car parking in the southern and northeastern corners of the development;
- as part of the remediation of the former USTs identified in the central and north east sections of the Site;
- the relocation of Roselands Drive and associated noise attenuation mounds, landscaping and pedestrian pathways; and
- trenches constructed as part of the creation, relocation and removal of easements for utility services.

Having regard to the matters prescribed in clause 6(2) and the submitted stormwater concept plan, contamination assessment, geotechnical assessment, civil engineering drawings and architectural plans the proposal is considered acceptable. Council's Engineering Department have reviewed the proposal and raise no objection, subject to the imposition of Council's standard conditions.

Clause 6.3 – Flood Planning

The Site is not identified on the Flood Planning map as being within a Flood Planning Area.

Clause 6.4 – Stormwater Management

Although the Roselands Shopping Centre has been established a number of decades, Council is still obligated to ensure the impacts of urban stormwater are minimised not only within the development site, but on adjoining properties, native bushland and receiving waters.

Accordingly, before issuing development consent, Council must be satisfied that the development:

- will maximise the use of water permeable surfaces depending on the soil characteristics that affect on-site water infiltration;
- where practical, includes on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water; and
- avoids, minimises or mitigates any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters.

The applicant has submitted a Stormwater Concept Plan which demonstrates the total impervious area on the Site will be slightly reduced from 111,014m<sup>2</sup> to 110,893m<sup>2</sup> (representing a decrease of 121m<sup>2</sup>), notwithstanding the increase in the overall building footprint. This will be achieved through the replacement of existing bitumen hard stand (the open car park) in the southern section of the Site, with landscaping. The DA also proposes to maintain the existing drainage network and discharge points; install Gross Pollutant Traps (GPTs) and tertiary treatment systems (such as a Humes “Jellyfish”) at each of the discharge points, and install an on-site detention tank in the south west corner of the Site.

Council’s Engineering Department have reviewed the proposal and raise no objections, subject to a Deferred Commencement Approval being issued with conditions relating to the refinement of the Stormwater Concept Plan.

Clause 6.6 – Essential Services

The application has submitted adequate evidence that all utility services can be either augmented or provided to the Site. Suitable conditions have been included in the Recommendation. As noted previously, the DA proposes four (4) new chamber electrical substations with one of the two existing substations to be removed. The application was referred to Ausgrid with no objections raised to the proposed development subject to conditions being imposed on any development consent issued. The applicant has also advised that they have engaged with Ausgrid regarding the new substations and new high voltage power lines, between the Site and the existing Punchbowl Zone Substation.

Council’s standard conditions requiring the applicant liaise with relevant service providers prior to the commencement of works have also been included in the consent

- **Canterbury Development Control Plan 2012**

An assessment of the proposal against the requirements of the CDCP 2012 is detailed below.

**PART 3 – BUSINESS CENTRES – APPENDIX 3.6**

Standard	Requirement	Proposed	Complies
Objectives	Direct, safe and convenient pedestrian and bicycle access is provided, through and around the centre.	The DA is supported with a plan (Drawing No. SK1184[A]) showing the existing and proposed pedestrian and bicycle pathways. These pathways both connect with and provide access through the Site. The pathways also connect with end of trip bike storage facilities and amenities for staff use. Bike parking facilities are also to be located outside key entry points for use by patrons.	Yes
	Open spaces and landscaped areas provide an open setting to the site.	The submitted landscape plan demonstrates that adequate open spaces and landscaping will be provided both around the perimeter of the Site as well as in the central portion adjacent to the main entry to the shopping centre. The proposal provides a greater depth in general to the perimeter landscaped buffer areas in the southern section of the Site than currently exists.	Yes
	Traffic generated by the centre does not impact on residential neighbourhoods or impede regional traffic flow.	The submitted traffic assessment, Waste management plan, vehicle turning paths and acoustic assessment demonstrate that the timing and demand for car parking, the movement of cars, trucks, buses and service vehicles as well as the noise generated by the same, will not have a significant adverse impact on the	Yes



Standard	Requirement	Proposed	Complies
		surrounding residential neighbourhoods or regional traffic flows. The application has been considered by both the RMS and Council's Engineering and Traffic Sections and no objections have been raised, subject to the imposition of appropriate conditions of consent.	
Controls: Pedestrian, bicycle and vehicle access	Maintain pedestrian access from Martin Street, Hilton Avenue, Roseland Drive and King Georges Road.	Pedestrian access from the designated streets is maintained.	Yes
	Maintain access along Martin Street/Roselands Drive without the need for users to enter the centre complex.	A shared pedestrian/ cycle path is provided between Martin Street/ Roselands Drive without the need for users to enter the centre.	Yes
	Maintain existing vehicular connections between Roselands Avenue and Martin Street/Roselands Drive.	Vehicular access through the Site is maintained via the diverted section of Roselands Drive.	Yes
Solar access	Maintain existing levels of solar access to adjoining properties.	The submitted shadow diagrams indicate that a number of properties in Roseview Avenue, Martin Street and Violet Street will be affected by additional overshadowing as a result of the proposed building. Overshadowing will occur between 9am – 10 am during mid-winter, after which time all of the affected properties will be provided with a minimum of 5 hours solar access, which exceeds the accepted standard of a minimum of 3 hours.	Yes
Urban design	Buildings should follow the topography and step down in height with the	The proposal generally provides a built form that steps down in height. The	Yes

Standard	Requirement	Proposed	Complies
	<p>site.</p> <p>Minimise the height and bulk of podiums to reduce the perceived bulk of buildings.</p>	<p>completed building is of a scale, form, massing and bulk that is commensurate with the Site and its surrounds, providing both large-scale design elements and fine-grain detailing to create a high quality design. The bulk of the additional floor space has been sited in the centre of the building with taller parts well-separated from the boundaries.</p>	
Car parking structure	<p>Maximum height of 8 m for any car park (or other structure) in the southern part of the site (height limit includes any visual and/or acoustic screens), measured above existing ground levels at any point.</p>	<p>The submitted plans indicate a somewhat minor breach of the building envelope in the southern section of the Site, as shown in Drawing SK-1192 [A]. The DA proposes a maximum height of the upper car park level of 11.8m. All four lift overrun/ stair wells on this section of the building also breach the height limit. While the numerical breach may appear significant, as shown in the submitted plans, this is not the case. The proposed section of the building will be significantly lower than the adjoining section of existing building. The non-compliant section is also well-setback from all property boundaries, with a minimum setback of 35m and suitable stepping of the southern end of the car park structure. Overall, and despite the numerical variation, the proposal results in an acceptable design response that will not have any significant adverse impacts on the nearby residential properties. While the portion of car parking contained within the breach area could be relocated to</p>	Yes

Standard	Requirement	Proposed	Complies
	<p>The ground floor level of the car park (or any structure) is no higher than existing ground level.</p> <p>Minimum 35m setback for car park on western side, adjacent to Roseview Avenue.</p>	<p>another part of the building, this would add unnecessary bulk to the building in those locations and strict numerical compliance will not result in any significantly better amenity or visual outcomes.</p> <p>The proposed car parking structures have been excavated into the Site and will be no higher than the existing ground level.</p> <p>A setback of 35m is achieved between the proposed car park and the rear of the properties along the eastern side of Roseview Avenue. A 20m wide landscaped buffer area is also provided within the 35m setback. The line of the existing building is maintained at its closest point to the northern end of Roseview Avenue with the car park (at its closest point) maintaining a 16.733m setback.</p>	<p>Yes</p> <p>Yes</p>
Vehicle access	Separate access and manoeuvring for service and delivery vehicles from public parking and access ways.	The proposal provides four (4) separate loading docks at various points of the development to cater for all service and delivery vehicles. Although access through and around the Site is shared, the applicant has demonstrated that both the number of movements and the anticipated sizes of vehicles can be catered for without causing congestion, delays or conflict between road users. Given the size and location of the loading docks, in particular the new	Yes

Standard	Requirement	Proposed	Complies
		<p>Loading Dock 4, conditions are included in the Recommendation to ensure the movement of vehicles around the Site and the operation of the Loading Docks occurs in an appropriate manner, with an Operational Management Plan to be created specifically for the control of the service vehicle areas. In terms of the functioning of the car park areas, particularly those associated with the proposed Cinema and Entertainment Precincts, to ensure impacts from vehicles is minimised, an Operational Management Plan will also be required by way of conditions of consent.</p>	
	<p>Design the Martin Street/Roselands Drive access route so that the option to close off Martin Street to through traffic (and traffic leaving the centre to be directed towards King Georges Road) is available and can be readily implemented (based on an assessment of traffic conditions following completion of building works.</p>	<p>The proposed realignment of Roselands Drive/ Martin Street does not prevent this control regarding the closure of Martin Street. The objective of this control is to prevent “rat-running”. The proposal, by virtue of its design, width and implementation of speed/ traffic control measures will dissuade rat-running. The proposed road realignment has been reviewed by Council’s Traffic Section and no objections have been raised, subject to the imposition of Council’s standard conditions.</p>	Yes
Structure Plan	<p>Various annotations on the Plan, as shown in the excerpt of Figure 3.6.1.</p>	<p>The proposal is consistent with the remaining annotations on Figure 3.6.1:</p> <ul style="list-style-type: none"> <li>▪ Designated use for parking, access and landscaping;</li> <li>▪ Minimum 20m</li> </ul>	Yes

Standard	Requirement	Proposed	Complies
		<p>landscaped setback to the southern, south eastern and south western boundaries;</p> <ul style="list-style-type: none"> <li>Maintenance of direct pedestrian and bicycle access between Roselands Drive/ Martin Street/ Hilton Avenue/ Raymond Avenue;</li> <li>Assessment and maintenance of acoustic amenity to properties in Hilton Avenue</li> </ul>	

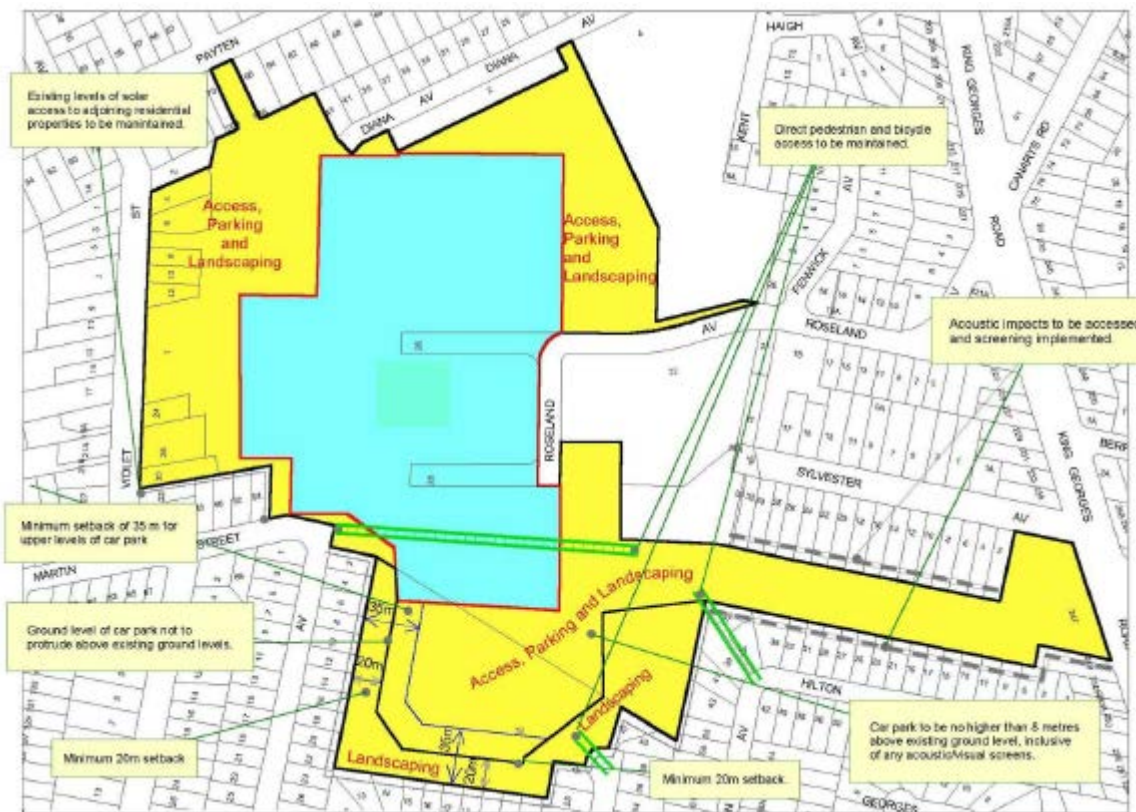


Figure 3 | Extract of Figure 3.6.1 – Roselands Structure Plan

## PART 5 – SPECIFIC DEVELOPMENT TYPES

The proposed development compares to Part 5 of CDCP 2012 as follows:

### Part 5.1 Advertising and Signage

This Part of the CDCP 2012 provides the various controls as they relate to advertising and signage. The Application does not propose any specific signage however, to aid

the assessment of this aspect of the proposal, signage zones have been nominated. The applicant has advised that once tenants have been secured for the shopping centre and their signage requirements known, a separate approval process will be undertaken, in accordance with the provisions of SEPP 64 – Advertising Signs. A separate assessment of lighting spillage has also been provided as part of the DA and addresses the potential impacts of illuminated signage.

Overall, the proposed signage zones in themselves do not raise any significant concerns, given the locations and types of signage provided around the existing shopping centre. It is considered appropriate to impose Council's standard conditions on any consent dealing with the future signage.

## **PART 6 – GENERAL CONTROLS**

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

### Part 6.1 Access and Mobility

A BCA Assessment Report, which addresses the relevant provisions relating to access and mobility, was submitted with the application. The report provides an assessment of the proposed development against the relevant access criteria.

Should this application be approved, then appropriate conditions have been included in the Recommendation, requiring the development be constructed to comply with the Commonwealth Disability (Access to Premises – Buildings) Standard 2010, and National Construction Code.

### Part 6.2 Climate and Resource Efficiency

Part 6.2 of CDCP 2012 applies to alterations and additions to existing buildings insofar as it relates to the new works, however, the controls are orientated towards residential development where aspects such as internal amenity, solar access, natural ventilation and orientation are significant determining factors. In terms of the objectives of Part 6.2, the applicant has satisfactorily demonstrated the proposal will meet key areas such as lighting, climate control (heating/ cooling), water management and energy consumption.

### Part 6.3 Crime Prevention Through Environmental Design

The proposed development was referred to Council's Community Safety Officer for comment in accordance with Part 6.3.

In support of the DA, the applicant submitted a comprehensive Crime Prevention and Security Management Plan, which was developed alongside a voluntary community engagement program. It was noted that the previous consent issued by Council for the redevelopment of the Site in 2005 (DA-341/2004) required the preparation of a Safety Management Plan (SMP). Key attributes of the 2005 SMP included:

- Additional security presence (a total of 8 security officers);
- An additional 16 CCTV cameras and 30 minutes monitoring of CCTV vision;

- Car park patrols during cinema times;
- A boundary fence to be installed to the buffer planting area;
- Strategic placement of bollards to separate vehicular and pedestrian channels;
- A detailed landscape plan that accords with the Part 6.3 CPTED guidelines; and
- Adequate lighting of pedestrian and cycle paths connecting to and from the site.

The SMP (which has been made operational by the Shopping Centre) has formed the basis of the current Crime Prevention and Security Management Plan (CP&SMP). The CP&SMP provides an extensive assessment of the proposal against the provisions of Part 6.3.1 of the CDCP 2012, noting the following observations:

- *Rationalisation of the main entry of the centre to make it clearly identifiable and accessible as the welcoming point to Roselands.*
- *Moving the existing bus stop and layover area away from the entry to avoid congestion and blocking of this area. This will facilitate clearer sightlines to and from the main entrance.*
- *The proposed bus stops are to be relocated to the south of the main entry which will continue to provide convenient and direct access to the centre, while the layover area will be provided to the north on both sides of Roselands Avenue. This provides an opportunity to install improved lighting, passenger transport information and way-finding signage. Carefully placed designated casual gathering and seating spaces should also be considered for this area to encourage casual gathering and activity.*
- *The proposed design contributes to a more active pedestrian-oriented environment, with better connections to and from the surrounding community and between the Centre and formal car park areas and public transport stops.*
- *The proposed cinema and restaurants/cafes will provide opportunities to encourage greater use and ownership of public spaces into the evening, and create a secure environment for users of the centre. In particular, the proposed restaurants/cafes face out to the car park, which will provide good wide-angle vision to the car park.*
- *Better internal surveillance opportunities are created through the location of seating near the escalator and outside the cinema lobby.*
- *The location of a new pedestrian corridor down the middle of the car park will create greater priority for pedestrians in the car park (which is currently lacking) and creating better visual and surveillance opportunities.*
- *The car park will be well-lit, open, and painted in light colours, which will allow for increased levels of illumination, better visibility and a perception of safety throughout the car park.*
- *Increased levels of CCTV surveillance to create a safer environment.*
- *The new car park design will result in less pillars which obstruct sightlines.*
- *The cinema car park only facilitates top level (level with the cinema) access after 10pm, which helps channel and manage late night activity*
- *Acoustic screens are proposed on two sides of the top level (a 2.5 metre screen facing south and a 2.2 metre screen facing west). The screens will help reduce*



*noise, secure residential privacy, and prevent people from throwing things down from the car park.*

The CP&SMP also proposes the following commitments to provide an even greater level of security:

- Clear signage which indicates traffic direction and pedestrian access on all parking levels.
- New signage which details security measures and reminds people to lock and remove valuables from vehicles on all levels.
- Regular security patrols of the car park area.
- Installation of CCTV cameras.
- Extension of the current security policy of placing signage in the car park which details security measures and remind customers of the need to secure valuables and lock their vehicles.
- Achievement (or exceedance) of the Australian Standards recommended for car park lighting. The design and placement of lighting will ensure priority areas such as the proposed cinema complex and the car parks are well lit so as legitimate activity by users of public spaces can take place safely after dark. Greater emphasis needs to be made to ensure inset spaces, access/egress routes and signage are designed at a brighter lighting level. Federation also proposed use of appropriate types of lighting fixtures, and vandal resistant, high mounted light fixtures which are less susceptible to damage. The car park will be painted in light colours, which will increase levels of illumination.
- Areas of the Centre that are not open for trade will have access restricted (expandable barriers etc. notwithstanding paths of egress in the event of an emergency will be protected). This will ensure that customers and visitors are not accessing areas where shops are closed and/or works such as cleaning may be in progress.
- Development of a crime response protocol be developed to cover issues such as notification and reporting of offences, banning of offenders, reporting of incidents to the police and victim support.
- Development of a Security Management Plan, Car park Management Plan, Entertainment and Leisure Precinct Management Plan and Customer Complaint procedure.
- Expansion of crime prevention education to retailers and shoppers through the Centre Management Security Staff.

A review of the CP&SMP has been undertaken and it is considered that the proposal satisfies the Design Requirements/ Suggestions identified in the Table to Part 6.3.1 in relation to natural surveillance, access control and ownership.

Accordingly, council's standard conditions are to be imposed on any consent issued relating to crime prevention and community safety matters, with specific conditions to be imposed to ensure the commitments identified in the CP&SMP are adopted and put in place.

Part 6.4 Development Engineering, Flood and Stormwater

Council's Development Engineer has assessed the stormwater proposal submitted with the application and while the general concept demonstrates on-site stormwater detention is achievable, the design details have not demonstrated the proposed stormwater management system is acceptable in its current form. Accordingly, Council's Development Engineer has recommended the proposal be approved as a "Deferred Commencement" consent to ensure the design of the stormwater management system is satisfactory.

Part 6.6 Landscaping & Part 6.7 Preservation of Trees or Vegetation

As discussed previously, the application proposes to remove a number of trees, as well as provide supplementary landscaping across the Site. The applicant has provided an Arboricultural Impact and Assessment Report, which makes a number of specific recommendations with regard to the removal and protection of vegetation. The applicant has also submitted a detailed Landscape Design Statement and Landscape Plans. The Landscape Design Statement outlines the proposed landscaping, lighting, irrigation and maintenance strategy for the Site, which includes the integration of landscaping into the proposed acoustic mounds and barriers.

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

Part 6.8 Vehicle Access and Parking

The proposal compares to the relevant requirements of Part 6.8 of CDGP 2012 as follows:

<b>Requirement</b>	<b>Proposal</b>	<b>Complies</b>
Shopping centres with good public transport in B2 Zones @ 1 space per 27m <sup>2</sup> gross leasable area of all shops (GLA) where the GLA = 85,378m <sup>2</sup> <b>Total = 3162 spaces</b>	3523	Yes
Cinema – no prescribed standard and subject to traffic assessment	324 spaces at base demand plus 65 spaces extra in peak demand = 324+65 = 389	Yes
Entertainment Precinct – no prescribed standard and subject to traffic assessment	30	Yes
<b>Total required = 3162+389+30 = 3581</b>	<b>3942 spaces</b>	<b>Yes</b>

Accordingly, the DA proposes 3942 car parking spaces, which exceeds the CDCP 2012 and best practise guidelines of 3581 spaces by 361 spaces. The applicant has advised that the car parking is currently and will be provided as follows:

<b>Car Park Location</b>	<b>Existing Spaces</b>	<b>Proposed Spaces</b>	<b>Change</b>
Northeast car park (Coles)	246	1,027	+781
South car park	757	1,099	+342
West car park	1,893	1,572	-321
Existing northern loading dock	8	0	-8
Existing Myer loading dock	12	0	-12
Existing parking on Roselands Drive and Violet Street	288	244	- 44
<b>TOTAL</b>	<b>3,204</b>	<b>3,942</b>	<b>+ 738</b>

The CDCP 2012 does not provide any standards for the provision of bicycles either in terms of parking spaces/ facilities or end of trip facilities for shopping centres. The DA however proposes a total of 110 bike parking spaces and end of trip amenities including 11 showers and storage facilities in the lower level of the proposed Southern Car Park. The intent is to provide a high standard facility to promote sustainable transport options. These facilities will also have direct lift and stair access to the retail levels of the building. Given that shoppers are unlikely to need changeroom facilities, the end of trip amenities will only be available to staff. A further 100 bicycle spaces will be provided for the use of patrons at or near all entry points to the shopping centre.

In relation to traffic and vehicle manoeuvring matters, the development application is supported by:

- a Traffic and Parking Assessment prepared by Colston Budd Hunt and Kafes Pty Ltd (dated September 2015);
- a Public Transport Plan prepared by Arup Pty Ltd (dated September 2015);
- turning circles and swept paths of the proposed loading docks as well as the approaches to and from them and along the realigned section of Roselands Drive, prepared by Taylor Thompson Whitting;
- details of the proposed road works to the intersection of Roselands Drive and King Georges Road; and
- A Construction Waste Management Plan.

These documents demonstrate that the proposed development will not adversely impact on the movement of vehicles in the surrounding road network. The development application has been reviewed and assessed by our Team Leader – Traffic, as well as

the RMS, neither of which have raised any objections to the proposal, subject to appropriate conditions being imposed on any consent.

#### Part 6.9 Waste Management

The application is supported by a Waste Management Plan, which deals with the demolition and construction stages, as well as the operational stage.

The development application was referred to our Waste Service section and no objection has been raised in principle to the proposed development on waste management grounds, subject to the imposition of conditions on any consent issued.

- **Additional Considerations**

#### National Construction Code

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

#### Demolition and Construction Activities

The proposal will require an extensive demolition and construction phase, which needs to be assessed and any impacts mitigated just as carefully as the entire Shopping Centre once in operation.

The DA proposes to separate the construction works into three construction stages to facilitate progressive construction and optimise available customer car parking as follows:

- Enabling works – loading dock access road.
- Stage 1 – Eastern car park extension.
- Stage 2 – Western retail and car park extension.
- Stage 3 – Eastern and southern retail and car park extension and cinema.

To this end, the applicant was requested to submit a Demolition Work Method Statement and a Waste Management Plan, which covered all phases of the redevelopment. Likewise, the applicant's traffic and acoustic assessments were also required to address the issues of parking for construction worker's vehicles, trucks and other heavy vehicles bringing construction materials to and taking demolition materials away from the Site, plant noise, vibration impacts, dust management and litter control.

An assessment of the documentation submitted by the applicant does not identify any impacts that will either result in a significant adverse environmental impact (on either the built or natural environments) that cannot be suitably mitigated. To this end, suitable conditions have been recommended to require the submission of a Site Environmental Management Plan for the demolition, construction and operational phases of the redevelopment.

### Overshadowing

Shadows diagrams accompanied the development application. The diagrams included details relating to the shadows that would be cast by the development on 22 March, 22 June, 22 September and 22 December at 9.00 a.m., 12 noon and 3.00 p.m. The shadow diagrams show that additional shadowing is cast on the following properties between 9am and 10am at the winter solstice:

- Roseview Avenue: Numbers 2, 4, 6, 8 & 10 (eastern side) and 1 & 3 (western side)
- Martin Street: Numbers 48, 50, 52 & 54 (northern side)
- Violet Street: Numbers 32 & 34 (eastern side)

As noted previously, overshadowing will occur between 9am – 10 am during mid-winter, after which time all of the affected properties will be provided with a minimum of 5 hours solar access, which exceeds the accepted standard of a minimum of 3 hours.

It is also noted that during the summer solstice and autumnal and spring equinox, the proposed redevelopment will not result in any additional shadow impacts.

### Noise, Hours of Operation and Residential Amenity

The DA originally sought to open the Shopping Centre from 6.00am to 1.30am, 7 days a week with the majority of loading and deliveries restricted to 7am – 7pm. Following concerns being raised by Council, particularly with respect to the impact of noise and traffic on the amenity of adjacent and nearby residences, the applicant amended the proposed hours as follows:

- 6am – 12am (midnight) for supermarkets, specialty stores, mini-majors and major retailers; and
- 8am – 1.30am for restaurants, entertainment and cinema facilities.

The applicant submitted both traffic and acoustic assessments with the original DA, as well as supplementary reports specifically addressing the potential impact of patron noise, operational noise and the departure of vehicles from the Cinema and Entertainment Precincts at the cessation of trade in these areas. The supplementary reports provided a further breakdown of the anticipated traffic volumes and resultant noise levels related to the night-time cinema operations, with up to 100 vehicles per hour, travelling in both directions, identified as a worst case scenario arising from the traffic generation. The acoustic modeling of these scenarios at the Site over the night-time period demonstrated that the overall noise generation remains within the relevant night time noise criteria. The assessments also found that traffic generation based on the proposed hours of operation were found to be well within the maximum night time noise criteria.

The application also proposes a suite of design treatments into the overall development to counteract the noise generation of the project to protect the amenity of neighbouring residential properties. These acoustic treatments include:

- Acoustic barriers of 2m, 2.5m, 3m and 3.5m in height along the southern edge of Roselands Drive.
- The acoustic barriers are proposed to be constructed of solid sheet materials with no perforations or gaps and with a minimum surface mass of 10kg/m<sup>2</sup>.
- The construction of solid edge noise barriers, minimum of 1.2m in height, on the southern edge of the western car park structure (Violet Street).
- Restriction of the operation of the western car park area to daytime and evening hours only (i.e. Not night time).
- Loading management strategies for Dock 4 between the hours of 6pm and 10pm, as follows:
  - Limit the number of semi-trailers idling to a maximum of two at any one time; and
  - Limit the number of loading bays with loading activities to a maximum of two at any one time.
- Acoustic treatment and loading management strategies for the new Myer loading dock on the western side of the centre.
- Typical cinema construction methods including fully sealed facades with mechanical ventilation, and construction ratings of at least Rw50.

Having regard to the above measures, the proposed development demonstrates that the proposed hours of operation will not result in any significant adverse amenity impacts on the neighbouring residents.

#### Proposed excavation works

The proposed development involves extensive excavation and construction works, some of which will be in close proximity to property boundaries and neighbouring dwellings. It has been recommended that a condition be imposed that requires the submission of a report by an accredited Engineer, detailing the structural adequacy of the adjoining properties to withstand the excavation works proposed.

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

#### Sediment and Erosion Control

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

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

### **Canterbury Development Contributions Plan 2013**

The provisions of our Section 94 contribution plan apply to the proposed development on the subject site. The proposed development attracts a contribution of \$3,696,087.87 under Section 94A Contributions. Having regard to the provisions of the Plan, this is required to be paid prior to the issue of a Construction Certificate. A condition is to be included in any development consent issued.

### **NOTIFICATION**

The development application was publicly exhibited and adjoining land owners notified in accordance with Part 7 of CDCP 2012 between 30 October 2015 and 25 November 2015. Council received submissions from twenty-three (23) people (some of which were from the same household) as well as two (2) petitions containing 60 and 66 signatures respectively, objecting to the proposal. A third petition was received by Council containing 56 signatures, however upon examination, it was determined to be a copy of the first petition, but with four (4) less signatures. It is noted that the petitions contain examples of multiple signatures from the same address and the same people signing all petitions, possibly in an attempt to appear that there are more objectors than necessarily recorded. On one petition, the addresses of people who were not home at the time the petition was being circulated were added without the occupier's name, contact details or their signature being evident.

The application was renotified between 15 March 2016 and 12 April 2016 to include the road works within the King Georges Road/ Roselands Drive Intersection, which originally did not form part of the DA.

While not mandatory, the applicant also undertook an extensive voluntary community engagement program with local residents, shoppers and key stakeholders. This process included three stages as follows:

- Stage One – information campaign to inform residents, neighbours, customers and other stakeholders that:
- Planning for the redevelopment of Roselands was underway.
- Information about the expected process was available.
- Invited people to view a display in the Centre over a four week period with 4200, households notified, along with 10,000 emails and in-centre promotion.

Initiatives included information provided via a website; online survey; a 1800 number; meetings with key political stakeholders (the NSW Member for Canterbury, Jihad Dib, and the Federal Member for Watson, Tony Burke); a Centre Display – this was staffed for five sessions and available as a permanent display for the public; and a postcard drop to about 5,000 residents in the catchment of the centre

Stage Two – was a formal but still voluntary pre-DA community engagement process on more detailed draft plans. The Stage Two process included:



- An invitation to 4,200 households to attend a series of 12 community information and feedback sessions at Roselands to view more detailed drawings with members of the project team available for questions and information.
- A feedback form was available to be submitted to enable the community to express concerns and raise issues to be considered in the final design stage.
- Continued use of the online survey and 1800 number.
- A database of residents and customers requesting to be kept informed was updated on the process.

Notwithstanding the level of community engagement, Council has still received a number of submissions. The issues raised in those submissions are discussed below:

***Cars will come crashing over the barricades of the car park into the houses and yards.***

Comment

All car park railings and vehicular ramps will be built to withstand vehicles crashing through them, in accordance with the relevant Australian Standards and the Building Code of Australia.

***Increased incidence of traffic accidents and rat-running along Roselands Drive***

Comment

The proposed realignment of Roselands Drive has been designed to reduce the potential for rat-running, given its longer length than the current road and curves to limit speeding. The supplementary traffic assessment states:

*...there are a number of methods to control traffic speeds, including road width and alignment. Narrower roads, with bends, result in lower travel speeds than wide straight roads....*

*The design of the realigned section of Roselands Drive has been mindful of these design aspects, and it is expected that travel speeds on the realigned part of Roselands Drive will be lower than existing speeds. No additional speed reduction measures are therefore considered to be necessary.*

***Truck delivery hours should remain the same and should not change to 6am to 10pm***

Comment

The application proposes truck deliveries in loading dock 4 between 6am and 10pm with the majority of loading and deliveries restricted to 7am – 7pm. The acoustic assessment indicates that the proposal, with mitigation strategies applied can achieve both the “Day” and “Evening” criteria contained in the NSW EPA’s Industrial Noise Policy. The mitigation measures include:

- *Limit the number of semi-trailers idling to a maximum of 2 at any one time;*
- *Limit the number of loading bays with loading activities to a maximum of 2 at any one time; and*

- *In addition to the management strategies above, acoustically absorptive treatment to the surfaces of the loading dock such as the soffit is recommended. An acoustically absorptive treatment with a minimum performance of NRC 0.7 is recommended.*

Given the proximity to adjoining residences and the significant increase in its size, it is deemed appropriate to permit the operation of Loading Dock 4 at the proposed operating hours for a period of 12 months. Suitable conditions are included in the Recommendation to require on-going noise monitoring during the 12 month trial period. If the trial period indicates the noise criteria cannot be achieved, the operating hours of the loading dock is to be reduced to 7am – 7pm.

***Proposed pedestrian pathway will result in overlooking of rear yards along Roseview Avenue***

Comment

The proposed landscaping, design, location and position of the pathway in terms of relative ground levels will ensure that properties along Roseview Avenue will not suffer any significant loss of amenity due to overlooking.

***Roselands Drive will be too close to houses resulting in a loss of amenity and privacy.***

Comment

As discussed previously, Roselands Drive is generally located a minimum distance of 20m from the rear common boundaries with the adjoining residential properties. This is the same setback as was approved for the multi-deck car park on the approved 2005 redevelopment of the Site. The setback is also greater than the existing setback between the open car park and is also compliant with the Roselands Structure Plan, which requires a 20m landscaped setback around the southern section of the Site. Extensive landscaping, acoustic mounds and walls will assist in protecting the levels of amenity enjoyed by residents adjoining the proposed road.

***Inaccurate shadow diagrams as the Centre will block light and overshadow properties. The shadow diagrams need to be from dawn until dusk, not 9am to 3pm.***

Comment

The shadow diagrams have been assessed (refer to discussion above) and are considered to represent an accurate characterisation of the extent of overshadowing that will occur during the worst-case scenario (mid-winter). The shadow diagrams also depict the shadows cast during the summer, spring and autumn equinoxes.

In a statutory context, new development generally should ensure that adjoining properties receive a minimum of 3 hours sunlight access between the hours of 9am to 3pm at midwinter. The shadow diagrams demonstrate that the additional overshadowing is limited to the morning hours prior to 10am providing the remainder of the day to enjoy the same level of solar access currently afforded to these properties.

***Landscaping will provide hiding spots for criminals and vandals and make it easier for them to access people's back yards.***

Comment

The design of the landscaping, lighting and opportunities for passive surveillance as well as appropriately installed fencing, the use of security patrols and CCTV, will limit the opportunities for anti-social activities, crime and vandalism. Suitable conditions have been included in the Recommendation to ensure the recommendations from the Crime Prevention and Security Management Plan (CPSMP) are adopted.

***The loading bay will be closer to residents of Roseview Street***

Comment

Loading Dock 4 will remain in its current position, albeit reconfigured and expanded towards the central portion of the Site. Conditions have been included in the Recommendation to ensure the operation of this dock will not compromise the amenity of adjoining properties.

***Impacts on drainage and soil stability to the rear of 14 Roseview Street causing damage to the house.***

Comment

The proposal will be required to install appropriate surface and subsoil drainage during construction. Conditions have also been included in the Recommendation to ensure all activities do not impact on adjoining properties by reason of vibration or bulk earthworks and for a Dilapidation Report to be undertaken on public assets and nearby properties.

***Property values will be affected/ devalued.***

Comment

There is no evidence to support such a claim.

***The relocation of Roselands Drive along suburban back yards will impact on surrounding roads with more cars going past bedroom windows.***

Comment

The relocation of Roselands Drive in itself does not equate to an increase in vehicles traversing the Site. Rather it is the overall redevelopment of the Site that will essentially lead to the anticipated additional traffic. Given the roadway will generally be setback a distance of 20m with landscaping, acoustic walls and mounds provided within the setback area, it is not correct to state cars will go past bedroom windows. Further, in some parts, the horizontal alignment of the diverted section of roadway will be excavated up to 1.391m below natural ground level, making it quite difficult for cars to pass next to the aforementioned bedroom windows.

***Increase in abandoned shopping trolleys. All trolleys should have electronic wheel-locks or be coin-operated.***

Comment

There is ample evidence to support the claim that such devices prevent or reduce the incidence of trolleys being abandoned in areas remote from the shopping centre, with supermarket chains such as Aldi implementing coin-operated trolleys in all supermarkets. A suitable condition has been included in the Recommendation regarding the management and collection of trolleys.

***The shared pathways should connect to the shopping centre and end of trip facilities should be provided for bike riders.***

Comment

The proposed shared pathways provide adequate level of connection both to the shopping centre and through the Site in accordance with the Roselands Structure Plan. The proposal provides ample end of trip and bike storage facilities for staff and temporary parking facilities for shoppers.

***Additional heat and reduced ventilation corridors to the residents as a result of the proposed car park.***

Comment

The proposal has been assessed against the relevant controls contained in Part 6.2 of the CDCP 2012 with respect to climate and resource efficiency. The proposal is considered to provide a satisfactory response in key areas such as lighting, climate control (heating/cooling), water management and energy consumption. The proposal will not adversely impact on access to natural ventilation in any of the surrounding properties, given the location on top of a hill and the setbacks to the boundaries.

***The building is too close to residents who will suffer from a loss of privacy, particularly from people using the multi-level car park.***

Comment

The proposed car park in the southern section of the Site will be located a minimum of 35m from the respective allotment boundaries. Generally speaking, the car park will not result in any significant loss of privacy given that people tend not to congregate in the car park and the structure will be set back the required distance from the boundaries.

***Longer trading hours will present a greater risk of resident's safety being compromised.***

Comment

Resident and patron safety has been discussed extensively in the submitted CPSMP. It is considered that appropriate mechanisms are in place to maintain resident and shopper safety.

***The proposed roadworks to the King Georges Road/ Roselands Drive Intersection were not part of the original proposal and due process has not been followed with the renotification.***

Comment

The application was renotified in accordance with Council's policy because it was identified that the road works were not originally included in the application. At the request of Council, the road works were included in the application and accordingly, due process was followed and the application renotified.

***The JRPP will determine the application in the Sydney CBD and not in the local area.***

Comment

This is not a relevant statutory consideration in the determination of the application.

***Council should declare its pecuniary interest in the DA and all contractors should declare whether they have any conflicts of interest in assessing the DA.***

Comment

All external contractors must declare to the Council any actual or perceived pecuniary or non-pecuniary interest prior to their engagement in a particular activity on behalf of the Council. The consultancy undertaking this assessment and the staff member involved declares they have no such actual or perceived pecuniary or non-pecuniary interest in the application, the owners of the shopping centre, or in the surrounding area.

***The proposed car park is not a permissible use in the SP 2 zone and Canterbury LEP 2012 is inconsistent with the Department of Planning and Environment's Practice Note PN 11-002(10-3-11) Preparing LEPs using the Standard Instrument: Standard Zones.***

Comment

The CLEP 2012, including the zoning and permissible uses relating to the Roselands Shopping Centre were deemed by the Minister to be entirely in accordance with due process and all Practice Notes prior to its gazettal. The Land Use Table to CLEP 2012 states, in relation to the SP 2 – Infrastructure zone:

*Zone SP2 Infrastructure*

- 1 *Objectives of zone*
  - *To provide for infrastructure and related uses.*
  - *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
- 2 *Permitted without consent*

*Roads*
- 3 *Permitted with consent*

*The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose*
- 4 *Prohibited*

*Any development not specified in item 2 or 3*

As the actual designation on the Zoning Map states the subject land is zoned SP 2 \_ Infrastructure (Car Parking), the proposed car park is considered to be consistent with the zoning of the Site and permissible.

***The construction phase will disrupt residents with noise and dust.***Comment

It is acknowledged that the demolition and construction phases could potentially create dust, noise and vibration effects, as well as traffic issues in the surrounding area. Council has assessed the submitted Waste Management Plan and Demolition Work Method Statement and appropriate conditions have been included in the Recommendation to ensure any off-site impacts are minimised. These conditions require the submission of a Construction Traffic Management Plan to coordinate any traffic associated with the demolition and construction phases and minimise the disruption on the surrounding road network

***The relocation of Roselands Drive will compromise pedestrian safety.***Comment

The application includes a pedestrian and bicycle pathway network that provides clearly identified points for pedestrians to safely cross Roselands Drive and other streets adjoining the shopping centre.

***The shopping centre and cinemas are not suitable in a residential area.***Comment

The Site is not located in a residential area per se. The shopping centre and cinema are located on land that is zoned B2 Local Centre and SP 2 - zone under the Canterbury Local Environmental Plan 2012.

***The proposal changes the use of the land (for the relocation of Roselands Avenue) from a car park to a main access thoroughfare for the shopping centre.***Comment

The proposal is entirely permissible under the CLEP 2012 and is consistent with the Roselands Structure Plan contained in the CDCP 2012.

***Light spill affecting properties from headlights and vehicles.***Comment

The High Level Design Review and a supplementary assessment prepared by Norman Disney and Young states that all lighting will be provided as follows:

- AS/NZS 1158.1.1:2005 Vehicular Traffic (Category V) Lighting
- AS/NZS 1158.3.1:1999 Pedestrian Area (Category P) Lighting
- AS/NZS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting.

All security lighting will be designed with the amenity of the adjoining residences in mind.

AS 4282:1997 contains recommendations regarding control of obtrusive lighting to neighbouring areas.

The existing retained vegetation, proposed landscaping, fencing, noise attenuation mounds and walls and road surface level relative to natural ground level will result in relatively low



opportunities for headlight glare to affect the amenity of adjoining dwellings. Suitable conditions have been included in the recommendation to provide a formal light spill diagram as a means of confirming that adjoining residents are not being affected by light spill and glare post construction.

***There will be an increased fire risk caused by increased numbers of vehicles exploding in the car parks and terrorist attacks.***

Comment

There is no evidence to support such grandiose claims.

***Noise impacts are not known and concern is raised at the impact of heavy vehicles using the new roadway and Loading Dock 4.***

Comment

The application is accompanied by an acoustic assessment, which takes into account noise generated by traffic, people at the Centre, the overall operation of the Shopping Centre as well as service vehicles, buses and trucks. Particular attention has been given to patrons leaving the shopping centre at night from the Cinema and Entertainment Precinct, trucks, buses and service vehicles using the realigned Roselands Drive and heavy vehicles using Loading Dock 4.

***There is no security consultant's assessment.***

Comment

The applicant has submitted a comprehensive Crime Prevention and Security Management Plan (CPSMP). This has been based on the 2005 Safety Management Plan. An assessment of the CPSMP is provided in relation to the proposal's compliance with Part 6.3 of the CDCP 2012 above and is considered to be satisfactory.

***The proposal will block TV reception.***

Comment

There is no evidence to support such a claim.

***The proposal does not comply with the objectives or controls of Part 3.6 of the CDCP 2012.***

Comment

There is no evidence to support such a claim. The assessment of the proposal against Part 3.6 of the CDCP 2012 is provided above and demonstrates that the proposal achieves both the objectives and specific controls.

***Residents will be penalised as paid parking will force shoppers and staff into parking in local streets.***

Comment

The application is not seeking to introduce paid parking at the Centre.

***The closure of pedestrian walkways from surrounding streets will impact on elderly people who walk to the shopping centre. Walkways must remain open at all times.***

Comment

A condition is included in the recommendation requiring all walkways to be maintained during the construction activities. Where this is not possible due to the need to build new pathways and the like, the applicant will be required to consult with the local community to minimise disruption.

***Concern is raised at traffic during demolition and construction activities.***

Comment

Suitable conditions are included which require the submission of a Construction Traffic Management Plan to coordinate any traffic associated with the demolition and construction phases and minimise the disruption on the surrounding road network.

Quite clearly there are a number of issues that are repeated and hence provide an indication of the major concerns. In short, there were five main issues that were repeated throughout the submissions, as follows:

- The hours of operation to 1.30 a.m.
- The likely increase in crime to the site, the immediate adjoining land owners and the local streets.
- The noise generated by the activities occurring at night (such as car movements, cars being started, car doors, people talking etc.) which is likely to diminish their amenity and the character of the area.
- The ability of the existing road system to cope with the increased vehicle movements and the resultant impact of such increased movements on the local adjoining residential streets.
- General adverse amenity impacts arising from overlooking, overshadowing, noise, head light glare, visual impact, security, pedestrian safety etc.

## **CONCLUSION**

The development application has been assessed pursuant to the provisions of Section 79C of the Environmental Planning and Assessment Act 1979 and all relevant development control plans, codes and policies and has been found to be satisfactory and worthy of support.

As such, it is recommended that the development application be approved as a Deferred Commencement Approval, subject to conditions.

## **RECOMMENDATION**

THAT the Joint Regional Planning Panel determine DA 425-2015 for the redevelopment of the Roselands Shopping Centre in the following manner:

**PART A:**

1. The Joint Regional Planning Panel grants its consent to the development application as a **“DEFERRED COMMENCEMENT”** Consent under Section 80(3) of the Environmental Planning and Assessment Act 1979. This consent will not operate and it may not be acted upon until the Council or its delegate is satisfied as to the following matters:
  - 1.1. On-site detention facilities must be provided on all stormwater outlets from the site in accordance with Canterbury Council’s DCP 2012.
  - 1.2. The maximum permitted discharge from each of the on-site detention facilities must not exceed 150 litres per second per hectare of the catchment draining to each facility.
  - 1.3. The storage volume of each of the on-site detention facilities must be sufficient to contain runoff from the 100 year Average Recurrence Interval storm event.

**Evidence of the above matters must be produced to the Council or its delegate within two years of the date of this Determination otherwise the Consent will lapse.**

**PART B: CONDITIONS OF APPROVAL**

BEFORE COMMENCING BUILDING WORK, you must obtain a Construction Certificate from the Council or an Accredited Certifier.

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

2. The following must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate:
  - 2.1. Details of:
    - Protection from termites
    - Structural Engineering Plan including method of shoring during excavation
    - Building Specifications
    - Fire Safety Schedule
    - Landscape Plan
    - Hydraulic Plan
    - Soil and Waste Management Plan
    - Mechanical ventilation
    - Sydney Water Notice of Requirements
    - Firewall Separation
  - 2.2. Payment of the Long Service Leave Levy to the Long Service Leave Corporation or to Council.
  - 2.3. Payment to Council of:
 

Kerb and Gutter Damage Deposit	\$49,920.00
Section 94 Contributions	\$3,696,087.87

Certificate Registration Fee	\$36.00
Long Service Levy	\$1,293,610.65
Long Service Levy Commission	\$19.80
2.4. If you appoint Council as your Principal Certifying Authority, the following fees are payable:	
Construction Certificate Application Fee	\$1,109,990.00
Inspection Fee	\$206,025.00
Occupation Certificate Fee	\$76,300.00

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

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

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

Note 4: Section 94 contribution payments are payable by cash, bank cheque, or EFTPOS.

Note 5: All Council fees referred to above are subject to change. You need to refer to our website or contact our Customer Service Centre for a current schedule of fees prior to payment.

#### BEFORE COMMENCING THE DEVELOPMENT

3. Before the erection of any building in accordance with this Development Consent;
  - 3.1. detailed plans and specifications of the building must be endorsed with a Construction Certificate by the Council or an Accredited Certifier, and
  - 3.2. you must appoint a Principal Certifying Authority (either Canterbury City Council, or an Accredited Certifier) and notify the Council of the appointment (see Attachment – Notice of Commencement copy), and
  - 3.3. you must give the Council at least 2 days notice of your intention to commence erection of the building (see Attachment – Notice of Commencement copy).

#### INSURANCE

4. If it is intended to engage a builder or licensed contractor to do the work where it is valued over \$20,000 and is not a multi storey building then this person must take out home building insurance with a private insurer. The builder or person doing the work must also satisfy Council that they have taken out an insurance policy by producing evidence of the insurance certificate or other documentation. Further information on

insurance requirements is available from the Department of Fair Trading (NSW Consumer Protection Agency) on 1800 802 055.

#### SITE SIGNAGE

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

#### DEMOLITION

6. Demolition must be carried out in accordance with the following:
  - (a) Demolition of the building is to be carried out in accordance with applicable provisions of Australian Standard AS 2601-2001: The Demolition of Structures and the Construction Safety Act Regulations.
  - (b) The demolition of a structure or building involving the removal of dangerous or hazardous materials, including asbestos or materials containing asbestos must be carried out in accordance with the requirements of the Workcover Authority of New South Wales.
  - (c) Demolition being carried out in accordance with the requirements of the Work Health and Safety Regulation 2011.
  - (d) A hoarding or fence must be erected between the building or site of the building and the public place, if the public place or pedestrian or vehicular traffic is likely to be obstructed or rendered inconvenient because of the carrying out of the demolition work.
  - (e) Demolition of buildings is only permitted during the following hours:
 

7.00 a.m. – 5.00 p.m. Mondays to Fridays

7.00 a.m. – 12.00 noon Saturdays

No demolition is to be carried out on Sundays or Public Holidays.
  - (f) Burning of demolished building materials is prohibited.
  - (g) Adequate care is to be taken during demolition to ensure that no damage is caused to adjoining properties.
  - (h) Soil and water management facilities must be installed and maintained during demolition in accordance with Council's Stormwater Management Manual. If you do not provide adequate erosion and sediment control measures and/or soil or

other debris from the site enters Council's street gutter or road you may receive a \$1500 on-the-spot fine.

- (i) Council's Soil and Water Management warning sign must be displayed on the most prominent point on the demolition site, visible to both the street and site workers. The sign must be displayed throughout demolition.
- (j) The capacity and effectiveness of soil and water management devices must be maintained at all times.
- (k) During the demolition or erection of a building, a sign must be provided in a prominent position stating that unauthorised entry to the premises is prohibited and contain all relevant details of the responsible person/company including a contact number outside working hours.
- (l) A sign is not required where work is being carried out inside, or where the premises are occupied during the works (both during and outside working hours).
- (m) Toilet facilities must be provided to the work site in accordance with WorkCover's NSW "CODE OF PRACTICE" for Amenities for construction work and any relevant requirements of the BCA.
- (n) Removal, cleaning and disposal of lead-based paint conforming to the current NSW Environment Protection Authority's guidelines. Demolition of materials incorporating lead being conducted in strict accordance with sections 1.5, 1.6, 1.7, 3.1 and 3.9 of Australian Standard AS2601-2001: Demolition of Structure. Note: For further advice you may wish to contact the Global Lead Advice and Support Service on 9716 0132 or 1800 626 086 (freecall), or at [www.lead.org.au](http://www.lead.org.au).
- (o) Hazardous dust not being allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended.
- (p) Any existing accumulations of dust (eg. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.
- (q) Demolition must be undertaken in accordance with the submitted Demolition Work Method Statement prepared by WT Partnership (undated) and the Waste Management Plan prepared by N Moit and Sons Pty Ltd (MOITS) dated 9 March 2016.

## GENERAL

7. The development being carried out in accordance with the plans, specifications and details outlined in the Table below:

<b>Prepared By</b>	<b>Drawing Reference</b>	<b>Issue</b>	<b>Date Prepared</b>
The Buchan Group	DA 0040	2	31/03/2015
The Buchan Group	DA 0050	1	31/03/2015
The Buchan Group	DA 0060	1	31/03/2015
The Buchan Group	DA 0070	1	31/03/2015
The Buchan Group	DA 0071	1	31/03/2015
The Buchan Group	DA 0072	2	31/03/2015
The Buchan Group	DA 0200	2	31/03/2015
The Buchan Group	DA 0210	1	31/03/2015
The Buchan Group	DA 0220	1	31/03/2015
The Buchan Group	DA 0230	1	31/03/2015
The Buchan Group	DA 0240	2	31/03/2015
The Buchan Group	DA 0250	2	31/03/2015
The Buchan Group	DA 0270	2	31/03/2015
The Buchan Group	DA 0280	2	31/03/2015
The Buchan Group	DA 0410	2	31/03/2015
The Buchan Group	DA 0420	2	31/03/2015
The Buchan Group	DA 0430	2	31/03/2015
The Buchan Group	DA 0440	2	31/03/2015
The Buchan Group	DA 0510	2	31/03/2015
The Buchan Group	DA 0610	2	31/03/2015
The Buchan Group	DA 0620	2	31/03/2015

<b>Prepared By</b>	<b>Drawing Reference</b>	<b>Issue</b>	<b>Date Prepared</b>
The Buchan Group	DA 0710	2	31/03/2015
The Buchan Group	DA 0720	1	31/03/2015
The Buchan Group	DA 0730	2	31/03/2015
The Buchan Group	DA 0740	1	31/03/2015
The Buchan Group	DA 0900	2	31/03/2015

8. Development shall also be undertaken in accordance with recommendations contained in the following reports, drawings and documents and any associated supplementary assessments:

<b>Document</b>	<b>Prepared By</b>	<b>Date Prepared</b>
Landscape Plans and Statement, Drawing Nos. LD.001 to LD.021	Oculus	9/2/2016
Economic Impact Assessment	Urbis	June 2015
Public Transport Plan	ARUP	15/09/2015 and 3/2/2016
Arborcultural Report	Jacksons Nature Works	September 2015
Traffic Impact Assessment	Colston Budd Hunt & Kafes Pty Ltd	September 2015, 11/2/2016 and 11/3/2016
Noise Impact Assessment	WSP Acoustics	14/09/2015, 7/2/2016 and 11/5/2016
Stormwater Concept Plan	Taylor Thomas Whitting Pty Ltd	31/07/2015
Services and	Norman Disney &	15/09/2015



Infrastructure Report	Young	
Lighting Spill Assessment	Norman Disney & Young	11/07/2015 and 5/2/2016
Crime Prevention and Security Management Plan	Urbis	31/07/2015
BCA Report	McKenzie Group	14/09/2015
Fire Safety Strategy	Core Engineering Group	15/09/2015
Waste Management Plan	Cleanaway	1 March 2016
Construction Waste Management Plan	N Moit and Sons Pty Ltd	89 March 2016
Contamination Assessment	Environmental Investigation Services	18/08/2015 and 9/2/2016
Consultation Outcomes Report	Perception Partners	August 2015
Civil Engineering Drawings	Taylor Thomas Whitting	14/09/2015
Demolition Work Method Statement	WT Partnership	
Bike Facilities and Pedestrian Access Plan, Drawing Nos. SK-1184[A] to 1190[A] inclusive	The Buchan Group	February 2016
Siteworks Plan 6 of 6, Job No. 151251, Drawing No. C16, Revision P6	Taylor Thomas Whitting Pty Ltd	6/11/2015

Turning Paths Diversion and Loading Dock 4, Job No. 151251, Drawing No. C62, Revision P5	Taylor Thomas Whitting Pty Ltd	10/3/2016
Building Height 3D Views, Drawing Nos. SK-1191[A] and SK-1192[A]	The Buchan Group	February 2016

Where the Recommendations require an action to be undertaken (including, but not limited to the submission of a plan or report), details shall be provided to the Principal Certifying Authority and Council prior to the issue of a Construction Certificate or Occupation Certificate, as appropriate.

9. This condition has been levied on the development in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and in accordance with Canterbury Development Contributions Plan 2013. The amount of the contribution (as at the date of this consent) has been assessed as \$3,696,087.87. The amount payable is based on the following components:

Contribution Element	Contribution
Section 94A Contributions	\$3,696,087.87.

Note: The contributions payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have taken place since the development application was determined.

The contribution is to be paid to Council in full prior to the release of the Construction Certificate, (or for a development not involving building work, the contribution is to be paid to Council in full before the commencement of the activity on the site) in accordance with the requirements of the Contributions Plan.

10. Finishes and materials including the treatment of external walls, roofing, balcony balustrades, fences, windows and doors being in accordance with the photomontage and Schedule of Finishes prepared by The Buchan Group. The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the external appearance of the building without the approval of Council.
11. All activity being conducted so that it causes no interference to the existing and future amenity of the adjoining occupations and the neighbourhood in general by the emission of noise, smoke, dust, fumes, grit, vibration, smell, vapour, steam, soot, ash, waste water, waste products, oil, electrical interference or otherwise.
12. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights must be observed at all times. Where damage occurs to adjoining property, all necessary repair or suitable agreement for such repairs are to be undertaken by the applicant in consultation with, and with the consent of, the affected property owner prior to the issue of an Occupation Certificate.

13. All materials must be stored wholly within the property boundaries and must not be placed on the footway or roadway.
14. All building operations for the erection or alteration of new buildings must be restricted to the hours of 7.00 a.m. - 5.00 p.m. Monday to Saturday, except that on Saturday no mechanical building equipment can be used after 12.00 noon. No work is allowed on Sundays or Public Holidays.
15. Renewal or provision of fencing, attributable to the proposed development being the responsibility of the developer.
16. All development, including walls must be located within the property boundaries of the subject site.
17. All building construction work must comply with the National Construction Code.
18. That all the essential fire safety measures shall be extended to cover the proposed area, to be constructed, and all systems are to be certified to comply with all codes, Australian Standards and BCA requirements.
19. Compliance is required with Commonwealth Disability (Access to Premises – Building ) 2010 or Premises Standard.
20. Light spill diagrams must be prepared by an appropriately qualified professional for all external lighting, advertising, headlight glare, safety lighting and the like to ensure the amenity of adjoining residential properties is protected. Details shall be submitted with the application for a Construction Certificate.
21. Council's warning sign for Soil and Water Management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction.
22. The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
23. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.
24. The construction site must have soil and water management controls implemented as described in Specifications S1 and S2 of Council's Stormwater Management Manual.
25. Concrete pumping contractors must not allow the discharge of waste concrete to the stormwater system. Waste concrete must be collected and disposed of on-site.
26. Materials must not be deposited on Council's roadways as a result of vehicles leaving the building site.
27. Drains, gutters, roadways and access ways must be maintained free of soil, clay and sediment. Where required, gutters and roadways must be swept regularly to maintain them free from sediment. Do not hose down.
28. The site must be provided with a vehicle wash down area at the exit point of the site. The area must drain to an approved silt trap prior to disposal to the stormwater drainage system in accordance with the requirements of Specification S2 of Council's Stormwater Management Manual. Vehicle tyres must be clean before leaving the site.
29. A single entry/exit point must be provided to the site which will be constructed of a minimum of 40mm aggregate of blue metal or recycled concrete. The depth of the

- entry/exit point must be 150mm. The length will be no less than 15m and the width no less than 3m. Water from the area above the entry/exit point shall be diverted to an approved sediment filter or trap by a bund or drain located above.
30. All building construction work must comply with the National Construction Code.
  31. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to walls being erected more than 300mm above adjacent ground surfaces to indicate the exact location of all external walls in relation to allotment boundaries.
  32. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to the pouring of concrete at each floor slab level indicating the finished floor level to a referenced benchmark. These levels must relate to the levels indicated on the approved architectural plans and/or the hydraulic details.
  33. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.
  34. Submission of a Soil and Water Management Plan, to the Principal Certifying Authority prior to the issue of the Construction Certificate. The Soil and Water Management Plan must include details of:
    35. (a) property details (location, applicant, drawn by, date, scale)
    - (b) accurate property description (property boundary)
    - (c) contours
    - (d) access point and access control measures
    - (e) location and type of all sediment control measures
    - (f) location of existing vegetation to be retained and undisturbed ground
    - (g) any existing watercourse or drainage
    - (h) material stockpile areas and storage and control methods
    - (i) location of new drainage features (stormwater inlet pits)
    - (j) revegetation proposals, including specifications on materials used and methods of application.
  36. (NOTE: For guidance on the preparation of the Plan refer to the Soil and Water Management for Urban Development guidelines produced by the Southern Sydney Regional Organisation of Councils.
  37. Where excavation is proposed adjacent to existing dwellings or a vacant property, the works shall be carried out in accordance with Part 3.1.1-Earthworks BCA and, the person/company responsible for doing the excavation shall give 7 days notice of intention to carry out the excavation works to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work. (An allotment of land also includes a public road and any other public place.)
  38. Where erection or demolition of a building involves the closure of a public place, or where pedestrian or vehicular access is to be obstructed or rendered inconvenient, the premises is to be provided with a hoarding and or sufficient awning to be erected to prevent any substance from, or in connection with the work falling onto the public place.
  39. The site is also to be kept illuminated between sunset and sunrise where it is likely to be dangerous for people using the public place.

40. A photographic survey/dilapidation report shall be prepared for all properties adjoining the allotment boundaries where new building work, demolition, excavation or fill is to be placed. The reports shall detail the physical condition of the relevant property, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items, shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate. On completion of the excavation and building works and prior to occupation of the building, a certificate stating to the effect that no damage has resulted to adjoining premises is to be provided to the Principal Certifying Authority. If damage is identified which considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as possible and prior to occupation of the development. All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this consent.
41. A geotechnical engineering report assessing the impact and safety of the proposed works is to be prepared by a suitably qualified and experienced geo practitioner and provided to the Principal Certifying Authority prior to the issue of a Construction Certificate. The report must include the results of subsurface investigations, involving either test pits to rock, or preferably the drilling of cored boreholes (to one metre below the proposed final excavation level). The report shall describe:
- An indication and nature and depth of any uncontrolled fill at the site.
  - An indication of the nature and condition of the material to be excavated.
  - Indications of groundwater or seepages.
  - Required temporary measures for support of excavations deeper than one metre adjacent to property boundaries.
  - Statement of required excavation methods in rock and measures required to restrict ground vibrations.
  - Other geo-technical information or issues considered relevant to design and construction monitoring.
- All findings and recommendations of the Report are to be followed and adhered to throughout the construction process.
42. The Site shall be remediated in accordance with the Contamination Assessment prepared by Environmental Investigation Services with evidence of validation provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

#### SYDNEY WATER REQUIREMENTS

43. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to “Your Business” section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon or telephone 13 20 92. Following application, a “Notice of Requirements” will be forwarded detailing water and sewage extensions to be built and charges to be paid. Please make early

contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

44. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the final plan of subdivision.
45. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.

## CONSOLIDATION OF ALLOTMENTS

46. Prior to the issue of an Occupation Certificate, all allotments shall be consolidated into a single allotment so as to ensure all structures are wholly contained within an allotment and are not erected over a boundary line.
47. The granting of service easements within properties shall be to the satisfaction of Council or Private Certifier. Costs associated with preparation and registration of easements to be borne by the developer. All easements required for the consolidation of allotments being shown on and registered in conjunction with the plan of consolidation.

## CRITICAL INSPECTIONS

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

## CAR PARKING

51. A total of three thousand nine hundred and forty two (3942) off-street parking spaces shall be provided across the development Site, generally as shown on the approved architectural plans.
52. The accessible parking spaces must comply with the dimensions of AS 2890.1 and have a firm, level surface with minimal crossfall. These spaces must be marked with the international symbol of disability.
53. Signage shall be erected to notify and allow people to use the designated spaces.
54. Parking facilities/ storage with the associated end of trip facilities shall be provided for 110 bicycles (staff use) and 100 bicycles (patron use) as shown on the approved Bike Facilities and Pedestrian Access Plans. All facilities shall be installed prior to the issue of the Occupation Certificate.

## ACOUSTIC PERFORMANCE

55. Prior to the occupation of the development an acoustic assessment shall be undertaken to ensure that the recommended treatments and controls contained in the Acoustic Assessment Report prepared by WSP Parsons Brinckerhoff Pty Ltd,

- have been incorporated in the final design of the building.
56. Within thirty (30) days of the commencement of operations of the use of the premises, an acoustic compliance test is to be carried out by an acoustic engineer without the prior knowledge of the management of the premises at the developer's expense. Council will make arrangements for access to all relevant residential properties and a Council Officer will be in attendance during the testing procedure. The compliance test is to determine the effect the activities on the amenity of the residential neighbourhood. If the effectiveness of the measures implemented to minimise any noise do not meet the required standard, then additional works need to be undertaken to bring the premises up to the required standard as recommended by the acoustic engineer.
  57. The following mitigation measures identified in the Acoustic Assessment shall be implemented prior to the issue of an Occupation Certificate and at all times during the operation of the Shopping Centre with respect to Loading Dock 4:
    - *Limit the number of semi-trailers idling to a maximum of 2 at any one time;*
    - *Limit the number of loading bays with loading activities to a maximum of 2 at any one time; and*
    - *In addition to the management strategies above, acoustically absorptive treatment to the surfaces of the loading dock such as the soffit is recommended. An acoustically absorptive treatment with a minimum performance of NRC 0.7 is recommended.*

Continuous fixed noise monitoring must also be undertaken at nearby sensitive receivers for a period of 12 months from the commencement of use of Loading Dock 4 to ensure that the applicable noise criteria are being adhered to. At the conclusion of the 12 month trial period, a report shall be provided to Council detailing the acoustic performance of the Loading Dock, identifying whether any breaches of the noise criteria occurred and whether any further attenuation measures are required. If the trial period indicates the noise criteria cannot be achieved, the operating hours of the loading dock shall be reduced to 7am – 7pm.

## ACCESSIBILITY

58. Full details of all proposed accessible and ambulant toilets shall be provided with the application for a Construction Certificate for approval.
59. Additional under cover seating for people with a disability shall be provided at the proposed taxi rank to provide adequate weather protection for people with a disability.
60. The development must wholly comply with all requirements of the Disability Discrimination Act 1992, Disability (Access to Premises – Buildings) Standard (2010), National Construction Code, AS1735.12: Lifts, Escalators and moving walks and Part 12: Facilities for persons with disabilities, at all times.



## ENGINEERING REQUIREMENTS

61. The stormwater system be constructed in general, in accordance with the plans, specifications and details received by Council on 17th September 2015, Appendix J of volume 1 of the Statement of Environmental Effects and drawing number C03 of Appendix S of volume 1 of the Statement of Environmental Effects; prepared by Urbis Pty Ltd as amended to provide on-site detention facilities and as amended by the following conditions.
62. Certification from an accredited engineer must be provided to certify that all works has been carried out in accordance with the approved plan(s), relevant codes and standards.
63. All downpipes, pits and drainage pipes shall be installed to ensure that stormwater is conveyed from the site and into Council's stormwater system in accordance with AUS-SPEC Specification D5 "Stormwater Drainage Design", AS/NZS3500.3 2015 and Council's DCP 2012, Part 6.4.
64. The Stormwater Quality Improvement Devices shown on the stormwater drainage design as Humes Jellyfish must be designed to achieve removal of the following pollutants for all storms up to the 90th percentile storm:
  - 100% removal of the average annual load of gross pollutants greater than 5mm in diameter, measured on the B axis.
  - 85% removal of the average annual load of total suspended solids.
  - 65% removal of the average annual load of total phosphorus.
  - 45% removal of the average annual load of total nitrogen.
65. The stormwater drainage design must ensure that no water will drip or flow from the land onto any part of a road other than the gutter.
66. The stormwater drainage design must be amended to provide stormwater drainage from the bowling facility at 23 Roseland Avenue to Councils stormwater drainage system. The amended plan must be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.
67. Three (3) copies of all plans and calculations of the OSD system must be submitted prior to the issue of Construction Certificate to the Principal Certifying Authority PCA and Canterbury City Council, if Council is not the PCA. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD) and full details of the hydraulic evaluation of the entire stormwater drainage system. The details shall be prepared in accordance with Council's DCP 2012, Part 6.4.
68. A Works-as-Executed plan must be submitted to Canterbury City Council at the completion of the works, the plan must clearly illustrated dimensions and details of the site drainage and the OSD system. The plan shall be prepared by a registered surveyor or an engineer. A construction compliance certification must be provided prior to the issuing of the Occupation Certificate to verify, that the constructed stormwater system and associate works has been carried out in accordance with the approved plan(s), relevant codes and standards. The required certification must be issued by an accredited professional in accordance with the accreditation scheme of the Building Professional Board issued 1st March 2010. An appropriate instrument

- must be registered on the title of the property, concerning the presence and ongoing operation of the OSD system as specified in Councils DCP 2012, Part 6.4.
69. Appropriate instruments must be registered on the title of the site to provide for legal drainage of 23 Roselands Avenue and 2 to 32 Sylvester Street to Councils stormwater drainage system.
  70. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
  71. Driveways, parking and service areas are to be constructed or repaired in accordance with the appropriate AUS-SPEC #1 Specifications: C242-Flexible Pavements; C245-Asphaltic Concrete; C247-Mass Concrete Subbase; C248-Plain or Reinforced Concrete Base; C254-Segmental Paving; C255-Bituminous Microsurfacing.
  72. The loading docks, parking facilities and their associated vehicular access must comply with the requirements of AS/NZS 2890.1: 2004, AS 2890.2: 2002, and AS/NZS 2890.6: 2009.
  73. Development Consent does NOT give approval to undertake any works on Council property. An application must be made to Council under Section 138 of the Roads Act 1993 for approval to undertake any works on Charles Street.

Councils approval must be obtained prior to the issue of a Construction Certificate. The works must be constructed in accordance with any requirements attached to Councils approval and be completed prior to the issue of an Occupation Certificate.

Note: The cost of adjustment or relocation of any public utility service shall be borne by the owner/applicant. Where the finished levels of the new works will result in changes to the existing surface levels, the cost of all necessary adjustments or transitions beyond the above scope of works shall be borne by the owner/applicant.

#### PUBLIC IMPROVEMENTS

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

#### TRAFFIC & CITY WORKS

75. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
76. The levels of the public road alignments are to be obtained by payment of the appropriate fee to Council. These levels are to be incorporated into the designs of the internal pavements, car parks, landscaping and stormwater drainage. Evidence must be provided that these levels have been adopted in the design. As a site inspection

and survey by Council is required to obtain the necessary information, payment is required at least 14 days prior to the levels being required.

77. A Traffic Management Plan (TMP) shall be prepared for all phases of the development including preliminary site works, demolition, construction and operation of the shopping centre. The Plan must be submitted to Council for approval prior to the commencement of any works on the Site, delivery of plant, materials or site facilities. The Plan must include specific provisions dealing with:
  - The delivery and removal of building materials, equipment, plant, site buildings to and from the Site as well as the removal of demolition materials from the Site including delivery times for floating large items on and off the Site;
  - Parking of contractors cars whilst laboring on the development to prevent disruption to local streets by residents and visitors – NOTE: reliance on surrounding streets will not be acceptable;
  - Temporary queuing of trucks and staging areas;
  - The location of temporary car parking areas for staff and shoppers during each stage of the redevelopment – NOTE: reliance on surrounding streets will not be acceptable.
  - Provision of pedestrian and bicycle access throughout the redevelopment
78. The proposed development should be designed such that road and traffic noise from Canterbury Road is mitigated by durable materials and complies with the requirements of Clause 102 – (Impact of road noise or vibration on no-road development) of State Environmental Planning Policy (Infrastructure) 2007.
79. The layout of the proposed parking areas associated with the proposed development (including driveway, ramp grades, aisle widths, aisle lengths, parking bay dimensions, sight distances and loading bays) shall be designed in accordance with AS 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicle usage.
80. Any proposed modifications to the traffic signals of King Georges Road/Roselands Drive will require consent from Roads and Maritime Services for under Section 87(4) of the Roads Act 1993.
81. Any works or modifications to the traffic signals of King Georges Road/Roselands Drive will need to be undertaken to the satisfaction of Roads and Maritime Services.

## LANDSCAPING

82. Prior to the issue of the Construction Certificate, the following must be updated/ provided:
  - The applicant is to further explore the opportunities for increasing soft landscaping in deep soil areas adjacent to all roadways to provide plantings (including canopy trees) to soften the visual impact of these structures.
  - The existing western car park is to be provided with additional tree plantings to reduce the heat sink properties of the space, provide shade for cars and add extra screening to the buildings.

- Where ever possible, plant species are to be indigenous species to contained in the Sydney Turpentine-Ironbark Forest, an Endangered Ecological Community, which is present within the local area.
  - Plantings within the Roselands Avenue Plaza is to be increased to provide more extensive areas, particularly in the bus stop area. Additional large canopy tree plantings within the road island between the bus stopping area and the road, similar to the existing tree plantings at this location, should be detailed to provide adequate shade and heat reduction during the summer. The canopy structure adjacent to the bus stop zone should provide a large waiting area with good protection from rain and sun for commuters as well as some seating with seat backs for elderly commuters.
  - All street trees are to be in keeping with the Canterbury Council street tree management plan and to Council's approval. The Roselands Drive streetscape between King Georges Road and the Roselands Shopping Centre currently provides gateway plantings with a mixture of Melaleuca and Eucalyptus species. Any new plantings will need to supplement and consolidate the current planting plan. Lophostemon confertus (Brushbox) is not considered to be in keeping with the current character.
83. Plant Quality and Sizes: All the tree supply stocks shall comply with the guidance given in the publication Specifying Trees: a guide to assessment of tree quality by Ross Clark (NATSPEC, 2003).
  84. Plant Pre-order: All scheduled plant stock shall be pre-ordered, prior to issue of Construction Certificate or 3 months prior to the commence of landscape construction works, whichever occurs sooner, for the supply to the site on time for installation.
  85. Written confirmation of the order shall be provided to Council's Landscape Architect (Contact no: 9789 9438), prior to issue of any Construction Certificate. In addition to the details in the above table, the order confirmation shall include name, address and contact details of supplier; and expected supply date.
  86. Upon completion of the 52 week maintenance period, a report should be submitted to council by the landscape architect or landscape contractor on behalf of their client, detailing the success of the landscape plan and an changes which have been made from original constructed landscape in accordance with changed site conditions, plant failures/replacements etc.
  87. The landscaping is to be maintained at all times to the Council's satisfaction.

#### CRIME PREVENTION MEASURES

88. The building and surrounding structures shall be treated with anti-graffiti paint, materials and/ or finishes to deter graffiti offenders targeting the building and its perimeter. Details shall be provided with the application for the Construction Certificate.
89. To ensure shopping trolleys do not leave the Shopping Centre, all shopping trolleys are to be provided with either electronic wheel locking devices or be coin-operated.

Shopping trolleys shall also be collected at regular intervals through each trading day to ensure they do not block car park and pedestrian movement areas. Details of the collection strategy shall be incorporated into the Centre Operational Plan and provided to Council prior to the issue of an Occupation Certificate.

90. The Roselands Crime Prevention and Security Management Plan is to be amended accordingly:
- I. The Plan states that there is space for two social groups for elderly people to meet as a means of social interaction. To increase territorial reinforcement, this provision shall be extended to include all groups, particularly young people, diverse communities and parents, each being legitimate users of the space.
  - II. To increase space and activity management the following areas are to be amended accordingly:
    - Ensure that management are aware of their obligations under the Work, Health and Safety Act.
    - Ensure that all staff are aware of their obligations under the Work, Health and Safety Act.
    - Ensure management are aware of their obligations in relation to fire safety.

Details are to be incorporated into a revised Crime Prevention and Security Management Plan, to be submitted to Council for approval prior to the issue of an Interim Occupation Certificate or Final Occupation Certificate, whichever occurs first.

91. The following Commitments identified in the Crime Prevention and Security Management Plan shall be implemented accordingly before the issue of an Interim or Final Occupation Certificate:
- I. Clear signage which indicates traffic direction and pedestrian access on all parking levels.
  - II. New signage which details security measures and reminds people to lock and remove valuables from vehicles on all levels.
  - III. Regular security patrols of the car park area.
  - IV. Installation of CCTV cameras.
  - V. Extension of the current security policy of placing signage in the car park which details security measures and remind customers of the need to secure valuables and lock their vehicles.
  - VI. Achievement (or exceedance) of the Australian Standards recommended for car park lighting. Greater emphasis needs to be made to ensure inset spaces, access/egress routes and signage are designed at a brighter lighting level. Federation also proposed use of appropriate types of lighting fixtures, and vandal resistant, high mounted light fixtures which are less susceptible to damage. The car park will be painted in light colours, which will increase levels of illumination.
  - VII. Areas of the Centre that are not open for trade will have access restricted (expandable barriers etc. notwithstanding paths of egress in the event of an emergency will be protected). This will ensure that customers and visitors are not

accessing areas where shops are closed and/or works such as cleaning may be in progress.

- VIII. Development of a crime response protocol be developed to cover issues such as notification and reporting of offences, banning of offenders, reporting of incidents to the police and victim support.
- IX. Development of a Security Management Plan, Car park Management Plan, Entertainment and Leisure Precinct Management Plan and Customer Complaint procedure.
- X. Expansion of crime prevention education to retailers and shoppers through the Centre Management Security Staff.

#### COMPLETION OF DEVELOPMENT

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

#### WE ALSO ADVISE:

- 1. This application has been assessed in accordance with the National Construction Code.
- 2. You should contact Sydney Water prior to carrying out any work to ascertain if infrastructure works need to be carried out as part of your development.
- 3. Where Council is appointed as the Principal Certifying Authority, you will be required to submit Compliance Certificates in respect of the following:
  - Structural engineering work
  - Air handling systems
  - Protection from termites
  - Fire safety
  - Glazing
  - Premises standard
  - Drainage
  - Electrical
  - Lighting
  - Survey
  - Waterproofing
- 4. Any works to be carried out by Council at the applicant's cost need to be applied for in advance.
- 5. Before you dig, call "Dial before you Dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and distance from the nearest cross street) for underground utility services information for any excavation areas.
- 6. In granting this approval, we have considered the statutory requirements, design, materials and architectural features of the building. No variation to the approved design and external appearance of the building (including colour of materials) will be permitted without our approval.
- 7. Private contractors shall submit an application and pay an inspection fee to Council

- seven days prior to commencement of any works on the footpath or roadway. No work shall be carried out without Council approval.
8. The applicant is to ensure that landscaping and hydraulic plans are co-ordinated. Hydraulic details such as pits, stormwater lines, detention tanks and retaining walls are to be shown on the Landscape Plan as these can effect layout of garden beds and plantings.
  9. Compliance with the National Construction Code does not guarantee protection from prosecution under “The Disability Discrimination Act”. Further information is available from the Human Rights and Equal Opportunity Commission on 1800 021 199.
  10. Our decision was made after consideration of the matters listed under Section 79C of the Environmental Planning and Assessment Act 1979, and matters listed in Council’s various Codes and Policies.
  11. If you are not satisfied with this determination, you may:
    - 11.1. apply for a review of a determination under Section 82A of the Environmental Planning and Assessment Act 1979. A request for review must be made and determined within 6 months of the date of the receipt of this Notice of Determination.; or
    - 11.2. Appeal to the Land and Environment Court within 6 months after the date on which you receive this Notice of Determination, under Section 97 of the Environmental Planning and Assessment Act 1979.
  12. If you require further information, please contact Hassan Morad in City Planning on 9789 9357, Monday to Friday.