

Report to Sydney West Central Planning Panel

SWCCP reference	2017SWC102
DA No.	DA/773/2016
Date of receipt	23 February 2016 (lodged with former Auburn Council)
Proposal	Fitout and operational use as a library and community facility
Street address	2 Waterways Street, Wentworth Point
Property Description	Lots 25, 27, 28 and 30 in DP270778
Applicant	City of Parramatta Council
Owner	Fairmead Business Pty Limited Netstrata (managing owners for strata plan)
Submissions	1 submission received
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act and Regulations • State Environmental Planning Policy No. 55 • State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development) • State Environmental Planning Policy (Sydney Harbour Catchment) 2005 • State Environmental Planning Policy (State and Regional Development) 2011 • Sydney Regional Environmental Plan No 24 - Homebush Bay Area • Homebush Bay West DCP Amendment No. 1 and No. 1 Burroway Road DCP 2006

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **Not Applicable**
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

Recommendation	Approval subject to conditions
Report by	Catherine Watkins (Independent Planner)

ASSESSMENT REPORT – INTERNAL FITOUT & USE

Environmental Planning & Assessment Act 1979

SUMMARY

Application details

DA No:	DA/773/2016 (Auburn Reference: DA-44/2016)
Assessment officer:	Catherine Watkins (Independent Planner)
Property:	2 Waterways Street, Wentworth Point Lots 25, 27, 28 and 30 in DP270778
Proposal:	Fitout and operational use as a library and community facility
Date of receipt:	23 February 2016 (Auburn Council)
Applicant:	City of Parramatta Council
Owner:	Fairmead Business Pty Limited Netstrata (managing owners for strata plan)
Submissions received:	1 submission received
Is the property owned by a Council employee or Councillor:	No (however the library and facility will be dedicated through a VPA and transferred to Council in the future)
Council application:	Yes
Issues:	None
Recommendation:	Approval subject to conditions

Legislative requirements

Zoning:	Sydney Regional Environmental Plan No. 24
Permissible under:	Sydney Regional Environmental Plan No. 24
Relevant legislation/policies:	Homebush Bay West DCP Amendment No. 1 and No. 1 Burroway Road DCP 2006
Variations:	Nil
Integrated development:	No

Crown development: No

Designated development: No

The site

Site Area: 6213m² (Block B development parcel)
3200m² (library & community facility)

Easements/rights of way: None of relevance to this application

Heritage item: No

In the vicinity of a heritage item: No

Site History: See Background section below

SECTION 96 ASSESSMENT

BACKGROUND

The subject site was formerly under the Auburn LGA until the Council amalgamations in May 2016 when Wentworth Point became part of the City of Parramatta LGA. The following lists the previous approvals for this site (Block B).

DA-296/2014 (Auburn)	The Sydney West Joint Regional Planning Panel, at its meeting of 11 December 2014 resolved to approve Development Application No. 296/2014 for a staged development proposal (concept plan) including the construction of a 25 storey multi unit residential/commercial building (Block B) comprising 461 residential units, 5 commercial/retail units, community/library facility and associated parking subject to conditions.
DA-296/2014/A (Auburn)	Section 96 application to modify Condition 5 in relation to the required surrender of previous consents. The modification application was approved on 4 February 2015.
DA-296/2014/B (Auburn)	Section 96 application to modify Conditions 14 and 115 relating to the voluntary planning agreement and internal street lighting. The application was approved on 9 March 2015.
DA-296/2014/C (Auburn)	Section 96 application for amendments to Building B including redesigning the layouts of levels 20 to 25 and reduce the number of overall units. The application was approved and the notice was issued 5 November 2015.
DA-296/2014/D (Auburn) DA/681/2016 (COP)	A Section 96 application was lodged with Auburn Council on the 15 October 2015 and subsequently transferred to the City of Parramatta Council following amalgamations. The application involved additional height and floor space density within the site. This application was withdrawn by the applicant on 1 December 2016.
DA-296/2014/E (Auburn) DA/346/2016 (COP)	A Section 96 application was lodged with Auburn Council on the 11 May 2016 seeking amendments to Building B including the provision of a lift and external changes to the library, the provision of an additional building manager's office, changes to the car parking and podium landscaping configuration and modifications to conditions relating to car parking, loading and the VPA. The application was assessed by City of Parramatta following amalgamations and was approved by the Parramatta Independent Hearing Assessment Panel (IHAP) on 16 August 2016.

DA-14/2016 (Auburn) DA/668/2016 (COP) and amendment	Stratum subdivision into 6 lots approved 2 September 2016. This application provided the lots for the library and community facility.
DA/346/2016/A (COP)	A Section 96(1A) application to amend the approved plaza landscape plan. The application was approved on 2 December 2016.

SITE & SURROUNDS

The subject land of this proposal is contained within the remaining undeveloped stages of Precinct B, formerly known as Lot 10 in DP776611.

This application relates to Block B within Precinct B. The location of Block B in Precinct B is indicated below.



Development land included within the approved DA/296/2014

Block B has a site area of 6213m² and has 4 street frontages as described below:

Street Frontage	Boundary	Dimension
Footbridge Boulevard	North-eastern	81.02m
Waterways Street	North-western	76.7m
Ridge Road	South-eastern	76.7m
Half Street	South-western	81.02m



Aerial photograph indicating the subject site and surrounding development

Block B contains a recently completed mixed use development comprising 450 residential apartments, numerous ground floor retail tenancies and the cold shell of the library and community facility fronting Footbridge Boulevard. The library and community facility occupies part of Level 1 and Level 2 of the building, which is to be dedicated to Council through an agreed Voluntary Planning Agreement. Parking for staff and people with disabilities is provided within Basement Level 1.



Photograph of library & community centre building with landscaped forecourt and external lift

The lot descriptions for this proposal are as follows:

Lot 25	Residential stratum (to contain the rooftop plant)
Lot 27	Library and Community Centre
Lot 28	Forecourt
Lot 30	Lift.

These lots were registered on 4 November 2016, during the DA assessment process of this application.

There is a mixture of development in the locality ranging from industrial/warehouse uses to newer multi storey residential flat buildings. Within the wider locality, there is a ferry terminal with access from Burroway Road. To the south there has been significant redevelopment over the past decade where a transition has occurred from industrial uses to medium to high density development.

THE PROPOSAL

Background:

This application was originally lodged with Auburn Council (DA-44/2016) and was transferred to City of Parramatta Council following the Council amalgamations in May 2016. The application was re-numbered DA/773/2016 by City of Parramatta Council.

The Proposal:

The application relates to the fitout and operational use of the library and community centre which is located within Block B, known as the 'Zen' development. The floor space and cold shell handover to Council will occur via a previously approved Voluntary Planning Proposal as part of Development Application No. 296/2014. The use of the library and community centre was considered and approved in principle under the previous application DA/296/2014.

The library and community hub is to be contained within an existing two-storey podium building that forms a link between two high-rise residential towers comprised of 450 apartments. It is intended that this facility will serve the needs of the rapidly expanding residential neighbourhood of the Wentworth Point precinct.

The facility will be known as the Wentworth Point Community Centre and Library.

Proposed Use:

The proposal includes a public library and community facility including a small kiosk, toilet facilities and children/youth/adult library areas on the ground floor and a function room, dance/yoga studio, home library, art spaces, music rooms, quiet study area, meeting rooms and administration area on the 1st floor. The total floor space of both levels is 3200m². The types of activities to be carried out in the function room include the following:

- Workshops
- Forums
- Presentations
- Small conferences
- Meetings e.g. business, community
- Active Lifestyles activities e.g. yoga, Pilates, dance etc.

- Social functions e.g. birthdays, engagement parties, weddings

Capacity of Facility:

According to the applicant's Statement of Environmental Effects, the number of people utilising the library and community centre will include 12 staff and a maximum of 1,100 visitors. This figure is based on every room and open plan area being at full capacity.

Hours of Operation:

The proposed hours of operation are as follows:

Library Hours

Day	Time
Monday to Thursday	9:30am to 8:00pm
Friday	9:30am to 6:00pm
Saturday	9:30am to 4:00pm
Sunday	9:30am to 4:00pm

Community Centre

Day	Time
Monday to Thursday and Sunday	7:00am to 10:00pm
Friday and Saturday	7:00am to 12:00 (midnight)

Access and Parking:

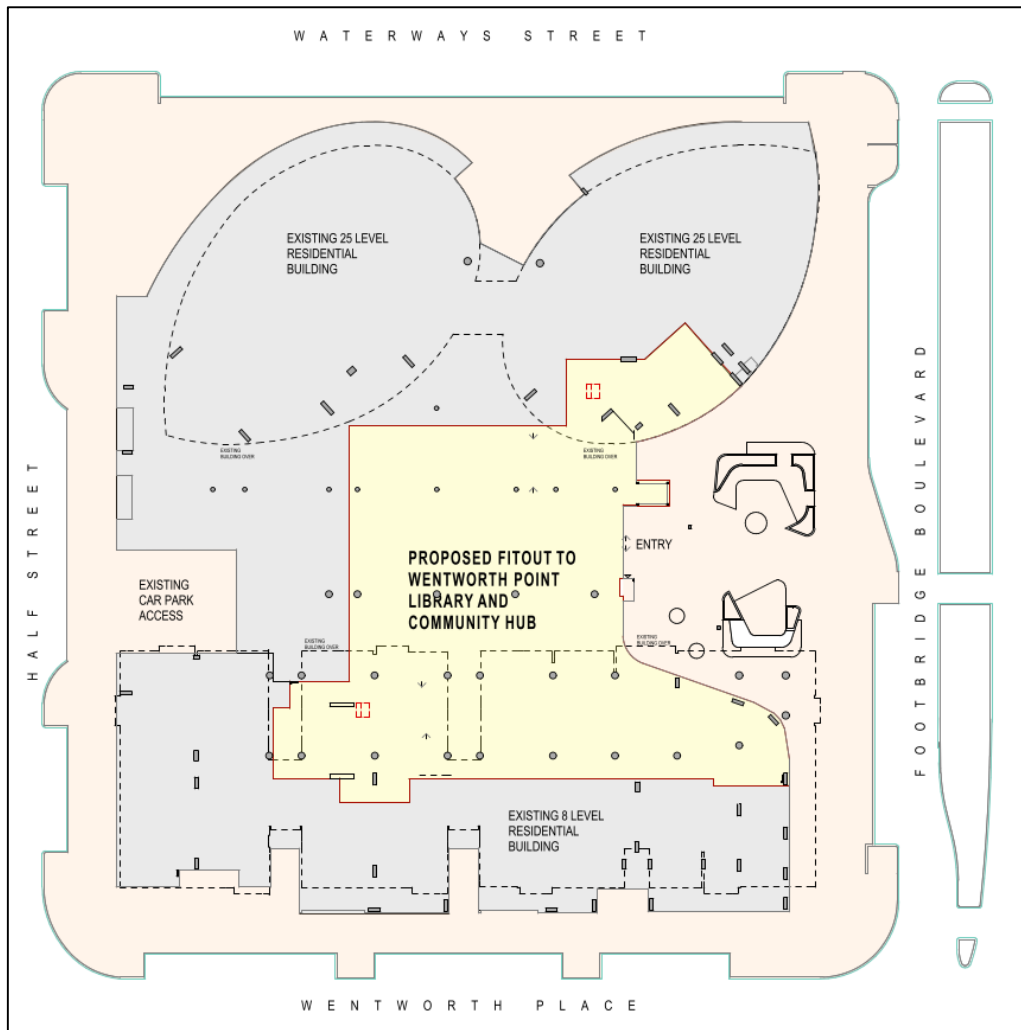
Both levels will have access to the basement car park via a library specific lift. The main entrance to the library will be via a public forecourt (also to be dedicated to Council) which includes landscaped gardens and outdoor seating.

Ten visitor spaces, including parking for people with disabilities, are available in the basement car park for the proposed use.

Building Works:

The application also involves the following construction works:

- Fitout partitioning and provision of amenities
- Construction of internal stairs
- Provision of new louvres to the existing facade and replacement of glass panels with air intake louvres
- Installation of book return chute
- The installation of plant on the roof (Level 9 of the lower residential building on the site). Whilst owner's consent has been provided for the installation of this plant, required easements will be negotiated between the parties and incorporated into the strata plan.



Location of proposed works in Block B

PERMISSIBILITY

Sydney Regional Environmental Plan No 24 - Homebush Bay Area

The site is subject to the provisions of Sydney Regional Environmental Plan No 24 - Homebush Bay Area which does not include zoning.

Permissibility is subject to clause 11 which states that *“development of land within the Homebush Bay Area may be carried out for any purpose that the consent authority considers to be consistent with any one or more of the planning objectives for the Homebush Bay Area”*.

The proposed library and community facility is not inconsistent with the planning objectives for the Homebush Bay area.

REFERRALS

Waste Management Officer

The application was reviewed by Council’s Waste Management Officer who raised no objection to the proposed development subject to the imposition of appropriate conditions. It

is noted that the waste will be stored within the approved waste area within the constructed building (as per the previous consent DA-296/2014 as amended – Auburn reference).

Environment and Health – Acoustic

The application was reviewed by Council's Environmental Health Officer (Acoustic) who raised no objection to the proposed development subject to the imposition of appropriate conditions. Although it is unlikely that the proposed plant will create any noise impacts given its location and screening, a condition is included within the Recommendation section of this report requiring certification of noise levels of the plant be provided to Council before the occupation of the premises.

Building Certification Team

The application was reviewed by Council's Building Certification Officer who raised no objection to the proposed development subject to the imposition of appropriate conditions.

PUBLIC CONSULTATION

Advertised (newspaper) ☒ Mail ☒ Sign ☒ Not Required ☒

Former Auburn Council Notification

The application was originally notified by Auburn Council. In accordance with Auburn Council's notification procedures that are contained in Section 3.0 of Auburn DCP 2010, the proposal was publicly exhibited for a period of 14 days between 3 March 2016 to 17 March 2016. No submissions were received in respect of the proposed development.

City of Parramatta Community Consultation

Following Council amalgamations, City of Parramatta engaged consultation with the community. The objective of the consultation process was to inform and consult with the community about the proposed interior design of the WPCC and library and to ensure that the facility matches community aspirations going forward. Based upon the *Wentworth Point Community Centre and Library Consultation Report*, a total of 198 community members were engaged through this process through a workshop held on 25 March 2017 and an online survey conducted from 16 February to 27 March 2017.

Based on the findings of this community consultation process, together with the operational needs of Council, amended internal layout plans were formed to provide a mix of flexible spaces for community use.

City of Parramatta Notification

Following the above mentioned public consultation, amended plans were prepared and submitted to Council as part of this application. The installation of the plant and façade louvres has been added to the application in order to provide the required services to the facility. In accordance with Auburn Council's notification procedures that are contained in Section 3.0 of Auburn DCP 2010, the proposal was publicly exhibited for a period of 14 days between 31 August to 14 September 2017.

One (1) submission was received in respect of the proposed development. The issue raised within the submission is discussed below.

Nature of Concern	Planning Comment
Insufficient parking Concern is raised with the amount of illegal parking within the area and this application will make it worse.	<p>The community centre and library have already been approved within DA-296/2014 (Auburn Reference) and are included in a Voluntary Planning Proposal as a cold shell facility for Council's ownership. The application provided for 10 car parking spaces within Basement 1 of the building. The current application is only for the fitout and operational use of the library and community centre.</p> <p>Ten car parking spaces are allocated to the facility and are provided within the basement. Additional parking on street is available for public usage.</p>

ENVIRONMENTAL PLANNING INSTRUMENTS

State Environmental Planning Policy No. 55 – Remediation of Land

There are no changes to the approved development that would require any further assessment under the provisions of SEPP55.

State Environmental Planning Policy No. 65 – Design of Residential Flat Buildings

There are no changes to the approved development that would require any further assessment under the provisions of SEPP65.

State Environmental Planning Policy (BASIX) 2004

There are no changes to the approved development that would require any further assessment under the provisions of SEPP Basix.

State Environmental Planning Policy (Infrastructure) 2007

There are no changes to the approved development that would require any further assessment under the provisions of SEPP Infrastructure.

Sydney Regional Environmental Plan No 24 - Homebush Bay Area

The relevant matters to be considered under Sydney Regional Environmental Plan No 24—Homebush Bay Area for the proposed development are outlined below.

Requirement	Comment
<i>Clause 13 Matters for consideration in determining development applications</i>	
(a) any relevant master plan prepared for the Homebush Bay Area	There are no master plans relevant for this proposed development.
(b) any development control plans prepared for the land to which the application relates	The Homebush Bay West DCP Amendment No. 1 and No.1 Burroway Road DCP 2006 have been considered in the assessment of this application. The proposal raises no issues with respect to the SEPP.
(b1) to the extent to which it applies to land within Sydney Olympic Park, the "Environmental Guidelines" within the meaning of the <i>Sydney Olympic Park Authority Act 2001</i> and any plan	Not applicable.

Requirement	Comment
of management referred to in section 34 of that Act,	
(c) the appearance, from the waterway and the foreshores, of the development	The proposed development involves the internal fitout of an approved building which would not impact upon the appearance of the building as viewed from Homebush Bay or its foreshores.
(c1) the impact of the development on significant views	The proposed development involves the internal fitout of an approved building which would not impact upon the appearance of the building or any significant views.
(d) the effect of the development on drainage patterns, ground water, flood patterns and wetland viability	The proposed development involves the internal fitout of an approved building which would not impact upon these water related matters.
(e) the extent to which the development encompasses the principles of ecologically sustainable development	The proposed development involves the internal fitout of an approved building which would not impact upon ecologically sustainable development
(f) the impact of carrying out the development on environmental conservation areas and the natural environment, including flora and fauna and the habitats of the species identified in international agreements for the protection of migratory birds	The subject site is not within an environmental conservation area and the proposed internal fitout will not have any impacts on the natural environment.
(g) the impact of carrying out the development on heritage items, heritage conservation areas and potential historical archaeological sites	The proposed internal fitout will not have any impacts on local heritage values.
(h) the views of the public and other authorities which have been consulted by the consent authority under this plan	Not required.
(i) the issues listed in Schedule 7.	The issues listed in Schedule 7 relate to the contents required to be addressed in Statement of Environmental Effects relating to the development of major public facilities (over 5000 people) and development within environmental conservation areas. Neither of these matters apply to the proposed development.

Draft Coastal Management SEPP

The proposed subdivision of the approved buildings will not have any detrimental impact on coastal wetlands, vulnerable areas, or environments.

DEVELOPMENT CONTROL PLANS

Homebush Bay West DCP Amendment No. 1 and No. 1 Burroway Road DCP 2006

The relevant matters to be considered under Homebush Bay West Development Control Plan (as amended) and No. 1 Burroway Road DCP 2006 for the proposed development are outlined below.

Control	Proposal and Comment	Comply
Building Height	The proposed roof elements for the library are contained within the approved roof form and height.	Yes

	The roof plant is consistent with, and appears as an extension of, that which already exists on the roof.	
Floor Space	The proposed fitout of the library and community facility does not involve any additional floor space.	Yes
Building Entry	The proposal maintains the approved entry points, which are easily identifiable and integrated with the public domain.	Yes
Parking	Ten car parking spaces are provided within the basement to service the library/community facility, one of which is a disabled car space, in accordance with Condition No. 65 of DA/346/2016/A.	Yes
Pedestrian Access	The proposal does not alter the previously approved pedestrian access arrangements. Access is provided to the premises via a landscaped forecourt adjoining Footbridge Boulevard.	Yes
Façade Design	A number of glass panels are to be replaced with ventilation louvres. The minor façade changes are considered to be consistent with façade objectives and requirements of the DCP, maintaining a high architectural design quality for the building.	Yes
Roof Design	The proposed roof structures are contained centrally with the approved roof form of the residential tower and Comply with the maximum height on the site. The roof elements are an extension of the existing approved plant areas and will not detract from the overall building appearance nor will it be visually dominant from the street level.	Yes

It is noted that the DCPs are limited to the application as they primarily relate to master planning and the application relates only to the fitout and operational use of an approved building.

The proposed use will have a positive impact on the provision of community facilities and will assist with increased usage and surveillance opportunities within the area. The proposal is considered consistent with the Design Principles of No. 1 Burroway Road DCP 2006, providing positive social outcomes through the provision of community meeting places.

Auburn Development Contributions Plan 2007

The proposed development does not trigger the requirement for any additional payment of Section 94 contributions under the Auburn Development Contributions Plan 2007.

CONSISTENCY WITH PREVIOUS APPROVALS

The proposed development is consistent with the previous relevant approvals, including the following:

DA-296/2014 (Auburn) As amended	The library and community facility are consistent with the approved mixed use building approved on the site.
DA-14/2016 (Auburn) DA/668/2016 (COP) and amendment	The library and community facility are consistent with the approved stratum subdivision approved on the site.

PLANNING AGREEMENTS

A Voluntary Planning Agreement (VPA) exists for this site (on Block B). The existing VPA is an agreement executed on 7 July 2015 between the applicant – Fairmead Business Pty Ltd and Council. The VPA involves the provision (by the developer) for a 3,200m² library and community facility within the Block B building, being a cold shell with capped services, capable of being fitted out by Council, including 10 designated basement car parking spaces and dedication of the community facilities in a stratum subdivision to Council.

The facility has not as yet been transferred to Council.

REGULATIONS

Applicable Regulation considerations including fire safety, compliance with the Building Code of Australia, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions within the Recommendation section of this report.

LIKELY IMPACTS

It is considered that the proposed fit out of the library and community centre will have no significant adverse environmental impact in the locality. The proposal will have little effect on local traffic as most users are expected to come from the neighbouring residential community of Wentworth Point or arrive by public transport via the Footbridge Boulevard bus stop.

The provision of a library and community hub will provide the growing number of residents in the adjacent high-rise buildings with a valuable and useful facility, including public function spaces, community facilities as well as much needed library services. It is anticipated that every age group and demographic will benefit from such a facility. Community groups would have access to meeting spaces and social groups access to function spaces. The library would service local residents, local school children, local retired people and all multicultural groups in the surrounding areas with a much-needed facility within easy reach.

The external lift that is marked on the plans as being part of a future DA, which also provides access from the basement car park, is critical for proper access to the facility. It is noted that this lift was approved via a modification DA/346/2016 (City of Parramatta reference). It is recommended that a condition of consent be imposed requiring that the lift be operational prior to issue of an occupation certificate.

Amenity Issues

There are 2 potential sources of noise associated with this development which are discussed below.

Noise Source	Comment
Rooftop Plant	Required plant and equipment for the library is to be installed on the roof of the lower 8 storey building on the site. The plant and equipment will be located adjoining existing services and will be surrounded by new acoustic louvres to match the existing. Although it is unlikely that the proposed plant will create any noise impacts given its location and screening, a condition is included within the Recommendation section of this report requiring certification of noise levels of the plant be provided

	to Council before the occupation of the premises.																
Patron Noise from Library and Community Centre	<p>The proposed hours of operation are as follows:</p> <p>Library Hours</p> <table border="1"> <thead> <tr> <th>Day</th><th>Time</th></tr> </thead> <tbody> <tr> <td>Monday to Thursday</td><td>9:30am to 8:00pm</td></tr> <tr> <td>Friday</td><td>9:30am to 6:00pm</td></tr> <tr> <td>Saturday</td><td>9:30am to 4:00pm</td></tr> <tr> <td>Sunday</td><td>9:30am to 4:00pm</td></tr> </tbody> </table> <p>Community Centre</p> <table border="1"> <thead> <tr> <th>Day</th><th>Time</th></tr> </thead> <tbody> <tr> <td>Monday to Thursday and Sunday</td><td>7:00am to 10:00pm</td></tr> <tr> <td>Friday and Saturday</td><td>7:00am to 12:00 (midnight)</td></tr> </tbody> </table> <ul style="list-style-type: none"> - The proposed library hours are within the standard hours permissible through commercial complying development. The hours are considered reasonable and required for anticipated community use. - The library and community centre will be constructed in accordance with the requirements of the BCA (including relevant sound transmission levels). - A Facility Management and Operational Plan is to be developed to ensure that after hours noise generating activities within the community centre is regulated and within stipulated limits (included in the Recommendation section of the report). - The hours of operation for the community facility between Mondays to Thursdays and Sundays are within the standard hours permissible through commercial complying development. The hours are considered reasonable and required for anticipated community use. - The hours of operation for the community facility between 10pm and midnight on Fridays and Saturdays have the potential to impact upon the amenity of the neighbourhood, in terms of patron noise and vehicle usage. Council officers have recommended trial periods for recent development within the vicinity of the library to monitor such impacts of late night activities. This includes the retail component of the Jewel development at 1 Burroway Road and the retail component of the proposed town centre across the road in Block E. It is therefore considered that a terminating condition be imposed in order to allow the consent authority to consider any impacts created by the late night operation of the community facility within a 12 month trial period. 	Day	Time	Monday to Thursday	9:30am to 8:00pm	Friday	9:30am to 6:00pm	Saturday	9:30am to 4:00pm	Sunday	9:30am to 4:00pm	Day	Time	Monday to Thursday and Sunday	7:00am to 10:00pm	Friday and Saturday	7:00am to 12:00 (midnight)
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Social Impacts

The proposed library fitout is not anticipated to result in any adverse social impacts on the locality for the following reasons:

- It will provide a community facility that will service the educational needs of the existing and future local community
- It is accommodated within an accessible building and will increase the supply of accessible civic space for the local community;
- It will increase the active use of the premises and help support a safe environment that will maintain the casual surveillance to the street
- The proposed fitout will not present any risk to increased crime or safety and security concerns for the local community as it will increase the active use of the site and provide increased opportunities for casual surveillance. The applicant has advised as part of the application that the forecourt of the development will be subject to standard surveillance including the City of Parramatta's CCTV cameras.

SUITABILITY OF THE SITE

The subject development is proposed within a constructed building. The hazards considered under the original application (DA-296/2014 - Auburn reference - as amended). Accordingly, the site is suitable to accommodate the proposed land use. The proposal been assessed in regard to its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

SUBMISSIONS & PUBLIC INTEREST

The application has been notified to the community on 2 separate occasions.

One (1) submission was received and the issue raised has been addressed within the report.

The proposed use will have a positive impact on the provision of community facilities within the Wentworth Point precinct.

Conclusion

After consideration of the development against the relevant statutory and policy provisions, the proposed development is acceptable and is not contrary to the public interest. Therefore, it is recommended that the application be approved.

Recommendation

Approval

That the Sydney West Central Planning Panel as the determining authority grant development consent to Development Application No. DA/773/2016 for the fitout and operational use as a library and community facility at 2 Waterways Street, Wentworth Point for a period of five (5) years for physical commencement to occur from the date on the Notice of Determination subject to the following conditions:

General Matters

1. The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:

Drawing No.	Prepared By	Dated
Cover Page and Site Plan Drawing No. D00.00 Rev D	CK Design International	13.07.2017
Community Centre – Operational Areas Drawing No. D00.11 Rev C	CK Design International	18.09.2017
Site Plan at Level 9 Drawing No. D00.13 Rev A	CK Design International	14.09.2017
Basement Car Park Drawing No. D02.01 Rev B	CK Design International	29.06.2017
Level 1 Furniture Plan Drawing No. D02.02 Rev K	CK Design International	02.08.2017
Level 2 Furniture Plan Drawing No. D02.03 Rev J	CK Design International	13.07.2017
Rooftop Plant Layout Drawing No. D02.04 Rev A	CK Design International	27.06.2017
Building Elevations Drawing No. D07.01 Rev A	CK Design International	29.06.2017
Sections Drawing No. D7.05 Rev C	CK Design International	29.06.2017
Main Cross Section Drawing No. D07.07 Rev A	CK Design International	13.07.2017

Document(s)	Prepared By	Dated
Statement of Environmental Effects – Revision 2	City Plan Services	03.08.2017
Waste Management Plan	-	Undated

Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

Reason: To ensure the work is carried out in accordance with the approved plans.

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

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

3. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.

Reason: To ensure compliance with legislative requirements.

4. The development must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties.

Reason: To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

Prior to the issue of a Construction Certificate

(Note: Some conditions contained in other sections of this consent (including prior to occupation/use commencing) may need to be considered when preparing detailed drawings/specifications for the Construction Certificate.)

5. The Construction Certificate is not to be issued unless the Certifying Authority is satisfied the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

6. Access and services for people with disabilities shall be provided to the 'affected part' of the building in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code 2013. Detailed plans, documentation and specification must accompany the application for a Construction Certification to the satisfaction of the Certifying Authority.

Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

7. The following documentation (where applicable) is to be submitted to Council or the accredited certifier, **prior to the issue of the construction certificate**:

- a) Detailed building plans, specifications **and reports (BCA and Fire Engineering)** containing sufficient information to verify that the proposed **community facility and library** will comply with the Building Code of Australia.
- b) A list of any existing fire safety measures provided in relation to **the building and associated community facility and library** on the land (*not applicable to dwellings or outbuildings*)
- c) A list of any proposed fire safety measures provided in relation to **the building and associated community facility and library** (*not applicable to dwellings or outbuildings*)

Reason: To ensure the building used for the library and community facility comply with the requirements of the BCA.

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

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

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

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

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

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

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

Prior to Work Commencing

9. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:

- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

10. The site must be appropriately enclosed wholly within the confines of the site to prevent unauthorised access. The enclosure must be provided to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

Reason: To ensure public safety.

11. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98A(2) of the Environmental Planning and Assessment Regulations 2000 detailing:

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority;
- (d) The development consent approved construction hours;

The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.

This condition does not apply where works are not being carried.

Reason: Statutory requirement.

12. Prior to work commencing, adequate toilet facilities are to be provided on the work site.

Reason: To ensure adequate toilet facilities are provided.

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

- (a) Above;
- (b) Below; or
- (c) On

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

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party.

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

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

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

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

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

During Work

15. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

Reason: To ensure compliance with this consent.

16. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

17. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.

Reason: To ensure pedestrian access.

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

Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

Reason: To protect the amenity of the area.

19. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:
- (a) The date and time of the complaint;
 - (b) The means by which the complaint was made;
 - (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
 - (d) Nature of the complaints;
 - (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
 - (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the principal certifying authority upon request.

Reason: To allow the Principal Certifying Authority/Council to respond to concerns raised by the public.

20. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.

21. Noise emissions and vibration must be minimised, work is to be carried out in accordance with the NSW Department of Environment, Climate Change and Water's Interim Noise Construction Guidelines 2009 for noise emissions from demolition, excavation and construction activities.

Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

Reason: To protect the amenity of the area.

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

Reason: To ensure proper management of Council assets.

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

Reason: To ensure maintenance of Council's assets.

Prior to the issue of an Occupation Certificate

24. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 109H of the Environmental Planning and Assessment Act 1979.

Reason: To complying with legislative requirements of the Environmental Planning and Assessment Act 1979.

25. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:
- (a) The development application and Construction Certificate number as registered;
 - (b) The address of the property at which the inspection was carried out;
 - (c) The type of inspection;
 - (d) The date on which it was carried out;
 - (e) The name and accreditation number of the certifying authority by whom the inspection was carried out; and
 - (f) Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

Reason: To comply with statutory requirements.

26. The proposed "Library Lift" approved under DA/346/2016 (City of Parramatta reference) is to be constructed and operational prior to issue of the Occupation Certificate for the development the subject of this consent.

Reason: To ensure appropriate access is provided to the facilities.

27. A Facility Management and Operational Plan is to be prepared and submitted to the satisfaction of the Manager, Development and Traffic Services, before the issue of an Occupation Certificate. The plan is to outline practices and procedures for the library and community centre to minimise any operational impacts upon the community.

Reason: To minimise impacts on the community and confirm the details of the application.

28. Prior to the issue of an occupation certificate (Interim or Final) an acoustic assessment is to be carried out and written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that the operation of any plant and equipment associated with the development does not give rise to offensive noise occurring as per the Protection of the Environment Operations Act and compliance with the Industrial Noise Policy is achieved.

Reason: To ensure potential acoustic impacts are mitigated.

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

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

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

30. Notification of the food business is to be made to the NSW Food Authority before any food handling operations are commenced at the premises.

Reason: To comply with requirements of the Food Act.

The Use of the Site

31. The days and hours of operation are restricted to the following:

(a) Library Hours

Day	Time
Monday to Thursday	9:30am to 8:00pm
Friday	9:30am to 6:00pm
Saturday	9:30am to 4:00pm
Sunday	9:30am to 4:00pm

(b) Community Centre

Day	Time
Monday to Thursday and Sunday	7:00am to 10:00pm
Friday and Saturday	7:00am to 10:00pm

(c) Notwithstanding (b) above, the community centre may operate between 7:00am and 12:00 midnight on Fridays and Saturdays for a trial period of 12 months from the date of an Occupation Certificate for use as a community centre.

(d) A further application may be lodged to continue the operating hours outlined in (c) above before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions and any substantiated complaints received.

Reason: To minimise the impact on the amenity of the area.

32. All deliveries to and from the site are to be conducted from vehicles standing within designated loading or parking areas and not on access driveways, private car parking spaces or landscaped areas.

Reason: To ensure delivery vehicles do not obstruct these designated areas of the site.

33. A public address system or sound amplifying equipment shall not, without the consent of Council, be installed in or upon the premises so as to cause or permit the emission of sound onto any public place or nearby residential area.

Reason: To ensure the development does not cause a noise nuisance to adjoining development.

34. Any intruder alarm at the premises shall be fitted with a timing device in accordance with the requirements of Section 53 of the Protection of the Environment Operations (Noise Control) Regulation 2000.

Reason: To prevent ongoing noise arising from intruder alarms and ensure compliance with relevant legislation.

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

Reason: To protect the amenity of the surrounding neighbourhood.

36. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.

37. Roller shutters are not to be placed over any external door or window of the premises. Any security grill is to be located on the inside of the glass shop front and must be an open grille able to be seen through.

Reason: To provide an appropriate streetscape appearance.

38. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
Reason: To ensure provision of adequate waste disposal arrangements.
39. All waste storage areas are to be maintained in a clean and tidy condition at all times.
Reason: To ensure the ongoing management of waste storage areas.
40. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.
Reason: To ensure waste is adequately stored within the premises.
41. Separate waste bins are to be provided on site for recyclable waste.
Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.
42. The operation of the premises is to comply with the relevant provisions of the Food Act 2003, Food Regulation 2015 and the Australia New Zealand Food Authority Food Standards Code.
Reason: To ensure operation of the premises complies with the relevant legislation and standards.
43. The operation of the premises is not to give rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.
Reason: To prevent loss of amenity to the area.
44. The use of the premises not giving rise to:
(a) transmission of unacceptable vibration to any place of different occupancy,
(b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.
Reason: To prevent loss of amenity to the area.
45. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined by the Protection of the Environment Operations Act 1997.
Reason: To reduce noise levels.
46. The operation and management of the premises is to comply with the approved Facility Management and Operational Plan, approved via Condition 26 of this consent.
Reason: To minimise impacts on the community and confirm the details of the application.