

## Table 1 – Agreed Amendments to conditions

2 Myrtle Street, Botany (Botany Aquatic Centre)

DA-2021/187

PPSSEC-131

Condition	Applicant's Proposed wording/Delete	Applicant's Reason	Council response	Agreed Outcome
21.  Aquifer Interference Activity	The approved works will require penetration of the water table, and an aquifer interference approval is therefore required, pursuant to section 91 of the Water Management Act 2000. This application must be approved prior to the	Incomplete condition.	Condition to be amended as follows: "The approved works will require penetration of the water table, and an aquifer interference approval is therefore required, pursuant to section 91 of the Water Management Act 2000. This application must be approved prior to the commencement of any excavation works".	Amend Condition 21 to read as follows:  <i>"The approved works will require penetration of the water table, and an aquifer interference approval is therefore required, pursuant to section 91 of the Water Management Act 2000. This application must be approved prior to the commencement of any excavation works".</i>
25. Landscaping Plan	Remove sub-condition (g):  <del>g) — Lighting Plan: All publicly accessible areas should be designed to a minimum category P7 rating. Plans to indicate the Australian Standard P rating that the lighting has been designed to. Locations for</del>	Goes beyond the scope of this application and would be accommodated in Stage 2 DA which includes the redesign of the centre itself.	Agree to delete.	Delete Condition 25(g).

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	<del>meter/switchboards and finish/treatment is required.</del>			
25. Landscaping Plan	Remove the following text (line through)  e) All areas and furniture shall be fully accessible. <del>Picnic tables and chairs in BBQ areas including BBQ equipment shall have inclusive access.</del>	A number of the existing BBQ area, picnic tables and chairs are outside of the project scope for Stage 1. These will not be effected by the project, but will not be made good if they do not meet accessibility requirements.	Agree to delete text as requested by Applicant.	Amend Condition 25(e) to read as follows:  (e) All areas and furniture shall be fully accessible.
25. Landscaping Plan	Remove:  f) <del>Irrigation plans: Separate irrigation system shall be installed for all public areas where appropriate. Details of irrigation system for all different areas, include irrigation for tree pits, meter location, backflow and subsurface.</del>	Irrigation is outside of the scope for Stage 1.	Amend condition to require irrigation of new landscaped areas that form part of this application.	Amend Condition 25(f) to read as follows:  (f) Irrigation plans: Separate irrigation system shall be installed for all new landscape areas that are associated with this application. Details of irrigation system for all these areas including irrigation for tree pits, meter location, backflow and subsurface".
61. Construction hours and Noise	Change title of condition 61 from Construction hours and	This is because the ICNG does provide for work outside of standard hours subject to certain	Adopt the following condition:  Retain 61(a).	Adopt the following condition:  Retain 61(a).

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	noise to 'Standard Construction Hours'.	requirements (eg if an oversize delivery is required that has to happen at night when roads are quiet)	<p>Delete 61(b).</p> <p>Amend 61(c) as follows:</p> <p>(i) Hours of construction shall be confined to between 7:00am and 5:00pm Mondays to Saturdays, with no work being carried out on Sundays or public holidays.</p> <p>(ii) Notwithstanding (a) above, a variation to the hours of work specified above is acceptable when approved in writing by Council's Director City Futures or his nominee in advance of the proposed out of hours works. Any request to alter these hours of construction shall be:</p> <p>A. justified and considered on a case by case basis;</p> <p>B. accompanied by details of the nature and need for activities to be undertaken during the varied construction hours; and</p> <p>C. accompanied by any information necessary to evaluate the amenity of environmental impacts of the proposal.</p>	<p>Delete 61(b).</p> <p>Amend 61(c) as follows:</p> <p>(i) Hours of construction shall be confined to between 7:00am and 5:00pm Mondays to Saturdays, with no work being carried out on Sundays or public holidays.</p> <p>(ii) Notwithstanding (a) above, a variation to the hours of work specified above is acceptable when approved in writing by Council's Director City Futures or his nominee in advance of the proposed out of hours works. Any request to alter these hours of construction shall be:</p> <p>A. justified and considered on a case by case basis;</p> <p>B. accompanied by details of the nature and need for activities to be undertaken during the varied construction hours; and</p> <p>C. accompanied by any information necessary to evaluate the amenity of environmental impacts of the proposal.</p> <p>D. accompanied by written</p>

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			<p>D. accompanied by written confirmation from any relevant agency or stakeholder that:</p> <ul style="list-style-type: none"> <li>- consultation to vary the hours of construction has been undertaken;</li> <li>- acknowledgement of the necessity of the works to be undertaken;</li> <li>- agreement of the dates and times of extension to hours; and</li> </ul> <p>E. Upon approval of a variation, the proponent must notify all occupants of the residential buildings fronting Myrtle Avenue and Jasmine Street prior to commencement of work. The notification letter is to provide details of the dates and times of the extended construction hours.</p> <p>Retain 61(d)</p>	<p>confirmation from any relevant agency or stakeholder that:</p> <ul style="list-style-type: none"> <li>- consultation to vary the hours of construction has been undertaken;</li> <li>- acknowledgement of the necessity of the works to be undertaken;</li> <li>- agreement of the dates and times of extension to hours; and</li> </ul> <p>E. Upon approval of a variation, the proponent must notify all occupants of the residential buildings fronting Myrtle Avenue and Jasmine Street prior to commencement of work. The notification letter is to provide details of the dates and times of the extended construction hours.</p> <p>Retain 61(d)</p>
75(d) - Landscaping	<p>Delete (d)</p> <p><del>Parking area new tree planting shall be in advanced form. New trees at time of inspection shall have a minimum height of 2.4</del></p>	<p>The assessment reports notes – <i>"The planting sought within the car park area, as required by Part 3L of BBDCP 2013, was not provided and the Landscape</i></p>	<p>Agree to delete.</p>	<p>Delete proposed Condition 75(d).</p>

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	<del>meters, calliper at 300mm greater than 50mm, with a clear trunk height of 1.5 meters, installed with stakes and ties within a mulch bed 75mm deep.</del>	<p><i>Architect had recommended that it be required by a condition consent. However, the independent assessment concluded that this was not necessary for the subject application, as discussed elsewhere in relation to Part 3L of BBDCP 2013."</i></p> <p>As a result of this assessment, Condition 75 should be removed.</p>		
86. Green Travel Plan	Delete	<p>The water slides and aqua play area replace previous slides and will utilise the existing facilities within the centre. No further transport improvements are required as the majority of the aquatic centre will be unchanged. As such, this requirement goes beyond the scope of works. A Green Travel Plan can be included as part of the broader DA in stage 2.</p>	Agree to delete.	Delete proposed Condition 86.

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		<p>If deletion is not agreed, a revised version of this condition that limits to point a,d,e, should be included.</p> <p>End of trip facilities will be included as part of Stage 2 and are not relevant to this proposal.</p>		
93. Green Travel Plan and Transport Access Guide	Delete	As per above.	Agree to delete.	Delete proposed Condition 93.