



# Development Assessment Report

Concord Oval

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**Client:** City of Canada Bay Council

**Date:** 09 December 2019

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<b>Date</b>	9 December 2019
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<b>Version</b>	Final
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# 1. Executive Summary and Recommendation

## 1.1 Application Description

<b>Panel Reference</b>	2019EC029
<b>DA Number</b>	DA2019/0137
<b>LGA</b>	City of Canada Bay Council
<b>Proposed Development</b>	<p>The project involves:</p> <ul style="list-style-type: none"> <li>» the demolition of all existing buildings on the site</li> <li>» A new structure on the Western and/or Northern side of the site will provide services for the community and professional sports organisations</li> <li>» a recreational centre and facilities for community groups</li> <li>» sports related commercial offices</li> <li>» improved passive recreation areas</li> <li>» a café</li> <li>» associated car parking</li> </ul> <p>Outside of the built facilities, Council will retain the existing rectangular playing surface, replacing the surrounding fence.</p> <p>The Wests Tigers current training and administration facilities are located at Concord Oval. The new club facilities will incorporate the following elements:</p> <ul style="list-style-type: none"> <li>» High Performance Training Gym</li> <li>» Sports Science and Medicine</li> <li>» Aquatic Recovery</li> <li>» Player Amenities</li> <li>» Auditorium/Meeting Rooms</li> <li>» Club Lounge/Function Space</li> <li>» Club Administration</li> <li>» Café/Club Catering</li> <li>» Capital Investment Value of \$51.3 million</li> </ul>
<b>Street Address</b>	8 Gipps Street, Concord
<b>Applicant/Owner</b>	City of Canada Bay Council
<b>Date of DA lodgement</b>	17 May 2019
<b>Number of submissions</b>	One
<b>Recommendation</b>	Approval

<b>Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)</b>	Capital Investment Value of over \$5 million The development is to be carried out by Council.
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>» State Environmental Planning Policy (State and Regional Development) 2011</li> <li>» State Environmental Planning Policy (Infrastructure) 2007</li> <li>» State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>» State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>» State Environmental Planning Policy No.64 – Advertising and Signage</li> <li>» Canada Bay Local Environmental Plan 2013</li> <li>» Canada Bay Development Control Plan 2017</li> <li>» Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>» Conditions of Consent</li> <li>» Assessment Report</li> <li>» Proposed Architectural Plans</li> <li>» Proposed Landscape Plans</li> <li>» RMS Response</li> <li>» Police Force Referral</li> <li>» Internal Referrals – November 2019</li> <li>» Public Submission</li> </ul>
<b>Report prepared by</b>	Sophie Butcher, Elton Consulting
<b>Report date</b>	9 December 2019

<b>Summary of s4.15 matters</b>	
Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
<b>Legislative clauses requiring consent authority satisfaction</b>	
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? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	Yes
<b>Clause 4.6 Exceptions to development standards</b>	
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
<b>Special Infrastructure Contributions</b>	
Does the DA require Special Infrastructure Contributions conditions (S7.24)?	No

*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*

## 1.2 Summary

The development application proposes the demolition of all structures on site and development of a new Concord Oval recreation area with indoor and outdoor recreation areas, including two new buildings, as follows:

- » Building A to Loftus Street – West Tigers high performance facility, West Harbour Rugby Club training facilities, seating for 800 people and associated amenities;
  - > Basement level car parking for 72 spaces accessed from Loftus Street;
  - > Basement level change room facilities for home and away teams, concourse and seating level to playing field frontage;
  - > Ground level Loading dock accessed from Loftus Street with manoeuvring area;
  - > Ground level gymnasium, café, reception foyer area;
  - > Ground level public toilet facilities for male/female attendees, canteen;
  - > Ground level West Tigers High performance facility (indoor and outdoor training areas, amenities and offices;
  - > Ground level West Harbour Rugby Club training facility, amenities and offices;
  - > Ground level concourse and seating overlooking playing field;
  - > Level 1 outdoor terrace, multipurpose room, commercial kitchen, meeting rooms, playing field viewing boxes, male and female toilet amenities, theatrette, staff/players lounge and offices; and
  - > Each level of the building is accessed via lift 2.
  - > upgraded car parking under Building A to accommodate 72 car parking spaces
  - > New loading dock associated with Building A
- » Building B to Gipps Street - Multi-use indoor sports recreation centre and associated amenities;
  - > Lower ground level / undercroft parking for 132 cars accessed from Gipps Street, storage areas/maintenance equipment storage rooms, and fire systems pump room;
  - > Level 1 Multi-use indoor recreation centre with netball and multifunction sports courts, foyer/reception area, creche, gym room, spin room and studio rooms, male and female change rooms/toilet amenities, offices for recreation centre and associated amenities;
  - > Roof to accommodate PVCs.
  - > undercroft parking for 132 spaces beneath Building B and up to 122 overflow car parking spaces

The development will incorporate an outdoor multipurpose court, renewed playing field, which is proposed to be replaced. The area to the east has been set aside for a basketball playing court. Landscaping works are also proposed to the northern and southern areas adjacent to the playing field, with the inclusion of concrete terraces for spectator seating, along with BBQ shelter facilities.

No details of signage, have been provided to date. It is assumed that this will form part of a later DA.

## 1.3 Recommendation

That the Sydney Eastern City Planning Panel grant Development Consent to Development Application No. DA2019/0137 for the redevelopment of Concord Oval at 8 Gipps Street, Concord, pursuant to Section 4.16(1)(a), and 4.16(4)(a) of the Environmental Planning and Assessment Act 1979 subject to the conditions of consent detailed at **Appendix C** of this report.



## 2 Site Context

### 2.1 The site

The site is located at 8 Gipps Street, Concord, within the City of Canada Bay Local Government Area (LGA) and is currently occupied by Concord Oval rugby stadium. The site is 13.2 hectares (ha) and has frontages to Gipps Street along the northern boundary, Parramatta Road along the southern boundary and Loftus Street along the western boundary. A stormwater culvert is located along its eastern boundary. The site is shown in **Figure 1** below.

**Figure 1 The site**



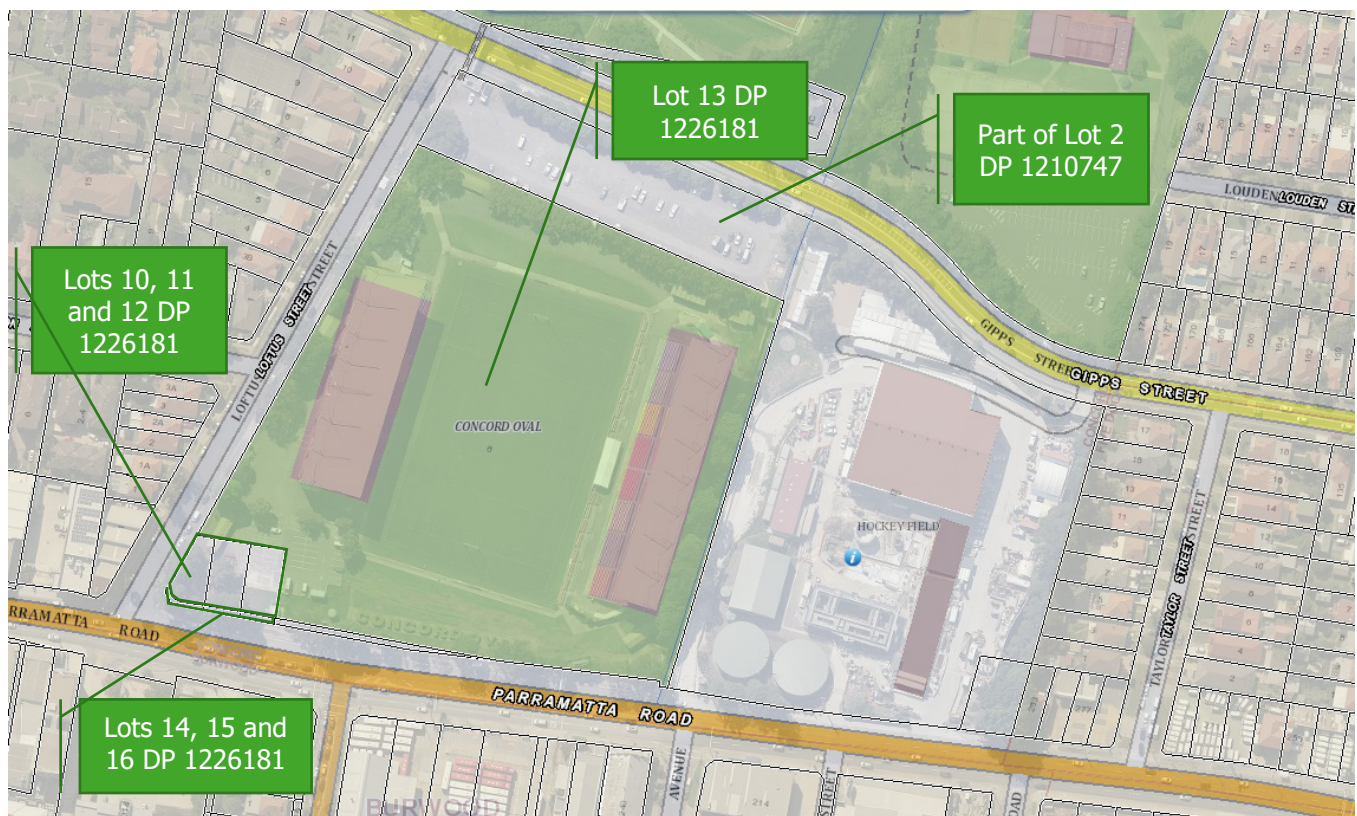
Source: Sixmaps

The site comprises the following lots, the majority of which are owned by the Crown:

- » Lot 13 in Deposited Plan (DP) 1226181 (owned by the Crown)
- » Lots 10, 11 and 12 in DP 1226181 (owned by the City of Canada Bay Council)
- » Part of Lot 2 in DP 1210747 (Owned by the Crown)

Land at Lots 14, 15 and 16 in DP 1226181 has been acquired by Roads and Maritime Services (RMS) for the widening of Parramatta Road to facilitate an additional right turn movement into Shaftesbury Road, opposite the site. These lots and the ones aforementioned are clearly identified in **Figure 2** below.



**Figure 2 Site lots**

Source: Nearthmaps 2019

The site is located in a predominantly residential area, but is bound by St Lukes Park located to the north, Concord Hockey Field to the east, Burwood Bus Depot and commercial development to the south, adjacent to Parramatta Road and residential development to the west.

The site is serviced by bus links along Gipps Street and Parramatta Road. Bus routes include:

- » 439 and L39 between Mortlake and Martin Place
- » 415, 461 and 530 between Chiswick, Chatswood, The Domain and Burwood Station

Burwood Railway Station and Town Centre are located approximately 1 kilometre (km) to the north.

## 2.2 Description of existing development

Concord Oval currently comprises a football playing field, two grandstand buildings and several smaller structures. Concord Oval is currently the head office and training venue for the Wests Tigers National Rugby League (NRL) team, and the home ground of the West Harbour Rugby Football Club and is used by Inter Lions Soccer Club.

Current facilities within the western grandstand include office space and gyms for West Tigers and West Harbour Rugby Union Club, food and drink facilities when sport is played at the oval, a merchandising area for West Tigers, function rooms and public amenities. Wests Tigers typically have up to 87 personnel at the Oval on weekdays during the daytime period from 6am and smaller number of administrative staff (up to 26) on some weekday evenings. West Harbour Rugby Union Football Club use Concord Oval as their home ground and training ground facility and usually have 40 players and staff on four weekday evenings plus up to four administrative staff during the evening.

The existing development has main pedestrian entries from Loftus Street frontage, for patrons to access the grandstands on game days. Concord Oval currently has three car parking areas which include:

- » A gated sealed car park at the southern end of Loftus Street which can cater for approximately 69 cars. Vehicle access to this car park is from Loftus Street.



- » A second gated area which is located on the northern side of the oval, south of the main public car park. Vehicle access to this car park is from Loftus Street. This is an informal sealed area that can accommodate up to 44 cars, for major games, although typically accommodates 10-12 cars
- » The public car parking area, which is located at the northern end of the Oval. The car park is gravel with no formal marked car spaces and can accommodate approximately 195 cars.

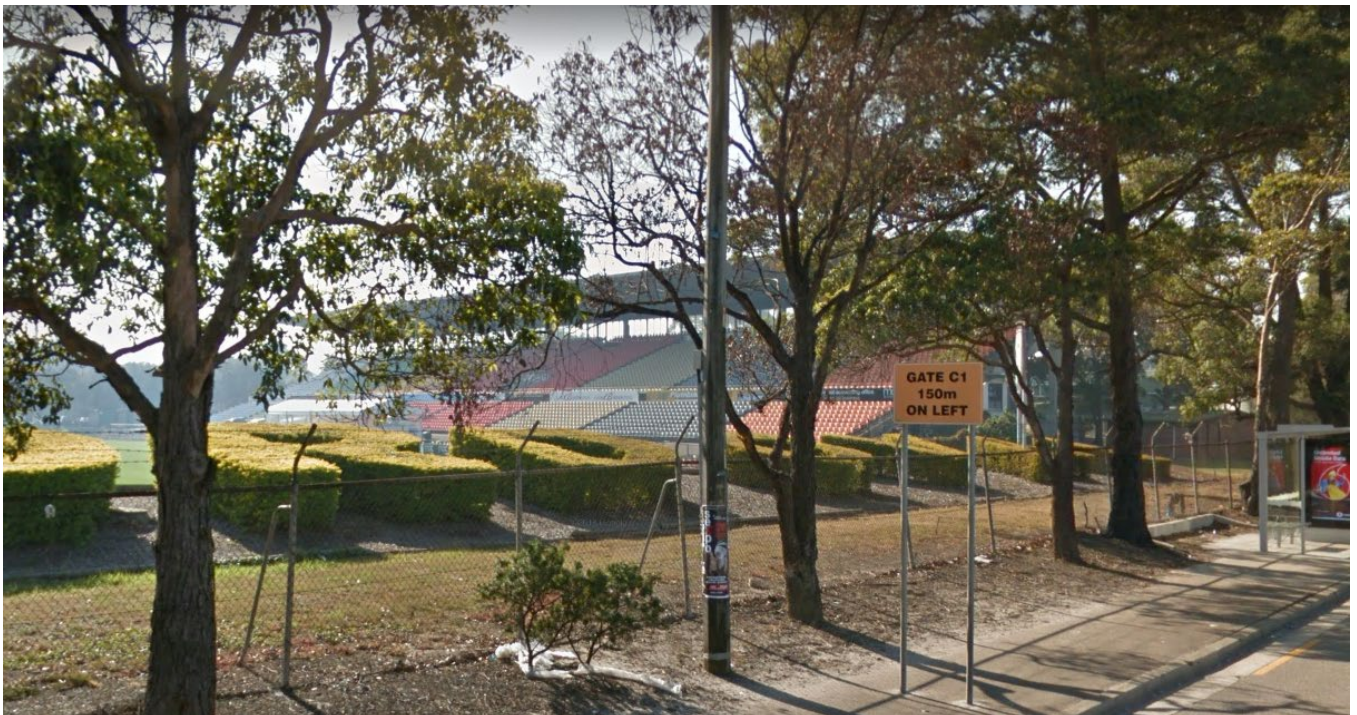
Events at Concord Oval only operate on weekends and currently number 20 Saturdays and 20 Sundays per year. National Rugby Championships (NRC) games are also played at Concord Oval. These typically involve 3 to 4 games per year.

**Figure 3 View of the Western Grandstand from Loftus Street**



Source: Google 2017

**Figure 4 View of the Eastern Grandstand from Parramatta Road**



Source: Google 2018



## 2.3 Surrounding development

The land to the north of the site, on Gipps Street is St Luke's Park. The land to the east is currently a staging point associated with the construction of WestConnex. The properties to the immediate west along Loftus Street have been developed for 1-2 storey detached dwelling houses and semi-attached dwelling houses. The properties to the south of the site along Parramatta Road have been development for a mix of commercial developments, such as Dan Murphy's, 7-11 Service Station, a mixed-use development and the State Transit Bus Depot. Surrounding development is identified in **Figures 5 - 8** to below.

**Figure 5 View down Loftus Street of low scale residential development**



Source: Google 2017

**Figure 6 View towards St Lukes Park from Loftus Street**



Source: Google 2017

**Figure 7 View of the 7 Eleven Service Station and towards the Bus Depot**



Source: Google 2017



**Figure 8 Bus Depot on Parramatta Road**



Source: Google 2017

### 3 Proposed development

The architectural drawings include a Statement of Design Intent, which states:

*"Broadly, the project involves the demolition of all existing buildings on the Concord Oval site. Two new structures on the Western and Northern side of the existing field of play that provides services for the community and professional sports organisations, a recreation centre and facilities for community groups. In addition, sports related commercial offices, improved passive recreation areas, a cafe and associated car parking will be included."*

The development application proposes the demolition of all structures on site and development of a new Concord Oval recreation area with indoor and outdoor recreation areas, including two new buildings, as follows:

- » Building A to Loftus Street – West Tigers high performance facility, West Harbour Rugby Club training facilities, seating for 800 people and associated amenities;
  - > Basement level car parking for 72 spaces accessed from Loftus Street;
  - > Basement level change room facilities for home and away teams, concourse and seating level to playing field frontage;
  - > Ground level Loading dock accessed from Loftus Street with manoeuvring area;
  - > Ground level gymnasium, café, reception foyer area;
  - > Ground level public toilet facilities for male/female attendees, canteen;
  - > Ground level West Tigers High performance facility (indoor and outdoor training areas, amenities and offices;
  - > Ground level West Harbour Rugby Club training facility, amenities and offices;
  - > Ground level concourse and seating overlooking playing field;
  - > Level 1 outdoor terrace, multipurpose room, commercial kitchen, meeting rooms, playing field viewing boxes, male and female toilet amenities, theatrette, staff/players lounge and offices; and
  - > Each level of the building is accessed via lift 2.
  - > upgraded car parking under Building A to accommodate 72 car parking spaces
  - > New loading dock associated with Building A
- » Building B to Gipps Street - Multi-use indoor sports recreation centre and associated amenities;
  - > Lower ground level / under croft parking for 132 cars accessed from Gipps Street, storage areas/maintenance equipment storage rooms, and fire systems pump room;
  - > Level 1 Multi-use indoor recreation centre with netball and multifunction sports courts, foyer/reception area, creche, gym room, spin room and studio rooms, male and female change rooms/toilet amenities, offices for recreation centre and associated amenities;
  - > Roof to accommodate PVCs.
  - > under croft parking for 132 spaces beneath Building B and up to 122 overflow car parking spaces

The development will incorporate an outdoor multipurpose court, renewed playing field, which is proposed to be replaced. The area to the east has been set aside for a basketball playing court. Landscaping works are also proposed to the northern and southern areas adjacent to the playing field, with the inclusion of concrete terraces for spectator seating, along with BBQ shelter facilities.

No details of signage, have been provided to date. It is assumed that this will form part of a later DA.

## 3.1 Built Form

The redevelopment of Concord Oval proposes a maximum height of RL22.234. This height relates to the western grandstand (Building A) adjacent to Loftus Street. The current western grandstand has a height of RL19.28. This results in a new development which will be approximately 2.95m higher than the current development.

The new design of Building A seeks the inclusion of an architectural roof feature which “pops-up” at the southern portion of the building when viewed from the playing field. The majority of Building A will be at RL18.6 which is lower than the existing grandstand.

Building B seeks to accommodate multipurpose indoor courts which require a higher ceiling/roof height at RL25.6.

## 3.2 Landscaping and Public Domain Improvements

The proposal includes an entry plaza on the corner of Gipps and Loftus Street which will serve as a central plaza to the sports and recreation ground while also acting as the primary pedestrian entrance to the Oval. The layout of the plaza enables the preservation of the fig trees in that corner of the site. A secondary entry plaza is proposed for the south west corner of the site, at the intersection of Parramatta Road and Loftus Street.

The landscape plan includes passive, open recreation space, shelters and BBQs, outdoor exercise areas and children’s play area. The eastern boundary contains a riparian zone which is proposed for rehabilitation.

## 3.3 Vehicular Parking, Access, and Loading

### 3.3.1 Parking

The proposed car parking arrangement includes a total of 326 car spaces, included at:

- » A basement car park under building A which contains 72 spaces including 2 accessible car spaces, for use by West Tigers and West Harbour Rugby Club. Accessed will be from Loftus Street.
- » An at grade public car park along the frontage of Gipps Street underneath Building B. This will contain 132 marked car spaces, including 6 accessible car spaces.
- » An overflow parking area for 122 cars which will link to the above public car park for use at times when larger events occur and when additional parking is required. This overflow car parking area is a multi-use space which, when not being used for parking, is intended to accommodate events, recreation and markets.

### 3.3.2 Access

Vehicle ingress and egress to the basement car parking of Building A is via a single ramp off Loftus Street, with one lane in each direction.

Vehicle access to the at grade car park underneath Building B, as well as the overflow parking area will be from a combined entry/exit driveway located in Gipps Street at the eastern end of the site. The car park will have one entry lane and two exit lanes, as well as space to accommodate a Sydney Water Service vehicle (MRV) adjacent the entry.

A loading dock is proposed for Building A, to be accessed via a 12.5m wide driveway off Loftus Street.



## 4 Environmental Planning Assessment

The proposed development has been assessed in respect of the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

### 4.1 Environmental Planning Instruments

The following sections assess the proposal against the relevant provisions of applicable Environmental Planning Instruments (EPIs), Development Control Plans (DCPs), Planning Agreements and matters prescribed by the Regulation in accordance with Section 4.15(1)(a) of the EP&A Act 1979.

#### 4.1.1 State Environmental Planning Policies

##### State Environmental Planning Policy (State and Regional Development) 2011

Part 4 Regionally Significant Development of the State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD) provides that development specified in Schedule 7 is declared to be regionally significant development for the purposes of the EP&A Act 1979.

Schedule 7(3) provides that the development with a capital investment value of more than \$5m is regional development if:

- (b) the Council is the owner of any land on which the development is to be carried out or*
- (c) the development is to be carried out by the council.*

As the proposed development has a Capital Investment Value (CIV) of approximately \$51.3M and Council is the owner of portions of the subject land and the development is to be carried out by Council, the development is regionally significant development. It therefore requires consent by a Sydney district panel (Sydney Eastern City Planning Panel) under Section 2.12 of the EP&A Act 1979.

##### State Environmental Planning Policy (Infrastructure) 2007

**Table 1** provides an assessment of the proposal against the relevant criteria of the State Environmental Planning Policy (infrastructure) 2007 (Infrastructure SEPP). The design for the proposed development includes a new electricity substation to meet the demand of the proposed development. Consultation has been undertaken with RMS in regards to roads.

**Table 1 Consistency with SEPP Infrastructure**

Provision	Assessment	Consistent
<b>Clause 45</b> Development likely to affect an electricity transmission easement or distribution network.	The proposal will require a dedicated Ausgrid substation to accommodate the anticipated electrical demand. The proposed location for the substation is shown on the site plan.	<b>Consistent</b>
<b>Clause 65</b> Development permitted without consent	This clause provides that certain types of development can be carried out without consent on a public reserve on behalf of a council. However, as the proposal includes a grandstand, it cannot be carried out as development without consent under this clause.	<b>N/A</b> Does not apply

Provision	Assessment	Consistent
<b>Clause 101</b> Development with frontage to classified road	Requires the consent authority be satisfied that: <ul style="list-style-type: none"> <li>(a) Where practical, vehicular access to the land is provided by a road other than the classified road and</li> <li>(b) the safety, efficiency and ongoing operation of the classified road will not be affected as a result of:               <ul style="list-style-type: none"> <li>i. the design of the vehicular access</li> <li>ii. the emission of smoke or dust</li> <li>iii. the nature, volume or frequency of vehicles using the classified road to access the land</li> </ul> </li> <li>(c) the development is of a type not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the classified road.</li> </ul>	<b>Consistent</b> Council's traffic engineer has assessed the proposal as satisfactory, subject to conditions. See Section 4.4.2 and <b>Appendix A</b> of this report for further details.
<b>Clause 104</b> Traffic generating development	Specifies that, for development that falls within the criteria in Schedule 3, the consent authority must: <ul style="list-style-type: none"> <li>(a) give written notice of the application to the RTA within 7 days after the application is made, and</li> <li>(b) take into consideration:               <ul style="list-style-type: none"> <li>(i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and</li> <li>(ii) the accessibility of the site concerned, including:                   <ul style="list-style-type: none"> <li>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</li> <li>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</li> </ul> </li> <li>(iii) any potential traffic safety, road congestion or parking implications of the development.</li> </ul> </li> </ul>	<b>Consistent</b> RMS was notified of the proposal under Clause 104.

## State Environmental Planning Policy No.55 (SEPP No.55) Remediation of Land

According to clause 7 of State Environmental Planning Policy No. 55 (SEPP 55) Council may not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out.

Concord Oval was redeveloped in 1985 as a match venue for the 1987 Rugby World Cup and has been used as a sports facility ever since. Graeme Malpass, Contaminated Land Consultant from Council has indicated that none of the available information has identified the potential for the site to be contaminated, consequently there is no requirement for further investigation into the potential for contamination to be present.

However, it is recommended that future development works are subject to an unexpected finds protocol for contamination, i.e. aesthetically unsuitable material, fill materials, asbestos in fill materials, staining or odours.

This can be included in the conditions of consent. It is considered that the stadium has the potential to contain asbestos.

## State Environmental Planning Policy No.64 – Advertising and Signage

The proposal does not currently include details of proposed signage, but indicates 'signage zones'. Any proposed signage will need to demonstrate consistency with the assessment criteria included in Schedule 1 of State Environmental Planning Policy No. 64 (SEPP 64).

No details of any proposed signage have been provided; therefore, it is assumed that signage does not form part of this application, consequently signage has been excluded from the conditions of consent and a condition has been included to indicate this.

## State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Under Part 2 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP), a person is prohibited from clearing vegetation in any non-rural area of the state without a permit from Council under Part 3. The appropriate approval pathway to remove the trees is by way of a DA with sufficient information for Council to assess the application.

An arborist report has been provided to support the DA. The report notes that there are presently 122 trees at the site. Six of these are recommended for removal due to poor condition. A further 50 trees are required to be removed to accommodate the development. Council's tree officer has assessed the arborist report and recommended approval, subject to the imposition of the conditions recommended in the report.

### 4.1.2 Local Environmental Plans

The proposed redevelopment of Concord Oval is permissible with consent in the RE1 Public Recreation zone under Canada Bay Local Environmental Plan (CBLEP) 2013. The objectives of the RE1 zone are:

- » *Enable land to be used for public open space or recreational purposes*
- » *To provide a range of recreational settings and activities and compatible land uses*
- » *To protect and enhance the natural environment for recreational purposes*
- » *To facilitate public access to and along the foreshore*
- » *To conserve public open space that enhances the scenic and environmental quality of Canada Bay*

Within the RE1 zone, the following land uses are permissible with development consent:

*"Aquaculture; Biosolids treatment facilities; Boat sheds; Business identification signs; Car parks; **Centre-based child care facilities; Community facilities; Environmental facilities; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Water recycling facilities"***.

**centre-based child care** facility means:

- a) *a building or place used for the education and care of children that provides any one or more of the following:*
  - i. *long day care,*
  - ii. *occasional child care,*
  - iii. *out-of-school-hours care (including vacation care),*
  - iv. *preschool care, or*
  - v. *an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),*

**Community Facilities** means a building or place:

- a) owned or controlled by a public authority or non-profit community organisation, and
- b) used for the physical, social, cultural or intellectual development or welfare of the community

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

**Kiosk** means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

**Recreation areas** means a place used for outdoor recreation that is normally open to the public, and includes:

- a) a children's playground, or
- b) an area used for community sporting activities, or
- c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

**Recreation facility (indoor)** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

**Recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

**Restaurant or cafe** means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

**Take away food and drink premises** means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

The proposed redeveloped Concord Oval buildings, uses and associated works seeks the inclusion of a number of forms of development (including the ability to host multi-purpose community activities as well as recreation activities both indoor and outdoor) which are considered to be permitted with consent as defined under the CBLEP 2013 in the RE1 zone. These are highlighted above.

Following is a summary table indicating the performance of the proposal against relevant statutory standards.

**Table 2 Preliminary Assessment**

Control	Standard	Comment	Compliance
Zoning	RE1 Public Recreation	<p>The proposed development will include the following:</p> <ul style="list-style-type: none"> <li>» Function venue</li> <li>» Recreation centre administration area</li> <li>» Recreation centre amenities area</li> <li>» Recreation centre courts</li> <li>» Recreation Centre Creche</li> <li>» Recreation Centre Gym</li> </ul>	Yes

Control	Standard	Comment	Compliance
		» Café and kiosk » Merchandise Shop » Commercial area These land uses can all be contained within the permissible uses identified above.	
Clause 2.6 Subdivision	No subdivision of the site is proposed	N/A	N/A
Clause 4.1 Minimum subdivision lot size	No minimum lot size applies to the site	N/A	N/A
Clause 4.3 Height of buildings	No height of buildings control applies to the site	N/A	N/A
Clause 4.4 FSR	No Floor Space Ratio (FSR) control applies to the site	N/A	N/A
Clause 5.9 Preservation of trees or vegetation	Clauses 5.9 & 5.9AA have been repealed and replaced with the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 or "Vegetation SEPP".	An arborist report prepared in support of the application has noted that 122 trees currently exist at the site. Six of these are recommended for removal due to poor condition. A further 50 trees in fair or good health are required to be removed to accommodate the development. Council's tree officer has assessed the arborist report and recommended approval, subject to the imposition of the conditions recommended in the report. However, it is unclear how many trees will (if any) will be replacing them and the varieties of trees proposed.	Unconfirmed
Clause 5.10 Heritage Conservation	The site contains a Local Heritage item (308) in the form of 'St Lukes Park entrance – gateway/entrance. Gates and trees only – landscape.' The trees referred to include a row of mature fig trees located along Loftus Street. The site is not located in a heritage conservation area.	As part of the development it is proposed to move the heritage listed St Lukes Park entrance gates from their current location on Loftus Street to the corner of Parramatta Road and Loftus Street, which is their original position. The fig trees are to be retained in their current positions. A statement of heritage has been prepared in support of the proposal which finds an overall heritage impact of the proposal is positive. The statement has been assessed by Council's heritage advisor and been found to be satisfactory, subject to conditions. Comments are provided on the Heritage Assessment in <b>Section 4.3.3</b> below.	Yes
Clause 5.11 Bushfire Hazard reduction	The site is not identified as being bushfire prone	N/A	N/A

Control	Standard	Comment	Compliance
Clause 6.1 Acid Sulfate Soils	The site is affected by Class 2 and Class 5 Acid Sulfate Soils and development consent is therefore required	A Geotechnical Report with Acid Sulfate Soils Assessment has been provided in support of the proposal. This has been assessed by Council's Environment team as lacking in information. However, the requirement for this additional information can be imposed as a condition of consent. Refer to Section 4.4.2 and <b>Appendix C</b> .	Yes
Clause 6.2 Earthworks	The proposal will include bulk earthworks and site preparation.	Consideration has been given to the necessary matters under this clause, including acid sulfate soils, contamination, heritage and archaeology. Having considered these matters, the relevant Council staff are satisfied by the proposal, subject to conditions. See Section 4.4.2 and <b>Appendix C</b> .	Yes
Clause 6.8 Flood planning	The site is not identified as being in a flood prone area.	Despite the site not being mapped as flood prone, a flood impact assessment has been provided in support of the proposal. The assessment finds that key elements of the proposed development do not increase peak flood levels outside the site boundary in the 1% AEP event, as long as flow is allowed to enter and pond within the playing field, as per the existing behaviour.  Any design reconfigurations that prevent this from occurring (e.g. construction of a raised footpath or spectator seating) would be likely to result in adverse offsite flood impacts.  Conditions of Consent are recommended (refer to <b>Appendix C</b> )	Yes

## 4.2 Development Control Plans

### 4.2.1 City of Canada Bay Development Control Plan 2017

The proposed development is affected by the provisions of the City of Canada Bay Development Control Plan (CBDCP) 2014. A summary table indicating the performance of the proposal against relevant non-statutory standards is included at **Appendix B**.

### 4.2.2 Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005

The Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005 (Sydney Harbour DCP) is the DCP for SREP Sydney Harbour Catchment 2005. While the site is within the SREP Sydney Harbour Catchment 2005 mapping, the changes are not visible from the waterway and does not involve works where the provisions of the Sydney Harbour DCP are triggered.

## 4.3 Environmental Impacts

The following subsections assess the key impacts of the development in accordance with Section 4.15(1)(b) of the EP&A Act to the extent they have not been addressed elsewhere in this assessment report.

### 4.3.1 Built form and streetscape

The proposed development will be 3m taller than the existing development and would result in a development which is generally the same as that which already exists. Therefore, it is considered that the built form is acceptable and would not result in any adverse impacts to surrounding development.

### 4.3.2 Traffic and parking

#### Traffic

The Traffic, Transport and Parking assessment submitted with the DA found that the traffic impacts of the development on the adjacent road network were satisfactory, with only a relatively small change from existing traffic conditions. Council's traffic and transport engineers raised no issues in terms of traffic impacts.

#### Parking

The proposed car parking arrangement includes a total of 326 car spaces, included at:

- » A basement car park under building A which contains 72 spaces including 2 accessible car spaces, for use by West Tigers and West Harbour Rugby Club. Accessed will be from Loftus Street.
- » An at grade public car park along the frontage of Gipps Street underneath Building B. This will contain 132 marked car spaces, including 6 accessible car spaces.
- » An overflow parking area for 122 cars which will link to the above public car park for use at times when larger events occur and when additional parking is required. This overflow car parking area is a multi-use space which, when not being used for parking, is intended to accommodate events, recreation and markets.

Council's officers are satisfied that the quantum and layout of proposed parking spaces is acceptable and have recommended conditions of consent.

### 4.3.3 Heritage

The site contains a Local Heritage item (308) in the form of 'St Lukes Park entrance – gateway/entrance. Gates and trees only – landscape.' The trees referred to include a row of mature fig trees located along Loftus Street.

As part of the development it is proposed to move the heritage listed St Lukes Park entrance gates from their current location on Loftus Street to the corner of Parramatta Road and Loftus Street, which is their original position. The fig trees are to be retained in their current positions.

A statement of heritage has been prepared in support of the proposal which finds an overall heritage impact of the proposal is positive. The statement has been assessed by Council's heritage advisor and been found to be satisfactory, subject to conditions.

Council's heritage adviser considers the proposal to be generally acceptable with regard to its heritage impacts subject to a redesign of the south-western corner of the site to accommodate the modifications to the design of the entry gates. Given that the gates are to be rebuilt, the preferred option with regard to heritage conservation is as follows:

- » Undertake further investigation into the appearance of the original gates (State Records, as well as Council files on the reconstruction of the demolition of the original gates and reconstruction of new gates in 1987)
- » Reconstruct the gates (including infill decorative panels) to be similar in appearance and arrangement as the original gates and in a similar location and arrangement to the original gates near the street corner.



- » Modify the proposed landscaping scheme accordingly. (The gates should still function as a pedestrian entry.)
- » Ensure any public artwork associated with the project does not detract from the visual prominence or visual setting of the gates.

Conditions of Consent are recommended (refer to **Appendix C**).

#### 4.3.4 Flood

Despite the site not being mapped as flood prone, a flood impact assessment was provided with the DA. The assessment finds that key elements of the proposed development do not increase peak flood levels outside the site boundary in the 1% AEP event, as long as flow is allowed to enter and pond within the playing field, as per the existing behaviour. Any design reconfigurations that prevent this from occurring (e.g. construction of a raised footpath or spectator seating) would be likely to result in adverse offsite flood impacts.

Conditions of Consent are recommended (refer to **Appendix C**).

#### 4.3.5 Vegetation

The Arborist report submitted with the DA indicates that there are 122 trees at the site. Six of these are recommended for removal due to poor condition. A further 50 trees are required to be removed to accommodate the development. Council's tree officer has assessed the arborist report and recommended approval, subject to the imposition of the conditions recommended in the report.

A tree schedule has been provided at within the Landscape drawings, indicating the species proposed to be introduced as part of landscaping works. However, the number of trees proposed is not stated.

### 4.4 Suitability of the site for Development

Pursuant to Section 4.15(1)(c) of the EP&A Act, the Site is considered to be suitable for the proposed development as the site is being redeveloped to accommodate existing uses.

### 4.5 Submissions

Pursuant to Section 4.15(1)(d) of the EP&A Act, the following subsections consider any submissions made in accordance with the Act or Regulation. One public submission was received.

#### 4.5.1 Community Consultation

The proposal was publicly notified for 28 days from 30 May 2019 and one public submission was received objecting to further development within the area.

#### 4.5.2 Internal Referrals

##### Engineering (Traffic)

The proposal has been assessed by Council's Traffic and Parking Engineer and is considered satisfactory subject to conditions of consent. A summary of the referral response and the recommended conditions is provided at **Appendix A**.

##### Engineering (Stormwater)

The stormwater design has been assessed by Council's Engineers and is considered to be satisfactory subject to standard consent conditions which are included at **Appendix A**.



## Tree Management

The arborist report has been assessed by Council's Tree Officer. The proposed works are considered to be satisfactory subject to the recommendations in the report being included as conditions of consent. These recommendations are reproduced at **Appendix A**.

## Waste Management

The waste management aspects of the proposed development have been assessed by Council's Waste Management Officers. The waste management plan for demolition and construction is considered satisfactory. The operational waste management plan is considered satisfactory subject to the recommended conditions of consent, which are included at **Appendix A**.

## Property Services

The proposal has been assessed by the Buildings & Property team at Council and is fully supported. No conditions of consent are recommended.

## Heritage

The proposal has been assessed by Council's Heritage Advisor and is considered generally acceptable with regard to its heritage impacts subject to a redesign of the south-western corner of the site to accommodate the modifications to the design of the entry gates. A summary of the referral response is provided at **Appendix A**.

## Archaeology

Assessing the proposal from an archaeological perspective, Council's Heritage Advisor has found the development to be acceptable subject to recommended conditions of consent. These conditions are included at **Appendix A**.

## Environmental Health (Acoustic)

The proposal has been assessed by Council's Environmental Health Officer in relation to noise impacts. The proposal has been found to be satisfactory, subject to the recommendations contained in the Acoustic report being imposed in addition to further standard and non-standard conditions from Council. These conditions are included at **Appendix C**.

## Environmental Health (Acid Sulfate Soil)

The proposal has been assessed by Council's Environmental Health Officer in relation to acid sulfate soils. It has been advised that further information is required however this can be included as conditions of consent. These conditions and a summary of the referral response are provided at **Appendix A**.

## Environmental Health (Contamination)

The proposal has been assessed by Council's Environmental Health Officer in relation to contamination. The assessment found that the proposal is satisfactory subject to standard conditions, included at **Appendix A**.

## Environmental Health (Food)

The proposal has been assessed by Council's Environmental Health Officer in relation to food safety. The referral response noted that, in Building A, there will be a kitchen/café on the ground level, a canteen/kiosk also on ground level and a kitchen on level 1. However, no detailed plans are provided with regards to the layout of these facilities and such additional information is required. Despite this, the proposal can be approved, subject to recommended conditions set out in **Appendix A**.

## Access Committee

The Access and Inclusion Committee provided a number of comments in terms of access for people with disabilities. These have been addressed under DACCA01 in the draft conditions of consent at **Appendix A**.

### 4.5.3 Public Agency Consultation

The proposal requires the concurrence was referred to other agencies for comment as required by legislation and/or Council's standard practice. The following subsections provide a summary of the responses received from relevant agencies.

#### NSW Police

NSW Police were notified of the proposal. Having assessed the plans a response was received containing a number of recommendations to improve the safety outcomes of the development, relating to CCTV, directional signage, and visibility measures. These recommendations are provided at **Appendix A**.

#### Roads and Maritime Services

RMS were notified of the proposal. Having assessed the plans a response was received providing concurrence subject to the imposition of a number of conditions on consent. These conditions are provided at **Appendix A**.

RMS stated that the design and construction of the vehicular crossing on Gipps Street shall be in accordance with RMS requirements. Detailed design plans are required to be submitted to RMS for approval prior to the issue of a Construction Certificate and commencement of any road works.

RMS also recommended that the 4.81m building offset provided at the north-west corner of the site is maintained along the entire Gipps Street boundary frontage, to assist in potential future projects along the corridor.

#### AusGrid and Sydney Water

Referral to Ausgrid and Sydney Water was not provided as part of the DA though in principle approval for the project through separate applications has been provided.

A Connection Application has been submitted to AusGrid. Sydney Water has been notified of the DA and an 'Anticipated Application' has been applied for, in order to obtain the Notice of Requirements (NOR) from Sydney Water, which will result in the Section 73 Certificate being able to be issued once the DA has been approved.

## 4.6 Public Interest

In accordance with Section 4.15(1)(e) of the EP&A Act, the consent authority is required to consider whether the proposed development is in the public interest. The public interest is an overarching requirement which includes consideration of the matters discussed in this report. Implicit to the public interest is whether the proposed development adequately responds to and respects the desired outcomes expressed in relevant EPIs and DCP and whether, on balance, the impacts of the development can be appropriately mitigated or managed.

The proposed development is considered to be in the public interest as it will provide for a well-designed sport and recreation facility for community use. It has been designed so as to retain existing significant trees, landscaping features and heritage significance. It represents a major upgrade to a key piece of social infrastructure in the city of Canada Bay LGA and is generally in accordance with the provisions of the LEP and DCP, whilst minimising adverse environmental impacts.

## 5 Conclusion

The application seeks the redevelopment of Concord Oval, including the demolition of all existing buildings and construction of two grandstands. The proposed development has a CIV of \$51.3 million and will be developed by Council, therefore it is deemed to be regionally significant development pursuant to 7(3) of State and Regional Development SEPP. Accordingly, the Sydney Eastern City Planning Panel is the determining authority pursuant to Clause 4.5(b) of the EP&A Act.

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- » EEP&A Act 1979;
- » Environmental Planning and Assessment Regulation 2000;
- » All relevant and draft Environmental Planning Instruments, including the CBLEP 2013;
- » CBDCP 2017; and
- » Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- » Generally consistent with the objectives of the DCP
- » Consistent with the zone objectives of the LEP
- » Consistent with the aims of the LEP
- » Consistent with the objectives of the relevant EPIs
- » Consistent with the objects of the EP&A Act 1979

The proposed development is considered to be an appropriate design response in consideration of the site constraints and local context. It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

### Recommendation

That the Sydney Eastern City Planning Panel grant Development Consent to Development Application No. DA2019/0137 for the redevelopment of Concord Oval, subject to the conditions contained in **Appendix C**.

# Appendices

- A Referrals
- B DCP Compliance Assessment
- C Recommended Conditions of Consent

# A Referrals

# A Referrals

## Internal Referral Responses

### Engineering (Traffic)

Response received: 27 November 2019

Should the application be approved the following conditions shall apply:

Standard Conditions:

DACCJ02, DACCE02A, DACCG10

#### Special Conditions:

1. DACCI05 (Modified including comments from John Earls)

Vehicular Crossings Full-width, heavy-duty concrete vehicular crossing(s) shall be installed across the footpath at the entrance(s) and/or exit(s) to the site, subject to separate Council approval. In this regard the Applicant must obtain a copy of Council's "Appendix 2 – Engineering Specifications of the Canada Bay Development Control Plan" and lodge an application for vehicular crossing(s) (available from Council's Customer Services Centre or can be downloaded from Council's website), and pay the appropriate fees and charges prior to the lodgement of the Construction Certificate.

The driveway in Loftus Street to the basement carpark shall have a minimum crest of 150 mm higher than the 1%AEP stormwater overland top water level measured at the vehicular crossing location. This is to reduce the probability of stormwater overland flow entering the building/basement. The driveway to the basement carpark shall also achieve a maximum grade of 5% for at least the first 6m inside the site as required by AS/NZS2890.1:2004.

2. 34 bicycle parking spaces shall be provided in the basement of Building A. Further, in accordance with Council's DCP – General Controls, for the café 1 bicycle parking space shall be provided per 25m<sup>2</sup> public area. This bicycle parking is to be conveniently located in close proximity to the café. To accommodate the requirements of building B, 1 bicycle storage space shall be provided per 4 employees and 1 bicycle parking space per 200m<sup>2</sup> GFA.

All bicycle parking/storage is to be designed in accordance with AS2890.3. Plans shall demonstrate compliance with this requirement prior to the issue of a construction certificate.

3. The shared pathway along the eastern edge of the subject site is required to be suitable for through cyclist use as part of a bicycle route. The currently indicated short sections at the ends where it links to Parramatta Road and Gipps Street are inappropriate noting narrow widths between 2 and 3m and gravel finish.

The shared path shall be designed in accordance with relevant standards and shall achieve a continuous 4m width and be constructed from concrete between Gipps Street and Parramatta Road. This may include an overlap with the service bay provided for occasional use by Sydney Water service vehicles noting required pedestrian/cyclist management is for their implementation.

The service bay shall be signposted as 'No Entry, Sydney Water Vehicles Excepted'. Consideration should also be given to visually differentiating and/or physically separating it from the remainder of the carpark e.g. removable bollards, concrete finish, etc. Plans shall demonstrate compliance with this requirement prior to the issue of a construction certificate.

4. 'No Parking' signage is to be erected in the turning manoeuvre area adjoining the loading dock to assist in ensuring the manoeuvring area remains clear. The signage is to be installed in accordance with relevant standards.

### Engineering (Stormwater and Civil)

Response received: 20 November 2019

#### DAGCD01 – Approved Stormwater Drainage Design

## Internal Referral Responses

The stormwater drainage system for the proposed development shall be constructed in accordance with the following approved plan and documentation, endorsed with Council's stamp, and Council's "specification for the Management of Stormwater", except where amended by other conditions of consent:

### Stormwater and civil works

Project/Drawing No.	Prepared By	Revision	Dated
C001 to C005, C010, C015 to C021, C027 to C033, C035 & C040 to C04	CrackerJack Consulting Engineers	G	15.10.2019

And,

### Driveway longitudinal sections

Project/Drawing No.	Prepared By	Revision	Dated
C050 to C053 & C055 to C062	CrackerJack Consulting Engineers	A/B	15.10.2019

## DACCE01 – Amendments to Approved plans

The following amendments shall be made to the approved plans prior to the issue of a Construction Certificate:

### Stormwater Management

- » Stormwater Drainage Concept Plan (SDCP) shall include the basement drainage plan, roof drainage plan, details of rainwater re-use systems and the point of discharge etc.
- » Diversion of public drainage system around core elements of building A is generally supported. However, proposed drainage line between JB43 & JB44 shall be relocated under the kerb & gutter in Loftus street to ease maintenance difficulties. Standard kerb inlet pits with a minimum of 1.8m lintel shall be constructed along the kerb line replacing junction or on-grade pits.
- » When choosing WSUD measures, the consultant shall consider construction and maintenance difficulties in mind. Installation of Sand filter will involve an extensive excavation up to 3.0m in depth and removal of large quantity of soil from the site. As the site is likely to contain contaminated subgrade/uncontrolled fill, excavation and removal of soil may become an expensive exercise. Therefore, the consultant shall consider alternative WSUD measures such as connecting roof water to the adjacent Canada Bay Recycled Water Treatment Plant.
- » It is noted that the sand filter will be located under the overflow carpark and 225 diameter slotted pipes are located close to the surface (about 400mm deep). Vehicle loading may cause damage to inlet pipes and therefore, inlet slotted pipes shall have a minimum cover of 600mm.
- » An overflow pipe with a capacity to discharge 1 in 20 year designed flow shall be introduced from Gross Pollutant Trap (GPT) and connected to 600mm RCP outlet to the canal to allow a bypass in case of any blockage in the sand filters
- » Subsurface or seepage water is to be collected in the basement via agg-lines and directed to underground drainage system. Subsurface water will not be permitted to pump out to either directly or indirectly to the kerb & gutter. If Basement is to be confined with mechanical pump out system, a holding tank shall be provided in the basement and it shall be adequately sized in accordance with Council's "Engineering Specification". In case of a power failure, the holding tank shall have a capacity to store the runoff from weather exposed areas for a period of 5 hours (plus any seepage for a period of 24 hours) during a 1 in 100-year storm event.
- » Grated drains are to be located at the property boundary/bottom of ramp to collect runoff from weather exposed areas. Grated drains shall be adequately sized to collect the runoff from the weather exposed areas of the driveway. It shall have a minimum internal width of 200mm and a depth of 150mm and is to be connected to internal drainage system.

### Civil works in Road reserve

## Internal Referral Responses

- » Civil works plan shall clearly define all external works proposed in the road reserve. Proposed works including construction of stormwater drainage, kerb & gutter, footpath, installation of utility services etc. shall be in accordance with Council's "Engineering Specifications". The external works will require Section 138 approval from Council. A separate set of civil plans shall be submitted to Council and an approval shall be obtained prior to CC.
- » Council's standard drawings are to be adopted and detailed for all public domain items (internal & external works).
  - > All external footpaths are to be of plain concrete and all internal footpath are to be either pavers or concrete or bitumen. Gravel path is not recommended.
  - > Block/Brick pavers are to be placed on 30mm thick 4:1 mortar bed on a 110mm 32MPa concrete base with SL72 reinforcing mesh.
  - > Proposed drop kerb shall be replaced with standard layback with 600mm wings. Minimum width of clear width for driveway shall be 3.50m excluding wings.
  - > Heavy duty driveways shall have a minimum of SL82 mesh. Minimum cover over reinforcement shall be 40mm.
- » As noted in the Traffic team's memo, proposed shared path along the canal shall be maintained to 4.0m throughout the site. Sydney water maintenance bay is to be separated from shared path or conflict is to be managed by sign posting & line marking. Proposed Civil works are to be kept clear of all Sydney water GPT structures.
- » Pedestrian shared paths, Entry plaza, carpark entries, footpaths etc. shall be adequately lit to comply with relevant Australian standards. Lighting assessment is to be carried out in these areas of concern and cabling for street lights & pedestrian lights are to be in underground format.

Proposed works may require relocation sewer manhole as building B is to be located on the sewer main. Sydney water is to be consulted to determine the requirements in building over the sewer main.

## Tree Management

Response received: date not stated

Arborist report by Australian Tree Consultants under Clouston Architects accepted with TPZ recommendations to be part of the conditions of consent.

## Waste Management

Response received: date not stated

Based on my concerns below in the 1st Waste Comments and the applicant's responses, my 2nd comments are as follows;

**Point 1.** WMP Paragraph 5.2.5 - a private contractor will be required to collect waste generated at the site. The site manager shall select a waste service provider, negotiate a service agreement and pay for the services.

*Concern: we do not want individual businesses, cafes etc engaging their own waste services. In order to work the site should operate like a shopping centre where the site manager engages waste service providers for the entire site.*

*We could ask the applicant to amend the language in the waste management plan (unless this issue is covered in the ongoing operational management plan for the site) to reflect the above or condition any consent issued to the effect:*

- » *The site manager shall select a private/commercial waste service provider to provide all required waste services for the entire site and all its intended uses including event bins.*

**Point 2** - all three points listed....the applicant has amended the waste management plan to a recommendation that the site utilise 1100L bins which are serviced by a rear loading collection vehicle,



## Internal Referral Responses

which is acceptable. However the reference to bulk bin sizes 1.5, 3 and 4.5m<sup>3</sup> throughout the documents remains:- WMP 5.2.1 table 7, 5.2.5 3rd dot point.

*Again, we could ask the applicant to amend the language in the waste management plan to reflect the above or condition any consent issued to the effect:*

- » *All waste generated on site is to be stored in the designated waste storage area in 1100L bins. All bins on site are required to be serviced by rear loading waste collection vehicles.*

**Point 3** - as per point 2

**Point 4** - Bulky Waste items - Is covered in the Waste Management Plan and is acceptable.

**Point 5** - Special Events as per point 1

Also as discussed today, while I don't ever look at/assess public place litter bins I don't remember seeing any on the drawings and they are not mentioned in the Waste Management Plan. These may be being addressed in an ongoing Site Operational Management Plan however though I would highlight it to you. Hopefully someone is addressing the public spaces and who is responsible for them. I do know that servicing public litter bins now sits under Manoj Kumar at the Depot.

### Waste Comments 1st

The applicant has submitted a well thought out and detailed waste management plan that is acceptable to Council for the Demolition and Construction stages of the development.

The ongoing waste management, i.e. after occupation is very detailed, has been given considerable consideration and offers a number of options (different bin sizes) for servicing the site. However the drawings do not appear to reflect those waste management plan options.

From a waste management perspective the site will also need to be treated in its entirety as a Commercial Property and will need a Management Company/Centre Management to manage the Waste Services from all the tenancies/uses.

The following addresses a number of items individually that I believe we may need to either condition the consent and/or seek further clarification from the applicant to ensure efficient, effective and sustainable waste management at the site.

1. The site (Councils Land) will need a Management Company/Centre Management to:
    - manage all types of waste and recycling generated from all site uses
    - supply a communal private commercial waste collection service
    - bill individual tenancies their proportion of the cost of those waste collection services
  2. The waste store/loading dock depicted on the drawings:
    - The loading dock does not appear to be able to accommodate the option/s in the waste management plan that utilise 1.5M<sup>3</sup>, 3m<sup>3</sup> and 4.5m<sup>3</sup> bins. Due to their size and weight these bins cannot be manoeuvred and must remain in a static position which limits the space in the loading dock for the waste collection vehicle. As important is the fact that these types of bins are also required to be serviced from the front of the collection vehicle not the rear. There is no turning circle depicted on the drawings for this type of service so am not sure that the area can accommodate the required turning circle.
    - The loading dock appears to be able to accommodate the site utilising 1100L waste and recycling bins which is also an option in the waste management plan. These bins are preferable as they have lids and reduce the risk of litter escaping into the environment. The loading dock appears to have been designed for the use of 1100L bins.
    - There are no bins depicted on the drawings in the waste storage area. As such I cannot determine whether this area can accommodate 1100L bins with sufficient space to manoeuvre the bins for servicing.
  3. We need to determine which waste collection option in the waste management plan the site intends to utilise before issuing a consent.
  4. Bulky Waste Items
-

## Internal Referral Responses

- The waste management plan discusses bulky waste items, i.e. broken office chairs, tables gym equipment etc., however the drawings do not depict a communal storage area for these items awaiting disposal/recovery.

### 5. Special Events

The site as a premier facility will almost certainly host special events. Neither the drawings nor the waste management plan address this issue. Special events would be need to be serviced with 240L bins in sets of two (1 x recycling + 1 x waste bin) with a minimum of 25 sets being placed around the main sporting field for the event. The site will also need to accommodate temporary storage of these bins prior to placement and servicing. As there are no bins depicted in the bin storage area I cannot determine whether the area can accommodate these bins.

## Property Services

Response received: Date not stated

Buildings & Property have been part of the design team for this project and therefore are in support. No conditions of consent are required to be added from our side.

## Heritage

Response received 19 November 2019

### Heritage Listing

No. 8 Gipps Street (Concord Oval):

- » is a heritage item
  - > Item no.308 - St Luke's park, gateway/entrance - gates and trees only
- » is not located within the immediate vicinity of a heritage items
- » is not located within a Heritage Conservation Area

### Relocation of the historic entrance gates

In 1913 a set of memorial gates was constructed in the south-west corner of St Luke's Park in tribute to Daniel Zoeller, mayor of Concord Municipality from 1883 to 1908. A newspaper article of the time describes the gates as "four massive concrete pillars, with fretted ironwork, and are substantial rather than ornate". The original gates are discernible in the photograph below of Parramatta Road.

The gates were demolished and rebuilt in 1987 to further north along the Loftus Street boundary. It appears that the gate posts may have been reconstructed to match the original gate posts. It is not clear if the infill panels match the original or not, or if the side panels are salvaged original panels, however it seems likely that the decorative metal gates and panels date from 1987. (The metal gates are unlikely to be original as they appear to be wider than the original gates.) The 1987 reconstruction placed the main section and side sections in line, an arrangement inconsistent with the original which had the gates and side sections at angles. (The gates were placed on the diagonal facing the corner while the side sections were placed along the street boundary.)

It is now proposed to relocate the gates to a proposed pedestrian pathway just to the north of Parramatta Road.

Demolition of the existing gate pillars, and the salvage of the commemorative plaques, decorative gates and metal panels, is considered acceptable as the gate pillars are not original. Rebuilding of the gates is also considered acceptable. Given that the gates are to be rebuilt, the preferred option with regard to heritage conservation would be to:

- Undertake further investigation into the appearance of the original gates (State Records, as well as Council files on the reconstruction of the demolition of the original gates and reconstruction of new gates in 1987)
- Reconstruct the gates (including infill decorative panels) to be similar in appearance and arrangement as the original gates and in a similar location and arrangement to the original gates near the street corner.
- Modify the proposed landscaping scheme accordingly. (The gates should still function as a pedestrian entry.)

## Internal Referral Responses

- Ensure any public artwork associated with the project does not detract from the visual prominence or visual setting of the gates.

This approach is consistent with DCP objective D2.3.02 which states that the form of a heritage item retains its appearance, and objective D2.2.03 which states that reconstructions must be authentic and based on documentary evidence.

It is recommended that this approach be discussed with the applicant.

Note: The SoHI states that the gates were rebuilt in 1932, however this appears to be due to a confusing statement on the existing heritage inventory sheet.

### Trees

The trees along Loftus Street are shown on the as being retained. There is a concern that the proposed works will adversely impact on the health and viability of the trees if excavation and building work is undertaken too close to the trees. The trees must be protected during construction. Advice from Council's Tree's Officer must be sought.

### Archaeology

Impact on potential historical archaeological resources is unable to be assessed at this time as further information is required.

### Conclusion and recommendations

The proposal is generally acceptable with regard to its heritage impacts subject to a redesign of the south-western corner of the site to accommodate the modifications to the design of the entry gates as discussed above.

## Archaeology

Response received: 27 November 2019

### Additional Documentation

- » Letter from NGH dated 26 November 2019, with the subject Redevelopment of Concord Oval – Historical Archaeology: Addendum to the NGH Statement of Heritage Impact Report (2019).

### Comments

Archaeological investigations have been undertaken in the area of potential for archaeological remains of the Longbottom Stockade. These investigations found:

- » All artefactual material was located within disturbed contexts and did not reveal significant information regarding the history of the site or provide significant information relating to phases of site use or activities conducted at the Longbottom Stockade
- » No intact cultural deposits were identified during the course of the archaeological investigations
- » Whilst deposits encountered were mostly disturbed, features (three cuts/potential post-holes) were still identified.
- » significant historical disturbance is likely across Concord Oval

However test excavations undertaken could only be undertaken in open areas and some Longbottom Stockade structures may have been located where the Western Grandstand is currently located. Additionally, possible sandstone footings were discovered by a local historical society member approximately in the location of the current Western Grandstand during redevelopment of the site in the early 1980's. (It is unknown whether those possible footings were removed or were related to the Longbottom Stockade.) NGH have therefore recommended a cautious approach to construction in the site so as to help prevent any impacts to any historical relics preserved at the site:

- » archaeological monitoring of ground disturbance works associated with the northern carpark;
- » archaeological monitoring of any ground disturbances to occur across the garden beds along Loftus Street to the west of the project area; and,
- » archaeological testing under the current location of the western grandstand.

### Recommendation

The proposed work is acceptable with regard to its heritage impacts subject to a condition of consent requiring:

## Internal Referral Responses

- » Archaeological monitoring of ground disturbance works associated with the northern carpark;
- » Archaeological monitoring of any ground disturbances to occur across the garden beds along Loftus Street to the west of the project area; and
- » Archaeological testing under the current location of the western grandstand.

This condition is in addition to a condition requiring the south western section of the park being redesigned in order to reinstate the gate posts in their original location.

## Environmental Health (Acoustic)

Response received: 4 June 2019

The following document has been assessed:

1. Acoustic Report prepared by Resonate project number S180435 dated the 12th of May 2019

### Comments

The acoustic report outlines a number of recommendations that should be implemented so the development complies with noise legislation and does not impact on neighbouring residents. The recommendations are in part 6 of the acoustic report

### Standard Conditions

#### DAOUA01 - Amplified Music (No speakers or music outside)

Music and other amplified sound played on the premises shall not give rise to offensive noise as defined under the provisions of the Protection of the Environment Operations Act 1997. The sound level output shall not exceed 5 dB(A) above the ambient background level at the received boundary. Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises

(Reason: Environmental amenity)

#### DAOUC06 - Noise, Air or Water Pollution - Protection of the Environment Operations Act 1997

The activities carried out on site shall not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.

(Reason: Environmental protection)

#### DAOUC12 - Acoustic Assessment

All recommendations contained in the approved acoustic assessment report shall be adopted, implemented, and adhered to. The Principal Certifying Authority (PCA) shall obtain a statement from an appropriately qualified acoustic consultant, certifying that the acoustic mitigation measures outlined in the above stated report have been suitably incorporated into the development and that relevant noise criteria have been satisfied prior to the issue of any Occupation Certificate. Any changes made to the proposal that would alter the acoustic assessment will require a further acoustic assessment and a copy of this further report shall be provided to Council for approval prior to the commencement of works.

(Reason: Noise Control and Amenity)

#### DAOUC13 - Further Acoustic Assessment

Following occupation of the building/premises, should it be found that the measures recommended in the acoustic assessment are not sufficient, or have been incorrectly implemented or a noise issue (relating to the development) not previously identified arises (through complaint or otherwise), the owner/occupier shall employ the services of a qualified acoustic consultant to undertake an assessment of the development and complete an assessment report with recommendations to rectify the situation. A copy of this report shall be submitted to Council for approval prior to undertaking

noise attenuation works and implementing recommendations

(Reason: Noise Control and Amenity)

#### DAOUC15 - Noise (General)

The use of the premises shall comply with the requirements of the DECC Industrial Noise Policy 2000 and shall not give rise to the transmission of offensive noise as defined in the Protection of the Environment Operations Act 1997 (NSW)

## Internal Referral Responses

(Reason: Noise Control and Amenity)

### DAOUC16 - Noise Complaints - General

The development must not cause offensive noise as defined by the Protection of the Environment Operations Act 1997 (NSW). Following occupation, should complaints of a noise nuisance be received and substantiated by an authorised officer, an acoustic assessment shall be conducted by a qualified acoustic consultant and the resulting report shall be provided to Council for approval. Following approval the owner/occupier shall then implement all recommendations contained in the assessment report within a timeframe set by Council, to the satisfaction of Council and in compliance with any additional direction given by Council.

(Reason: Noise Control and Amenity)

### DAOUC19 - Compliance with Noise Control Legislation

The applicant shall ensure that all activities within the premises comply with the relevant sections of the Protection of the Environment Operations Act 1997 and Regulations; the NSW Environment Protection Authority Industrial Noise Policy (2000) and relevant Australian Standards on Noise Control on Construction, Maintenance and Demolition Sites.

(Reason: Noise Control and Amenity)

### DAOUE07 - No Live Bands

No live bands shall perform on the premises.

(Reason: Noise attenuation)

### DAOUE08 - Patron Behaviour - Security Staff

The Management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, Management is responsible for the control of noise and litter generated

by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner. The Management will employ private security staff to ensure that this condition is complied with to the satisfaction of Council.

(Reason: Amenity, health and safety)

### DADWF01 - Noise - Construction

All works carried out on site during construction/ demolition/ excavation/ earthworks shall comply with the NSW DECC Protection of the Environment Operations Act 1997 and the DECC Noise Control Guideline - Construction Site Noise and AS 2436-1981 - "Guide to Noise Control on Construction, Maintenance and Demolition Sites" for the control of construction noise which specifies that:

- » Construction period of 4 weeks and under - The L10 level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background level by more than 20 dB(A).
- » Construction period greater than 4 weeks and not exceeding 26 weeks - The L10 level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background level by more than 10dB(A).
- » Silencing - All possible steps should be taken to silence construction site equipment.

Should complaints of a noise nuisance be justified, Council will require the acoustic treatment of the identified noise source/s to ensure compliance with Council's requirements on noise. An acoustic assessment & report will be required to ensure that the intrusive noise from the plant does not exceed 5 dB (A) above the background noise. Should complaints of a noise nuisance be justified, Council will require the acoustic treatment of the premises to ensure compliance with the NSW DEC Industrial Noise Policy. A further acoustic assessment & report will be required to be provided to Council assessing the premises in working order.

(Reason: Noise Attenuation)

### DADWF02 - Noise - Plant

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## Internal Referral Responses

All works carried out on site during construction/demolition/excavation or earthworks shall comply with the NSW DECC Protection of the Environment Operations Act 1997. Approved and effective silencing measures shall be provided and maintained on all power-operated plant used on site.

(Reason: Safety and Amenity)

### DADWF03 - Noise & Vibration

The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise or vibration problem arising, the person in charge of the premises must, when instructed by City of Canada Bay Council or the Accredited Certifier, cease work and carry out an acoustical survey and/or investigation by an

appropriate acoustical engineer or consultant and submit the results to Council. The person in charge of the site must implement any or all of the recommendations of the consultant and any additional requirements of Council. Any requirements of Council in this regard must be complied with immediately.

(Reason: Noise attenuation)

### **Non-Standard Conditions**

#### NOISE – GENERAL

- (a) The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment shall comply with the following criteria:
  - a. The LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence.
  - b. The LAeq,15minute noise level shall be adjusted for modifying factors in accordance with Part 4 of the Environmental Protection Authority (EPA) NSW Industrial Noise Policy.
  - c. The background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise.
- (b) An LAeq,15minute noise level emitted from the use must not exceed the LA90, 15minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any commercial premises provided that;
  - a. The LAeq,15minute noise level and the LA90,15minute noise level shall both be measured with all external doors and windows of the commercial premises closed;
  - b. The LA90,15minute noise level shall be measured in the absence of noise emitted from the use but with the ventilation equipment (including air-conditioning equipment) normally servicing the commercial premises operating.
  - c. In this clause, the term "noise level emitted from the use" means the contributing noise level from the use in isolation to any other ambient noise and account must therefore be taken of the LAeq,15minute when the use is not in operation.
  - d. In circumstances where this development application refers to a modification or addition to an existing use, the background noise level referred to in this clause pertains to the LA90, 15minute noise level measured in the absence of all noise from the site.

#### COMPLIANCE WITH ACOUSTIC REPORT

All recommendations contained in the acoustic assessment report prepared by report Resonate project number S180435 dated the 12th of May 2019 shall be adopted, implemented, and adhered to. All recommendations contained in part 6 of pages 21 & 22 of the report must be complied with at all times

## Environmental Health (Acid Sulfate Soil)

Response received: 21 November 2019

The Geotechnical Investigation and Preliminary Waste Classification report prepared by Douglas Partners, dated September 2019; project no: 86747.00 was reviewed.



## Internal Referral Responses

The premises is part Class 2 and Class 5.

In the above report, it states:

- » Areas of the soil do have acid sulphates present,
- » Consultants have not been advised of how much soil will be removed,
- » ASS investigation only undertaken on the north eastern half of site and south eastern half was not investigated.
- » Additional testing be conducted to confirm liming rate.

Based on the information provided additional information is required, HOWEVER if you require conditions at this stage; they have also been provided for you below:

### **Additional Information Required:**

A. A statement from a suitably qualified and experienced consultant stating that the proposed development will not result in the disturbance of more than 1 tonne of soil and the works will not lower the watertable.

### **OR**

B. A detailed management plan in accordance with the ASSMAC assessment guideline and the following items must be address as part of the management plan:

1. A description of the acid sulfate soils mitigation strategies incorporating a schedule of construction and operational phases to minimise impacts from:

- a) the disturbance (including excavation or changes in surface or subsurface water systems)
- b) any excavated soils (including storage, treatment or use)
- c) any acid leachate produced (including storage, treatment, discharge or use)

2. A monitoring program for soils and the surface and subsurface water quality outlining:

- a) what parameters will be monitored
- b) monitoring locations
- c) monitoring frequency
- d) analyses to be conducted
- e) laboratory conducting analyses
- f) procedures to be undertaken if monitoring indicates that thresholds are being exceeded
- g) reporting procedures to relevant authorities and the community (if appropriate).

3. A description of the contingency procedures to be implemented at the site to deal with unexpected events or in the event of failure of management procedures including a Remedial Action and Restoration Action Plan related to:

- a) any failure to implement any proposed acid sulfate soil management strategies
- b) any mitigation strategies being ineffective so that the project fails to meets agreed standards

or performance levels.

### **OR**

### **Recommended Standard Conditions**

#### DADWB01 - Acid Sulphate Soils Plan – Compliance (AMENDED)

The Principal Contractor/Owner Builder and any sub-contractor must comply with the Acid Sulphate Soils - Planning Guidelines by the NSW Acid Sulphate Soils Management Advisory Committee Guidelines, August 1998.

(Reason: Compliance with condition of consent)

#### DADWB02 - Acid Sulphate Soils

Any excavation works carried out on site should be closely monitored to ensure no signs of Potential Acid Sulphate Soil (PASS) or Actual Acid Sulphate Soil (AASS) are observed. Indicators may include grey to greenish blue clays, unusual gold-yellow mottling or 'rotten egg' odours. If any of these indicators are

## Internal Referral Responses

observed, excavation of the site is to be stopped immediately, Council is to be notified and a suitably qualified environmental scientist should be contracted to further assess the site.

(Reason: Environmental protection)

### DADWB02B - Acid Sulphate Soils Consultant's Report (AMENDED)

All recommendations made in the Geotechnical Investigation and Preliminary Waste Classification report dated September 2019 prepared by Douglas Partners, Project No. 86747.00 must be implemented. Any change made to the site that will or is likely to impact the recommendations of the Preliminary Site Investigation will require a further assessment and is to be provided to Council prior to the commencement of works.

(Reason: Compliance and Environmental Protection)

### DACCM06 - Acid Sulfate Soils - Detailed Assessment (Deferred Commencement) (AMENDED)

A detailed acid sulfate soil assessment is as per required Geotechnical Investigation and Preliminary Waste Classification report dated September 2019 prepared by Douglas Partners, Project No. 86747.00. This is to be carried out by a suitably qualified person and in accordance with the acid sulfate soils assessment guidelines (ASSMAC August 1998). The detailed assessment shall be submitted to Council prior to the issue of a Construction Certificate.

(Reason: Compliance and Environmental Protection)

## Environmental Health (Contamination)

Response received: Date unknown

Following a review of information submitted in support of the redevelopment the following is noted:

The proposal does not involve a change of existing use

A historic site review concludes Council has no known knowledge of contaminating activities occurring on the site. Based on the above please find recommended conditions below.

- » DADWC01 - Contaminated Land Unexpected Finds
- » DAOUC06 - Noise, Air or Water Pollution - Protection of the Environment Operations Act 1997
- » DADWA04 - Dust Control
- » DADWC08 - Excavation Pump-out

## Environmental Health (Food)

Response received 20 November 2019

It is noted on the plans for this proposal that kitchen facilities which serves food to the public will be present in only Building A.

It is noted that there will be a kitchen/café on the ground level, a canteen/kiosk also on ground level and a kitchen on level 1.

No detailed plans are provided with regards to the layout of these facilities and such additional information is required.

HOWEVER, conditions have also been recommended, if the development application is going to be conditioned without additional information been provided.

### **Additional Information Request:**

1. Please confirm where all kitchen facilities are located which serves food to the public and how many in total.
2. Provide detailed drawings showing layout of each kitchen facilities, including but not limited to floor plan, location of bin storage area, location of all dry storage areas, location of coolrooms/freezer units, location of cleaners sink etc. Please ensure they comply with AS 4674-2004; Design, construction and fit-out of food premises.

**OR**

### **Recommended Standard Conditions**

#### **DAGCB04 - Food Premises - General**

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## Internal Referral Responses

The construction and operation of the food premises shall comply with all applicable legislation/regulation and standards, including:

- The Food Act 2003
  - Food Regulation 2015
  - Food Standards Australia and New Zealand - Food Standards Code
  - The cooking appliances require an approved air handling system designed in accordance with AS1668.1-1998 and AS1668.2-1991 or alternative solution satisfying the performance objectives of the Building Code of Australia. No approval is granted for the burning of wood fired fuel.
  - The construction, fitout and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 - Design, Construction and Fitout of Food Premises where:
    - a. The floor of the food premises must be finished in an approved non-absorbent material, evenly laid, or graded and drained to a trapped floor waste.
    - b. The floor must be coved at the intersection with the walls.
    - c. The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other rigid, smooth-faced impervious material.
    - d. Ceilings within the food preparation and storage areas must be free of gaps and open joints and must be finished with an impervious sealed material. Drop in panels are not permitted in food preparation areas, food storage areas or areas where open food is displayed or served.
    - e. Hand wash basin/s, with hot and cold running water mixed through a common spout, hand wash soap and hand drying facilities must be provided in all food preparation bar areas, and toilets used by food handlers and must be no further than 5m travel distance from a place where a food handler is handling food. All taps to hand wash basins must be hands free. (For example: sensor taps, knee operated taps or foot pedal taps). Liquid soap and paper towel dispensers or other hand drying facilities must be located next to and in close proximity the hand wash basin.
    - f. A single bowl sink and a dishwasher must be provided in the food preparation or designated area, (where all the food contact equipment will fit in the dishwasher) in addition to the hand basin.
    - g. A separate and dedicated food preparation sink is to be provided within the food premises where foods are prepared by immersion in water.
    - h. A cleaners' sink for the purpose of cleaning floor mops and other cleaning equipment must be provided within the premises, preferably in the garbage room or separate from the food preparation and storage area.
    - i. The appliances used to store potentially hazardous food must have a capacity to keep food hotter than 60oC or colder than 5oC and be provided with a thermometer, accurate to 1oC and which can be easily read from outside the appliance.
    - j. All unpackaged ready to eat food for self service must be provided and maintained with protective barriers and have separate serving utensils, in accordance with Standard 3.2.2 of the Food Standards Code under the Food Act 2003.
    - k. The sanitary facilities must be separated from all food handling areas via an airlock, self-closing door or mechanical ventilation in accordance with the provisions of the Building Code of Australia, Part F 3.1, 4.8 and 4.9.
    - l. Clothing lockers or change rooms for male and female staff must be provided in the premises in a separate location to the food handling and storage areas.
    - m. To ensure the adequate storage and collection of waste from the occupation or the use of the food premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area. The waste storage area must be designed and constructed in accordance with AS 4674 - Design, Construction and Fitout of Food Premises, and must be:
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## Internal Referral Responses

- i. Provided with a hose tap connected to the water supply;
- ii. Paved with impervious floor materials;
- iii. Coved at the intersection of the floor and walls;
- iv. Graded and drained to a waste disposal system in accordance with the relevant regulatory authority (Sydney Water);
- v. Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the Protection of the Environment Operations Act 1997;
- vi. Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.

Detailed plans and specifications for the construction of the waste storage area are to be submitted to the Certifying Authority with the Construction Certificate

- n. Cool room(s), refrigerated chambers and strong-rooms are to be constructed in accordance with G 1.2 of the Building Code of Australia.
- o. The floor of the coolroom must be graded to the door and a floor trapped waste outlet must be located outside the coolroom as near as possible to the door opening.
  - i. All proposed shelving in the coolroom must be free-standing, constructed of galvanised steel angle section or other approved material with the lowest shelf at least 150mm clear of the floor.
  - ii. The floor of the coolroom must be constructed of impermeable concrete or coated, topped or otherwise finished with an impervious material to a smooth even surface and coved at the intersections with the walls to a minimum radius of 25mm.
  - iii. A door which can be opened at all times from inside without a key.
  - iv. Adjacent floors, walls, ceilings and other surfaces are able to be easily and effectively sanitised
  - v. An approved audible alarm device must be located outside the coolroom(s) but controllable only from within the coolroom(s) and be able to achieve a sound pressure level outside the chamber or coolroom(s) of 90 d B(A) when measured 3 metres from the sounding device.
- p. All service pipes, electrical conduits, refrigeration condensate pipes and the like must be chased into walls and floors or at least 25mm off the wall.
- q. All openings in walls, floors and ceilings, through which service pipes pass, must be vermin proof.
- r. Where fittings are butt joined together they must be sealed to eliminate any cavities or crevices. Alternatively, a clear space of at least 75mm is to be provided between fittings.
- s. The following requirements apply to clearances and supports of equipment:
  - i. All stoves, refrigerators, cupboards and similar fittings must have metal legs made of non-corrosive metal or moulded plastic at a minimum height of 150mm above the floor. If placed flush on solid plinths the solid plinth
  - ii. is to be a minimum of 75 mm high.
  - iii. All shelving must be fixed 25mm clear of the walls on solid metal brackets.

(Reason: Compliance legislation and standards)

### DAGCB07 - Lighting

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with relevant standards in this regard.

(Reason: Protect amenity of surrounding area)

### DAGCC04 - Ventilation

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## Internal Referral Responses

To ensure that adequate provision is made for ventilation of the premises, mechanical and/or natural ventilation systems shall be designed, constructed and installed in accordance with the provisions of:

- The Building Code of Australia; and
- Protection of the Environment Operations Act 1997; and
- Any proposed mechanical ventilation system shall comply with the Australian Standard AS 1668-1991 (parts 1 & 2).

Prior to installation, the design is to be certified by a person competent to do so. At completion of the installation of the system and prior to the issue of the occupation certificate, the work shall be certified by a person competent to do so.

The certification shall include:

- i. Date of inspection, Inspection, testing and commissioning details
- ii. The name and address of the individual who carried out the test and
- iii. A statement that the service has been designed, installed and is capable of operating to above the standard

Ventilation above cooking equipment (delete if not applicable)

Mechanical ventilation must be provided above cooking equipment and is to be designed and installed in accordance with relevant Australian Standards 'The use of ventilation and air conditioning in buildings - Ventilation design for indoor air contaminant control'.

(Reason: Compliance with relevant standards)

### **DACCE05 - Waste Water Control**

The applicant shall contact Sydney Water, to determine the requirements for the disposal of wastewater and liquid trade waste (including grease traps or grease arrestors). The applicant must provide a copy of the Authority to connect to the sewer system prior to the issue of a Construction Certificate. There is to be no discharge of wastewater to the stormwater system.

(Reason: Information)

### **DAOCA01 - Food Premises - Final Inspection**

Prior to the issue of an Occupation Certificate, a City of Canada Bay Pre Occupation Food Premises Inspection report is to be obtained from Council confirming satisfactory compliance with applicable food legislation.

(Reason: To ensure compliance of the food premises with the Food Act 2003, Food Regulations 2015, Food Standards Australian and New Zealand - Food Standards Code and Australian Standard 4674-2004 Design, construction and fit-out of food premises)

### **DAOCA02 - Food Shop Registration Requirements**

Prior to the issue of any Occupation certificate a Business Registration Form must be completed and submitted to Council. This form is available online at [www.canadabay.nsw.gov.au](http://www.canadabay.nsw.gov.au). In the instance details on the original registration form change, Council is to be notified of the change within seven (7) days of the change occurring.

(Reason: Registration and notification to relevant authorities)

### **DAFOA02 - Certificate of Test of Mechanical Ventilation**

On the satisfactory completion of work and prior to the issue of an Occupation Certificate, a Certificate of Test of Mechanical Ventilation shall be supplied to the Principal Certifying Authority from an approved mechanical ventilation engineer.

(Reason: To ensure compliance with approved plans)

### **DAOUA01 - Amplified Music (No speakers or music outside)**

Music and other amplified sound played on the premises shall not give rise to offensive noise as defined under the provisions of the Protection of the Environment Operations Act 1997. The sound level output shall not exceed 5 dB(A) above the ambient background level at the received boundary. Speakers must not be installed and music must not be played in any of the outdoor areas associated with the premises

## Internal Referral Responses

including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises

(Reason: Environmental amenity)

### **DAOUA06 - Deliveries**

All deliveries must not occur before 7.00am or after 8.00pm weekdays and before 9.00am or after 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

(Reason: To control noise impacts)

### **DAOUA06B - Waste & Recycling Collection (AMENDED)**

The collection of waste and recycling must only occur between 6.00am and 8.00pm weekdays and 9.00am and 5.00pm weekends and public holidays, to avoid noise disruption to the surrounding area.

Garbage and recycling must not be placed on the kerbside for collection more than one hour before the scheduled collection time. Bins and containers are to be removed from the kerbside within one hour of collection and returned to the designated, Garbage Room.

The garbage and recyclable storage and bins must be adequate to contain the volume and type of garbage and recyclable matter on the food premises. All garbage and recyclable matter must be enclosed in the waste bins with lids completely closed at all time.

(Reason: To regulate noise and garbage collection arrangements)

### **DAOUA07 - Flashing Lights**

No flashing, moving or intermittent lighting, visible from any public place may be installed on the premises or external sign associated with the development.

(Reason: Environmental protection)

### **DAOUA13 - Lighting Nuisance**

The use of floodlighting or the like, to advertise or attract attention or for the convenience of patrons must be controlled so as not to cause any distraction or disturbance to nearby or adjacent residents, pedestrians or motorists. The use of flashing lights is strictly prohibited.

(Reason: Environmental amenity)

### **DAOUC06 - Noise, Air or Water Pollution - Protection of the Environment Operations Act 1997**

The activities carried out on site shall not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.

(Reason: Environmental protection)

### **DAOUC16 - Noise Complaints - General**

The development must not cause offensive noise as defined by the Protection of the Environment Operation Act 1997 (NSW). Following occupation, should complaints of a noise nuisance be received and substantiated by an authorised officer, an acoustic assessment shall be conducted by a qualified acoustic consultant and the resulting report shall be provided to Council for approval. Following approval the owner/occupier shall then implement all recommendations contained in the assessment report within a timeframe set by Council, to the satisfaction of Council and in compliance with any additional direction given by Council.

(Reason: Noise Control and Amenity)

### **DAOUC21B - Minimal Cooking - No Mechanical Ventilation**

Minimal cooking is permitted on the premises. The combined total power output of all appliances used in the preparation of food is limited to gas and electrical cooking appliances - 8 Kw and 29 megajoules/hour respectively.

(Reason: To regulate the use of the premises)

### **DAOUC21D - Method of Cooking**

The cooking of food at the premises by barbecue or charcoal methods is not permitted. This approval does not permit the installation of barbecue or charcoal cooking appliances. Comprehensive details must be submitted with a formal application to Council for prior approval.

(Reason: To regulate the use of the premises)

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## Internal Referral Responses

### DAOUE02 - Bottle, Can or Garbage Disposal

No bottle, can or garbage disposal shall take place between the hours of 8.00pm and 7.00am daily.

### Access Committee

Response received: date not stated

Overall the DA lacks design details required to address access for people with disabilities.

- » The location gradient, length and circulation spaces of the ramps do not appear to be compliant to the standards.
  - » The path of travel from the carpark through to the building to the accessible toilets is excessively long, unclear and disjointed. It is not inclusive and will be a barrier for people with disabilities and parents with prams.
  - » Rest areas that include seating at landings on long stairways/pathways will need to be established.
  - » Ensure the ramps have compliant handrails and grab rails and the ramps, landings and walkways are wide enough to meet the AS 1428.1.
  - » Several pathways gradients are unclear. Walkway gradients of 1 in 33 for 25mtrs or 1 in 20 for 15mtrs are the standard that needs to be met.
  - » There needs to be shade and shelter over stairs in external areas leading to principal pedestrian entrances and along the concourse.
  - » Shade and shelter must be provided over connecting pathways from the carpark building and over some viewing/ spectator areas that are located outdoors.
  - » The clear opening of doorways on a continuous accessible path of travel not does appear to be 800mm on the plans.
  - » There needs to be clear, easy to read signage at the entry to the spectator and viewing area incorporating relevant international symbols of access or deafness, that can easily be read by a person when standing or seated and incorporating raised tactile and Braille elements.
  - » The viewing areas needs shade and shelter and must to be connected to, but located off the continuous accessible path of travel, so as not to provide an obstruction to path users.
  - » A raised viewing area for people who need to remain seated, in areas where viewing is predominantly undertaken by people who are standing. There needs to be an appropriate kerb and handrail on any raised viewing platform to prevent people from falling or rolling over an edge.
  - » Accessible seating spaces must be available in a variety of equitable locations throughout a building or facility, that allow people to sit together, for example, friends and family, person using a wheelchair and person using an assistance animal. There is no inclusive seating for people using wheelchairs in the tiered seating area.
  - » Accessible seating spaces must be provided on a flat area with no gradient and covered. The minimum space for a wheelchair shall not impinge on the dimensions required for isles by more than 250mm or for crossovers by more than 300mm.
  - » Accessible seating spaces shall be adjacent to fixed seating and distributed throughout the public area. Wheelchair spaces that are a minimum of 850mm wide (800mm acceptable if located at the end of a row) and a minimum of 1250mm deep.
  - » Fixed accessible seating spaces must be located within the buildings (café, gym and function centre and club rooms) are to be provided in numbers and sizes that are dependent on their location, the size of the room and their approach.
  - » The fixed seating must have backs and armrests (220 - 300mm above the seat) at a height of 350mm - suitable for children, 450mm - general public use, 520mm - for older adults).
  - » The rows of seating must have adequate space between them to allow people to easily move through.
  - » Signage must be installed within appropriate 'Zones for Viewing' in accordance with Australian Standards.
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## Internal Referral Responses

- » There needs to be adequate width along the concourse to accommodate expected pedestrian volumes. Wheelchair users, scooters & prams in the viewing area, the location of the canteen and toilets are all within close proximity and limited circulation space.
  - » The ramp from the basement Building A to the ground is 1:9 not 1:14 as stated in the AS 1428.1 It needs to be accessible for all people to access the field. Handrails must be at appropriate heights that cater for both adults and children.
  - » The canteen counter of 900mm in height is practical for wheelchair users. It is also a usable height for people standing as well.
  - » The entry ramp is not continuous accessible path of travel from the property entrance; the stairs encroach on the traverse path of travel, and interrupts the flow of pedestrian traffic (stairs).
  - » Ensure two accessible, two Senior and two parents with prams car parking spaces are located in the overflow car parking area closest to the field side.
  - » Handrails on both sides of the entry ramps should be easy to grip and do not create an obstruction to the passage of the hand along the entire handrail.
  - » A raised dome on handrails must be used to notify users of the beginning and end of the stairway (where required).
  - » There needs to be identification of the stairs, for example, colour or signage to assist users to determine their location or level within a building.
  - » There needs to be consistent tread height throughout stairway to reduce risk of trips / falls. Slip resistant step treads in wet and dry conditions along the entire stairway.
  - » Hazard tactile ground surface indicators must be installed at the top and bottom of stairs. Steps require with treads between 150 - 165mm high and a minimum depth of 275 - 300mm.
  - » Ensure enclosed stair risers without any lip overhang and of opaque construction.
  - » Ensure clear, easy to read signage to stairs incorporating relevant international symbols of access or deafness that can easily be read by a person when standing or seated and incorporating raised tactile and Braille elements
  - » Lighting needs to be provided for safe movement within buildings and round the path of travel be uniform and shall comply with AS 1680.0
  - » A hearing augmentation must be installed with signs indicating that assistive hearing devices are installed in the carpark Building B, on the concourse, and throughout Building A on all levels.
  - » All levels of Building A must provide lighting for people with hearing impairment. In the function centre, adequate focused lighting without excessive shadows shall be provided both on the face for the presenter for lip reading and on the interpreter for sign language interpretation.
  - » It is recommended car parking be built to be 2 storeys. (What is being shown will cater for very few public vehicles if the clubs' players and officials and general workers arrive early. This is a consideration for local residents, and attending spectators.)
  - » The top floor of the car parking needs to provide a lift at the cafe end.
  - » Stairways need to be provided at both ends of the car park.
  - » Ground floor needs to have two entrances (in and out) with one at each end.
  - » At least three accessible toilets must be included on the ground floor of Building A.
  - » Access to appropriate toilets for all users including people with mobility challenges, for example, ambulant and unisex accessible toilets within the toilets needs to be provided
  - » All pathways are to be level - no steps.
  - » Accessible parking should to be provided on top floor near the lift.
  - » Accessible parking to be near both in and out entrances to the oval seating.
  - » Area needs to set aside at the front for people in wheel chairs.
  - » An accessible playground near the cafe area should be provided, with ease of parental supervision from cafe verandah and safe access to the playground for children.
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## External Referral Responses

### NSW Police

A new main pedestrian access to connect to the existing Gipps Street pedestrian bridge is proposed from Loftus Street near the corner with Gipps Street, with new pedestrian pathways around the site and landscaped gardens. Police recommend installing CCTV camera covering the access points to the bridge and cameras capturing the entire bridge. Light is also recommended to assist the CCTV cameras at night. It is recommended that adequate lighting be installed around the site and landscaped gardens to reduce hiding spots.

All trees, both within the subject site and those which may be impacted outside of the subject site along Gipps Street and Loftus Street frontages have been assessed. It is recommended that the trees be maintained to prevent overgrowth and light obstructions and consideration to be given for the installation of tree lights along the footpaths to encourage usage of the paths at night, encouraging its use by pedestrians.

Police highly recommend CCTV cameras are installed at all access points. Signage is also encouraged to deter excuse making from possible trespass offenders. There are cost-effective crime prevention measures that can be considered such as solar-sensing lighting and solar garden lights.

Burwood Police would like to conduct an onsite safety assessment of the Concord Ovals finished development, prior to being issued the builders certificate of completion.

### Roads and Maritime Services

Response received: 13 June 2019

Roads and Maritime has reviewed the development application and would provide concurrence to the proposed vehicular crossing works on Gipps Street under Section 138 of the Roads Act 1993, subject to Council's approval and the following requirements being included in the development consent:

1. All buildings and structures, together with any improvements integral to the future use of the site shall be wholly within the freehold property (unlimited in height or depth), along the Parramatta Road and Gipps Street boundary.
2. The design and construction of the vehicular crossing on Gipps Street shall be in accordance with Roads and Maritime requirements. Details of these requirements shall be obtained by email at [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au).

Detailed design plans shall be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

3. The WestConnex project has identified a section of the land which will require non-exclusive access for construction of an air quality monitoring station on the subject site (Attachment A). The WestConnex project team shall be consulted with regard to the location of the monitoring station and any requirements through [dakelly@transurban.com](mailto:dakelly@transurban.com) prior to the issue of a Construction Certificate.
4. All vehicles are to enter and exit the site in a forward direction
5. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018. Parking Restrictions may be required to maintain the required sight distances at the driveway.
6. The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity.
7. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Parramatta Road or Gipps Street.

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8. A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate
  9. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Parramatta Road and Gipps Street during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>

In addition to the above, Roads and Maritime provides the following advisory comments to Council for consideration in its determination of the development application:

1. Roads and Maritime is in the process of developing a road network plan which will provide a framework for improving the operation and management of the Concord to Drummoyne road network which includes Gipps Street.

It is recommended that the 4.81 metre building offset provided at the north-west corner of the site is maintained along the entire Gipps Street boundary frontage, to assist in potential future projects along the corridor.

2. Consideration should also be given to providing bicycle parking facilities either within the development or close to it to support and encourage active transport to the site.
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## **B DCP Compliance Assessment**

# A DCP Compliance Table

Control	Comment	Compliance
<b>Part C – General Controls</b>		
<b>C3 – Vehicle and bicycle parking rates and bicycle storage facilities</b>		
<b>C3.1 Vehicle parking</b>		
<b>General</b>		
C1. Parking should not detract from the streetscape qualities, while meeting the needs of visitors and employees in the commercial areas.	<p>A Traffic and Parking Assessment Report has been prepared to assess the traffic impacts and parking demand of the completed project, please refer to Appendix P.</p> <p>The project when completed and operational will ensure it is consistent with these objectives and controls.</p> <p>Please also refer to the detailed assessment included in the Statement of Environmental Effects.</p>	<p><b>Complies</b></p> <p>The majority of car parking spaces will be located within the basement level (72 spaces) of Building A and the ground floor (132 spaces) under building B. Up to 122 overflow car parking spaces are provided outside. These parking spaces will be located on site and will not detract from the streetscape.</p>
<b>Car spaces</b>		
C2. Parking spaces should be a minimum of 5.4m x 2.4m, with an additional 300mm either side where enclosed (i.e. 5.4m x 3.0m)	As above	<p><b>Complies</b></p> <p>Proposed dimensions are 5.4m x 2.6m</p>
C3. Car parking for people with disabilities should have a minimum dimension of 3.6m x 6m	As above	<p><b>Complies</b></p> <p>Proposed dimensions are 3.6m x 5.4m. However, Council's engineers have stated that the applicable control under Australian Standard 2890.6 for an accessible space is 5.4m.</p>
<b>Commercial</b>		

Control	Comment	Compliance
C10. Parking should not detract from the streetscape qualities, while meeting the needs of visitors and employees in the commercial areas	As above	<b>Complies</b> Parking will be solely located on site therefore will not detract from surrounding streetscape values.
C11. On site car parking should be provided below ground or located within the building and well screened.	As above	<b>Complies</b> Building A – car parking is proposed to be underground Building B – car parking is not underground but within the building and at grade. It will be screen by landscaping. Overflow – parking proposed outside of the buildings and at grade. However, this is considered acceptable as the space is only for occasional use as parking and will have a turf surface.
C12. Vehicular access ways are designed to be integrated with the building and of minimum height and width.	As above	<b>Complies</b> Access ways are designed to be integrated with the building
C13. Loading facilities should be provided in accordance with the current RTA “Guide to Traffic Generating Developments” and AS 2890.2.	As above	<b>Complies</b> The traffic, transport and Parking Assessment states that the loading dock, manoeuvring area and driveway is/will be designed to fully comply with AS2890.2 requirements in terms of manoeuvring, grades, and driveway width.
C14. The provision of parking for different types of development should be in accordance with Table C-C: Business/Office Premises = 1 space per 40m2 GFA Shops - 1 space per 40m2 GFLA Restaurants, Cafes, Take-away food & drink premises = Whichever is the greater of:	The site will include: <ul style="list-style-type: none"> <li>• 90m2 of canteen space</li> <li>• 170m2 of commercial lease zone</li> <li>• 460m2 for West Harbour Rugby</li> <li>• 1,770m2 for Wests Tigers and</li> <li>• 470m2 for Wests Tigers External.</li> </ul> The estimated car parking requirement is:	<b>Complies</b> Given the mixture of uses contained within the proposed facility, the exact number of required spaces is difficult to determine. However, it is considered that the provided number of car spaces is adequate, in consideration of the overflow parking provision.

Control	Comment	Compliance
<ul style="list-style-type: none"> <li>1 space per 6m<sup>2</sup> of serviced area, or</li> <li>1 space per 4 seats.</li> </ul> Recreational facilities <ul style="list-style-type: none"> <li>Squash courts</li> <li>Tennis courts</li> <li>Bowling alleys</li> <li>Bowling greens</li> <li>Gymnasiums</li> </ul> 3 spaces per court 3 spaces per court 3 spaces per alley 30 spaces for first green + 15 spaces for each additional green 7.5 spaces per 100m <sup>2</sup> GFA (desirable) 4.5 spaces per 100m <sup>2</sup> GFA (minimum) Childcare Centres - 1 space for every 4 children in attendance	<ul style="list-style-type: none"> <li>172 spaces for a weekday;</li> <li>191 spaces for a weeknight;</li> <li>291 spaces for daytime on weekends: and</li> <li>77 spaces on a Saturday night.</li> </ul> The proposed car parking numbers are as follows: <ul style="list-style-type: none"> <li>Building A – 72 spaces</li> <li>Building B – 132 spaces</li> <li>Up to 122 overflow car parking spaces</li> </ul> The redevelopment proposal which will have 204 permanent car parking spaces including 8 accessible car spaces, plus an additional 122 overflow parking spaces will therefore have sufficient off-street parking to accommodate the estimated demand.	
C15. Development should be in accordance with the provisions of State Environmental Planning Policy (Infrastructure) 2007.	As above	<b>Complies</b>
<b>Accessible Parking</b>		
C24. Parking provision should be in accordance with Table C-E. Class 5, 7, 8 and 9c - 1 space for every 100 car parking spaces or part thereof Class 9b: (b) Other assembly buildings - 1 space for every 50 car parking spaces or part thereof	As above	<b>Complies</b> The building has been classified by BCA consultants as 5, 7a and 9b. 8 accessible spaces will be provided.

Control	Comment	Compliance
up to 1000 car parking spaces; and for each additional 100 car parking spaces or part thereof in excess of 1000 car parking spaces - 1 space		
<b>C3.2 Bicycle parking</b>		
C1. Bicycle parking and storage facilities should be provided to allow parking or storage of a minimum number of bicycles, in accordance with Table C-F.  Café: Bicycle parking facility - 1 per 25m2 public area Office/Commercial: Bicycle storage facility - 1 per 200m2 Bicycle parking facility - 1 per 750m2	A Traffic and Parking Assessment Report has been prepared to assess the traffic impacts and parking demand of the completed project, please refer to Appendix P. The project when completed and operational can ensure it is consistent with these objectives and controls.  The proposal incorporates a bike store for 34 bicycles in the West Tigers/West Harbour Rugby Club basement car park.  CBDPC does not provide specific bike parking rates for recreational facilities such as sporting facilities/venues.	<b>Not determined</b>  The number of spaces are not stated on the plans provided. This is recommended to be addressed through consent conditions.
C2. Bicycle parking should be made available to customers and staff	A 10% mode split target to bicycles is consistent with the mode split target for bicycles in urban areas, as recommended in Austroads Research Report AP-R528- 16, Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management.  The proposal incorporates a bike store (bicycle parking) for 34 bicycles in the West Tigers/West Harbour Rugby Club basement car park. This represents 10% of the proposed total car parking capacity of 326 car spaces.	<b>Not determined</b>  Bicycle parking availability and locations is to be addressed through consent conditions.
<b>Other non-residential development</b>		
C3. Bicycle storage facilities may be provided as fully enclosed individual lockers (referred to in AS 2890.3 as Class 1 facilities) or as locked compounds (referred to in AS 2890.3 as Class 2 facilities), depending on the type of development and practicality of access to the	A bike store for 34 bicycles will be provided in the West Tigers/West Harbour Rugby Club basement car park.	<b>Not determined</b>  Bicycle storage type, availability and locations is to be addressed through consent conditions.

Control	Comment	Compliance
facility. Compounds should be fitted with a sufficient number of devices to which stored bicycles can be secured (referred to in AS 2890.3 as Class 3 facilities). Bicycle storage facilities should be covered to provide weather protection. A private garage is deemed to be the equivalent of an individual locker space.		
C4. Showers and lockers should be provided close to secure bicycle storage facilities within new commercial and industrial developments	Male and Female Changing rooms and facilities will be located on ground level, in close proximity to the basement bicycle storage.	<b>Complies</b> Change rooms are available in both building A and B
C5. Bicycle storage facilities should generally be designed in accordance with paragraph 2.2 of AS 2890.3	As above	<b>Not determined</b> Details on AS 2980.3 compliance and bike storage have not been supplied. Compliance is recommended to be made a condition of consent.
C6. Bicycle parking facilities on private land should be located so that the minimum clearance between a parked bicycle and the edge of a motor vehicle traffic lane is 600mm and 1000mm where the average traffic speed exceeds 60km/h	As above	<b>Not determined</b> Bicycle storage type, availability and locations is to be addressed through consent conditions.
C7. Bicycle parking facilities should be located so that the minimum clearance (for a pedestrian pass) between a parked bicycle and any other obstruction is 1200mm	As above	<b>Not determined</b> Bicycle storage type, availability and locations is to be addressed through consent conditions.
C8. Bicycle parking facilities should generally be designed in accordance with figure B3 in AS 2890.3. The provision of weather protection for bicycle parking is encouraged.	As above	<b>Not determined</b> Bicycle storage type, availability and locations is to be addressed through consent conditions.
C9. Access paths to bicycle storage or parking facilities should be provided so that the envelope shown in figure 3.1 in AS 2890.3 will fit when projected along the access path.	As above	<b>Not determined</b> Bicycle storage type, availability and locations is to be addressed through consent conditions.

Control	Comment	Compliance
C10. Where an access path to a bicycle storage or parking facility includes stairs, such stairs should include a bicycle wheeling ramp in accordance with figure 7.12 in the Austroads Guide to Traffic Engineering Practice (Part 14 Bicycles). The gradient of the ramp should not exceed 25%	As above	<b>Not determined</b> Bicycle storage type, availability and locations is to be addressed through consent conditions.
C11. Unacceptable bicycle parking and storage facilities are facilities where: a) Only a wheel can be secured but not the bicycle frame; b) The device does not provide stability for the bicycle and may result in damage to the bicycle; and c) The device has a slot in the ground which may get dirty and difficult to use over time.	As above	<b>Not determined</b> Bicycle storage type, availability and locations is to be addressed through consent conditions.
C12. Directional signs advising the public of the location of bicycle parking and storage areas should be harmoniously designed and erected to assist both the facilitation and promotion of the use of these facilities.	As above	<b>Not determined</b> Bicycle storage type, availability and locations is to be addressed through consent conditions.
<b>C4 Waste Management</b>		
<b>C4.1 General controls</b>		
C1. On site storage for waste and recycling facilities must be provided in designated areas for all new developments. The minimum storage space required is to be based on 120 litres of garbage and recycling generated per unit per week. The area should be located so as not to cause offence to adjoining property owners or occupiers with regard to smell, visual appearance, noise disturbance and traffic.	Refer to Waste Management Report	<b>Complies</b>

Control	Comment	Compliance
C2. Source separation facilities and containers shall be provided in kitchens for waste to be divided into separate waste streams to encourage the composting and recycling of materials.	Refer to Waste Management Report	<b>Complies</b>
C3. Common composting facilities should be provided at accessible locations away from dwellings to every residential development for garden waste and organic kitchen waste.	Refer to Waste Management Report	<b>Complies</b>
C4. Consideration should be given to bin storage space for garden organics that are not able to be composted on site ie. thick branches as garden organics cannot be disposed of in Council serviced garbage bins.	Refer to Waste Management Report	<b>Complies</b>
C5. Source separation facilities shall be provided on building sites so that different waste streams may be easily separated during construction and demolition to encourage the re-use and recycling of materials. The source separation facilities are to be clearly indicated on the drawings. Tipping docket for disposal and recovery of all wastes are required to be held on site during this phase and are subject to auditing and/or inspection by Council.	Refer to Waste Management Report	<b>Complies</b>
C6. In the design of buildings waste should be minimised by:  Matching building dimensions to standard sizes of building materials;  Using recycled materials;  Selecting materials that can be re-used or recycled in the future; and  Utilising component parts that may be easily replaced.	Refer to Waste Management Report	<b>Complies</b>



Control	Comment	Compliance
C7. Plans and drawings of the proposed development that highlight the location of and space allocated to the waste management facilities and the nominated waste collection point must be included in the Waste Management Plan. The path of access for both users and collection vehicles must also be highlighted.	Refer to Waste Management Report	<b>Complies</b>
<b>C5 Preservation of trees and vegetation</b>		
<b>C5.1 Pruning and removal of trees</b>		
<p>C1. A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which this development control plan applies if:</p> <p>a) The tree has a height of, or greater than, four (4) metres;</p> <p>b) The tree has a trunk girth of, or greater than, 500mm at any point; or</p> <p>c) The tree is a cycad or mangrove, irrespective of its dimensions</p> <p>without a permit granted by the Council.</p>	N/A	<p><b>Noted</b></p> <p>The proposal seeks approval to remove 56 trees, as set out in the arborist report.</p>
<p>C2. If the tree or other vegetation is or forms part of a Heritage Item or is within a Heritage Conservation Area, then development consent is required.</p> <p>Refer to clause 5.9 of the Canada Bay LEP.</p>	N/A	<p><b>Noted</b></p> <p>Those trees on site with heritage significance are proposed to be retained.</p>
<p>C3. Exemptions: A person will be exempt from the prohibition stated in C1 above with respect to particular tree works if Council establishes that:</p>	N/A	<p><b>N/A</b></p> <p>While the Arborist Report notes that six trees are recommended for removal due to poor health, consent is being sought to remove all 56 trees as part of the DA.</p>

Control	Comment	Compliance
<p>a) The tree was dead or that the works were limited to the removal of dead branches;</p> <p>b) The tree was one of the following exempt species (provided the tree is not listed as a Heritage Item in an environmental planning instrument – in which case the prohibition applies):</p> <p>c) The tree is a declared noxious weed in the local government area of the City of Canada Bay under the Noxious Weed Act 1993; and</p> <p>d) The tree works were limited to the maintenance of a minimum clearance of five hundred (500) millimetres from domestic service leads as specified by Energy Australia, provided that the works were carried out by a qualified or experienced Arborist or Tree surgeon, in accordance with the Australian Standards for the Pruning of Amenity Trees AS 4373-1996.</p>		
<b>C5.2 Assessment of trees</b>		
<p>C1. Council may issue a permit or development consent for the removal of tree(s) if the following criteria are met:</p> <p>a) The tree is a poor specimen and is in decline and or inappropriate for the location;</p> <p>b) The tree has caused significant structural damage and supporting documentation is provided i.e. structural engineer's report; and</p> <p>c) It can be demonstrated that there is an on-going problem with the tree and no other course of action will rectify the problem.</p>	N/A	<p><b>N/A</b></p> <p>The trees are not proposed to be removed for any of these reasons.</p>
<p>C2. Council may issue a permit or development consent for the pruning of tree(s) if the following criteria are met:</p>	N/A	<p><b>N/A</b></p> <p>The trees are not proposed to be removed or pruned for any of these reasons.</p>

Control	Comment	Compliance
<p>a) The tree(s) have structural defects and or disease and remedial pruning (to AS 4373-1996), will improve the health of the tree; and</p> <p>b) The tree(s) require crown thinning (no reduction in height permitted) to reduce weight within the tree if the tree is overhanging property or for other areas deemed appropriate i.e. access issues etc. A percentage no greater than 15% is generally issued.</p> <p>In some circumstances it may be necessary for you to supply, at your cost, an independent arborist's, structural, plumber's and or pest report. A comprehensive report must meet the criteria as outlined in Council's Guidelines for the Preparation of Reports available from Council. The Tree Management Officer will determine if such reports are necessary and such circumstances may include those where there is the possibility that the tree has been deliberately tampered with or extra supporting information is needed.</p>		
<p>C3.</p> <p>a) Where a tree(s) pose a potential hazard to property, the applicant should identify this on the application form. Council may expedite the assessment. No responsibility shall be taken by Council should a tree fail and cause damage or injury prior to inspection and the issue of the Tree Preservation Permit;</p> <p>b) Emergency Permits may be issued to applicants if deemed necessary by Council's Tree Management Officer(s); and</p> <p>c) In respect of potential hazard situations, tree problems do not usually occur in the short term,</p>	N/A	<p><b>N/A</b></p> <p>The trees are not proposed to be removed or pruned for any of these reasons.</p>

Control	Comment	Compliance
(except in the event of physical/mechanical damage i.e. storm activity etc)		
<b>C5.3 Canada Bay tree species</b>		
C1. Trees selected for inclusion in landscaping should comprise native vegetation indigenous to Canada Bay and should be chosen from Table C-H.	N/A	<b>Complies</b> A schedule of tree species has been provided.
<b>C9 Crime Prevention Through Environmental Design (CPTED)</b>		
C1. Active spaces and windows of habitable rooms within buildings are to be located to maximise casual surveillance of streets, laneways, parking areas, public spaces and communal courtyard space	N/A	<b>Complies</b> A CPTED report has been provided in support of the development. The report considers the proposal against five CPTED principles and found that: <ul style="list-style-type: none"> <li>i. The redevelopment either has, or will, consider CPTED principles and their application prior to 90+% design development-detail.</li> <li>ii. The redevelopment complies with regulation guidelines within the NSW Environmental Planning and Assessment Act, 1979 and with the crime prevention policy of the City of Canada Bay (Council).</li> </ul>
C2. In commercial, retail or public buildings, facilities such as toilets and parents rooms are to be conveniently located and designed to maximise casual surveillance to facility entries.		
C3. Minimise blind-corners, recesses and other external areas that have the potential for concealment or entrapment.		
C4. Building entries are to be clearly visible, unobstructed and easily identify able from the street, other public areas and other development. Where practicable lift lobbies, stairwells, hallways and corridors should be visible from the public domain		
C5. Ground floors of non-residential buildings, the non-residential component of mixed use developments, and the foyers of residential buildings, are to be designed to enable surveillance from the public domain to the inside of the building at night		

Control	Comment	Compliance
C6. Pedestrian routes from car parking spaces to lift lobbies are to be as direct as possible with clear lines of sight along the route.		
C7. Where dwelling units have individual main entries directly from a public space, the entry is to include a clearly defined transitional space between public and private areas.		
C8. Building details such as fencing, drainpipes and landscaping are to be designed so that illegitimate access is not facilitated by the opportunity for foot or hand-holds, concealment and the like.		
<b>Part D - Heritage</b>		
D1 Heritage reports to accompany development applications	A Heritage Report has been provided	<b>Complies</b> A statement of heritage impact has been provided in support of the DA. Council's Heritage Advisor is in support of the proposal, subject to conditions.
<b>Part H – Signage and Advertising</b>		
C1. The minimum controls for all signs are included in Table H-A.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C2. The following signs and advertising structures are not considered to be appropriate: a) Signs erected or attached to the sides of buildings where such side is adjacent to residences or residential flat buildings, or where the side of the building faces a residential street unless special circumstances as determined by Council are considered to exist; b) Signs or advertisements other than those relating to the occupier(s) of the building;	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.



Control	Comment	Compliance
c) Flashing, moving, or video signs; d) More than one (1) projecting wall sign, flush wall sign or painted wall sign per building, or any such sign which is not exclusively for business or building identification purposes; e) Signs located on an awning or signs attached above the awning; f) Any sign or signboard exhibited on Council's footpath; g) Signs attached above the roof; h) Permanent inflatable signs; i) Flag pole signs; and j) Signs of more than 20m <sup>2</sup> in area or 8.0 metres in height.		
<b>H3 Sign proliferation and dominance</b>		
C1. Signs, other than those relating to the occupier of the building are not permitted.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C2. Maximum size/area and number are included in Table H-A.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C3. The number of advertisements displayed on any site should be minimised in order to avoid visual clutter and duplication of message.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C4. Signs should be designed to provide clear property and business identification without dominating the site or the streetscape.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C5. Signage should be visually sub-ordinate to the building as a whole and its façades.	N/A	<b>Not determined</b>

Control	Comment	Compliance
		Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C6. In multi-tenanted buildings, a single coordinated free-standing advertisement or directory board should be used.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
<b>H4 Sign dimensions</b>		
C1. Maximum size/area and number are included in Table H-A	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C2. The supporting structure of free-standing advertisements should be of dimensions which provide good visual balance to the structure in addition to the necessary structural supports.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C3. Supporting structures should not dominate the sign, building or streetscape.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C4. Free standing signs and advertisements on multi-tenanted buildings should be limited to one per building.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
<b>H5 Integration</b>		
C1. Signs attached to buildings should be of appropriate colour, scale and proportion, and of an integrated design that is coordinated with the architectural form and design of the building upon which the advertisement or advertising display is located.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.
C2. Free-standing advertisements should not rely upon the removal of trees or lopping of branches in order to be visible.	N/A	<b>Not determined</b> Signage details have not been provided. Conditions of consent are recommended in relation to signage.

Control	Comment	Compliance
<b>H7 Concord Oval and Drummoyne Oval Signage</b>		
<p>C1. Signage is to be located so as to be visible only to persons attending the organised sports activities on the reserve and should not face outward (see figure H7.1).</p> <p>The protection of views into and within public areas is to be maintained and enhanced. Signage is only permitted on fencing around the sporting field. Applications for signage on grandstands and scoreboards at Concord and Drummoyne ovals will be considered based on merit assessment.</p> <p>Signage on perimeter fences shall face inwards towards the sporting facility and shall be restricted to the height of the fence surrounding the sporting field.</p> <p>Where the rear side of the sign is visible from any road, street or waterway, the rear side shall be treated in a manner so as to blend with the existing fence structure. The visibility of the signage from the surrounding roads, streets, waterways or residential areas is to be minimised.</p>	N/A	<p><b>Not determined</b></p> <p>Signage details have not been provided. Conditions of consent are recommended in relation to signage.</p>
<p>C2. Illuminated, animated, flashing or moving signs are not permissible.</p> <p>No signage is to be painted directly onto a fence or other structure. All signage must include the sporting clubs name on at least 25% of the overall area of the sign.</p> <p>Signage content is restricted to information about the sponsors of the teams or organisations using the sporting facility or about the products of those sponsors.</p>	N/A	<p><b>Not determined</b></p> <p>Signage details have not been provided. Conditions of consent are recommended in relation to signage.</p>

Control	Comment	Compliance
<p>Where permissible, signage on scoreboards, grandstands etc, shall not exceed the width of the structure by more than 1 metre. No signs are to extend above the existing height of the structure.</p> <p>Signage is not to contain any advertisements for cigarettes.</p>		
<p>C3. The applicant is to be responsible for maintaining signage in a good state of repair.</p> <p>All sporting bodies and advertisers are to be made aware that signs may be removed or covered up during special "one off" events.</p>	N/A	<p><b>Not determined</b></p> <p>Signage details have not been provided. Conditions of consent are recommended in relation to signage.</p>
<b>H8 Architectural amenity and residential character</b>		
C1. The scale of advertising signs should be compatible with the buildings they are on, nearby buildings, street widths and other existing signs.	N/A	<p><b>Not determined</b></p> <p>Signage details have not been provided. Conditions of consent are recommended in relation to signage.</p>
C2. On buildings with decorative facades, signs should not be placed on the decorative forms or mouldings. Instead they should appear on the undecorated wall surfaces, unless architecturally designed sign panels are provided	N/A	<p><b>Not determined</b></p> <p>Signage details have not been provided. Conditions of consent are recommended in relation to signage.</p>
C3. Where commercial areas adjoin residential areas, signs should not be permitted on walls facing adjoining dwellings.	N/A	<p><b>Not determined</b></p> <p>Signage details have not been provided. Conditions of consent are recommended in relation to signage.</p>

# C Recommended Conditions of Consent



