

Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

The Planning Assessment Commission of New South Wales (the Commission) approves the project referred to in Schedule 1, subject to the conditions in Schedule 2 and the Statement of Commitments in Schedule 3.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



Member of the Commission



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Sydney

7 February 2011

SCHEDULE 1

Application No.:	MP 10_0097
Proponent:	Australian Jockey Club Limited
Approval Authority:	Minister for Planning
Land:	Lot 1642 DP 752011, Lot 1588 DP 752011 & Lot 1 DP 130234
Project:	<p>Redevelopment of the Spectator Precinct including:</p> <ul style="list-style-type: none">• Substantial alterations and additions to the existing Queen Elizabeth (QE) II stand.• Demolition and rebuild of the Paddock stand.• Construction of a new “link building” structure between the QEII and Paddock stands.• Construction of a new parade ring to the rear of the QEII and Paddock stands with associated amphitheatre style seating to establish a “Theatre of Horse”.• Construction of a three storey Owners and Trainers Pavilion building adjacent to the parade ring.• Construction of a new amenities building.• Adaptive reuse of the existing Swab Building to accommodate a racing museum and members sign up area including a conference facility for a maximum of 100 people and a café facility.• Demolition of the existing Randwick Pavilion and Tea House buildings.• Demolition of the existing escalator structures to the rear of the grandstands.• Associated services infrastructure upgrades, civil and landscape works.

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DEFINITIONS

In this approval the following definitions apply:

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Randwick City Council
DECCW	Department of Environment, Climate Change and Water or its successors
Department	Department of Planning or its successors
Director General	Director General of the Department of Planning, or nominee
DITRDLG	Department of Infrastructure, Transport, Regional Development & Local Government or its successors
EA	Environmental Assessment titled <i>Royal Randwick Racecourse Spectator Precinct Redevelopment dated October 2010</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Evening	The period from 6pm to 10pm
GFA	Means gross floor area
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Minister	Minister for Planning, or nominee
NOW	NSW Office of Water
Project	The project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Schedule 2, Part A, Condition A2
Proponent	Australian Jockey Club Limited, or anyone else entitled to act on this Approval
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
RRR	Royal Randwick Racecourse
RTA	Roads and Traffic Authority
SACL	Sydney Airport Corporation Limited
SRDAC	Sydney Regional Development Advisory Committee
Statement of Commitments	The proponent's Statement of Commitment in Schedule 3
STA	State Transit Authority
Subject Site	As shown in Figure 2 of Director General's Report for the redevelopment of Spectator Precinct
TNSW	Transport NSW

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

A1 Development Description

Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1, and development must be carried out consistently with the Statement of Commitments (attached as Schedule 3).

These conditions of approval do not relieve the proponent of its obligations under the EP&A Act or any other Act.

A2 Development in accordance with plans and documents

The development will be undertaken in accordance with the following drawings and documents:

<i>Environmental Assessment Royal Randwick Racecourse Spectator Precinct Redevelopment and Appendices prepared by Urbis, October 2010</i>			
<i>Architectural (or Design) Drawings prepared by Fitzpatrick + Partners and Tonkin Zulaikha Greer Architects</i>			
Drawing No.	Revision	Name of Plan	Date
DA-05	A	Existing Roof Plan	23/09/2010
DA-06	A	Proposed Roof Plan	23/09/2010
DA-07	A	Proposed Site Plan	23/09/2010
DA-08	A	Proposes site Elevation	23/09/2010
DA-09	A	Grandstand Basement 2	23/09/2010
DA-10	A	Grandstand Basement 1	23/09/2010
DA-11	A	Grandstand Ground	24/09/2010
DA-12	A	Grandstand Level 1	23/09/2010
DA-13	A	Grandstand Level 2	23/09/2010
DA-14	A	Grandstand Level 3	23/09/2010
DA-15	A	Grandstand Level 4	23/09/2010
DA-16	A	Grandstand Level 5	23/09/2010
DA-17	A	Grandstand Level 6	23/09/2010
DA-18	A	Grandstand Level Plant	23/09/2010
DA-19	A	Grandstand Level Roof	23/09/2010
DA-20	A	QEII Section A-A (Existing)	24/09/2010
DA-21	A	QEII Section A-A (Demolition)	24/09/2010
DA-22	A	QEII Section A-A (Proposed)	24/09/2010
DA-23	A	Paddock Sect BB & Link Sect C-C	23/09/2010
DA-24	A	Elevation NW-SE	24/09/2010
DA-25	A	Elevation SW-NE	24/09/2010
DA-30	A	Parade Ring Ground	23/09/2010
DA-31	A	Parade Ring Level 1	23/09/2010
DA-32	A	Section A-A & B-B	23/09/2010
DA-33	A	Section C-C & D-D & E-E	23/09/2010
DA-60	A	Cut and Fill Plan	23/09/2010
DA-70	A	Materials and Finishes Schedule	24/09/2010
DA-71	A	Materials & Finishes Board	6/10/2010
A-000	A	Cover Sheet/Drawing List/Legend	21/09/2010
A-010	A	Site Plan	21/09/2010
A-011	A	Site Elevation	21/09/2010
A-100	C	Ground Floor Plan	06/09/2010
A-101	C	Roof Plan	06/09/2010
A-200	C	North & South Elevations	06/09/2010
A-201	C	West & East Elevations	06/09/2010
A-300	C	Cross & Longitudinal Sections	06/09/2010
A-400	A	Materials & Finishes Sample Board	21/09/2010

A3 Compliance with the Building Code of Australia

Work must be carried out in accordance with the requirements of the *Building Code of Australia*.

A4 Development Expenses

It is the responsibility of the proponent to meet all expenses incurred in undertaking the development including expenses incurred in complying with conditions imposed under this approval.

A5 Non-Race Day Events/Functions

A separate Development Application is required to be submitted to and approved by Council with regard to any non-race day events/functions to be carried out within the Spectator Precinct of the RRR (unless exempt from approval under other relevant planning legislations).

A6 NSW Office of Water Requirements

Licences under Part V of the *Water Act 1912* are required for the works for purposes of temporary dewatering as part of proposed construction. The following conditions relate to the basis for issuing a licence for temporary dewatering and the necessary supporting information to enable the assessment by the NSW Office of Water.

A6.1 General and Administrative Issues

- a. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering.
- b. Pumped water (tailwater) shall not be allowed to discharge off-site (eg adjoining roads, stormwater system, sewerage system, etc) without the controlling authorities approval and/or owners consent.
- c. The licensee shall allow (subject to Occupational Health and Safety Provisions) the NSW Office of Water or any person authorised by it, full and free access to the works (excavation or bore/borefield), either during or after construction, for the purpose of carrying out inspection or test of the works and its fittings and shall carry out any work or alterations deemed necessary by the NSW Office of Water for the protection and proper maintenance of the works, or the control of the water extracted to prevent wastage and for the protection of the quality and prevention from pollution or contamination of the groundwater.
- d. If a work is abandoned at any time the licensee shall notify the NSW Office of Water that the work has been abandoned and seal off the aquifer by such methods as agreed to or directed by the NSW Office of Water.
- e. The following documents are to be supplied to the NSW Office of Water in a form suitable to the Office:
 - A report predicting the impacts of pumping on any licensed groundwater users or groundwater dependent ecosystems in the vicinity of the site. Any adverse impacts will not be allowed and the project will need to be modified.
 - A report assessing the potential for salt water intrusion to occur as a result of the dewatering. This report is only required for sites within 250m of any marine or estuarine foreshore area. The generation of conditions leading to salt water intrusion will not be allowed, and the proposal will need to be modified.
 - Descriptions of the methods used and actual volume of groundwater to be pumped (kilolitres/megalitres) from the dewatering works, the works locations, the discharge rate (litres per second), duration of pumping (number of days/weeks), the amount of lowering of the water table and the anticipated quality of the pumped water.
 - Descriptions of the actual volume of pumped water (tailwater) to be reinjected (kilolitres/megalitres), the reinjection locations, the disposal rate (litres per second), duration of operation (number of days/weeks) and anticipated quality of treated water to be reinjected.
 - Monitoring of groundwater levels (minimum of 3 weekly measurements of depth to water at a minimum of 3 locations broadly distributed across the site) beneath the proposed development site prior to construction. This requirement is only for sites where the proposed structure shall extend greater than one floor level into the existing ground level.

A6.2 Specific Conditions

- a. The design and construction of the structure must preclude the need for permanent dewatering.
- b. The design and construction of the structure that may be impacted by any watertable must include a water proof retention system (i.e. a fully tanked structure) with adequate provision for future fluctuations of water table levels. (It is recommended that a minimum allowance for a water table variation of at least +/-1.0 metre beyond any expected fluctuation be provided). The actual water table fluctuation and fluctuation safety margin must be determined by a suitably qualified professional.
- c. Construction methods and material used in and for construction are not to cause pollution of the groundwater.
- d. Monitoring of groundwater levels is to be continued at least weekly during the construction stage and at least weekly over a period of at least 2 months following cessation of dewatering, with all records being provided to the NSW Office of Water on expiration of the licence. This requirement is only for sites where the proposed structure shall extend greater than one floor level into the existing ground level.
- e. Groundwater quality testing must be conducted (and report supplied to the NSW Office of Water). Samples must be taken prior to the commencement of dewatering, (and ongoing to the satisfaction of the NSW Office of Water for any extraction and reinjection activities). Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria.
- f. Discharge of any contaminated pumped water (tailwater) that is not to be reinjected, must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority. The method of disposal of pumped water (i.e. street drainage to the stormwater system or discharge to sewer) and written permission from the relevant controlling authority must be presented to the NSW Office of Water in support of the licence application.
- g. Discharge of any contaminated pumped water (tailwater) that is to be reinjected, must comply with the provisions of the *Protection of the Environment Operations Act 1997*. The quality of any pumped water (tailwater) that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site. Contaminated groundwater is not to be reinjected into any aquifer. The following must be demonstrated in writing:
 - The treatment to be applied to the pumped water (tailwater) to remove any contamination.
 - The measures to be adopted to prevent redistribution of any contamination in the groundwater system. Any reinjection proposal that is likely to further spread contamination within the groundwater system will not be allowed and the project will need to be modified.
 - The means to avoid degrading impacts on the identified beneficial use of the groundwater. Any reinjection proposal that is likely to lower the identified beneficial use of a groundwater system will not be allowed and the project will need to be modified.
- h. Written advice be provided from the Certifying Authority to the NSW Office of Water to certify that the following ground settlement issues have been addressed in reports submitted by the proponent:
 - Assessment by a suitably qualified geotechnical professional that the proposed dewatering activity does not pose an unacceptable risk of off-site impacts such as damage to surrounding buildings or infrastructure as a result of differential sediment compaction and surface settlement during and following pumping of groundwater.
 - Settlement monitoring activities to be undertaken prior to, during and for the required period of time following the dewatering pumping to confirm the impact predictions.
 - Locations of settlement monitoring points, and schedules of measurement.

A6.3 Formal Application Issues

- a. An application must be completed on the prescribed form for the specific purpose of temporary construction dewatering and a licence obtained from the NSW Office of Water prior to the installation of the groundwater extraction works. A plan drawn to scale will be required with the application clearly identifying the location of the dewatering installations.

- b. Upon receipt of an approval from the Department of Planning a fully completed licence application form, unambiguous documentation of the means by which the below-ground areas of the development will be designed and constructed to prevent any groundwater seepage inflows (and therefore preclude any need for permanent or semi-permanent pumping), together with all other required supporting information, the NSW Office of Water will issue a Water Licence under Part 5 of the *Water Act, 1912*.
- c. A licence application under Part 5 of the *Water Act 1912* must be accompanied by a \$151.00 fee and must specify the proposed volume of groundwater to be pumped in total (megalitres). The licence is also subject to administrative charges as determined from time to time by the Independent Pricing and Regulatory Tribunal (IPART).

The Construction Certificate and all works on the development site must comply with any requirements of the New South Wales Office of Water.

A7 NSW Police Requirements

The redevelopment of Spectator Precinct must incorporate the recommendations of the Safer by Design Crime Risk Evaluation report prepared by the NSW Police Force and received by Council on 15 November 2010.

A8 State Transit Authority (STA) Requirements

A copy of the traffic management plan or Traffic Control Plan for any road closures that may impact on bus operations, particularly those related to the demolition and construction stages are to be submitted to the STA. Any impact on a bus stop or bus stop infrastructure in relation to this development will need to be provided to STA for review.

A9 NSW Health Requirements

- A9.1 The plumbing for the rainwater tanks requires colour coding in accordance with Enhealth Guidelines to prevent cross-connection with the potable water supply especially with respect to the proposed construction of stable residences. The plumbing should also comply with Australian Standard AS/NAS 3500 NSW Plumbing Code of Practice – which sets out the variations that meet the requirements of water utilities in Sydney and country areas of NSW.
- A9.2 Copies of any additional contamination reports prepared for the site are forwarded to the Public Health Unit for Human Health Risk Assessment and comment.

A10 Mediation

Where this approval requires further approval from Council or State Authorities, the parties shall not act unreasonably preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director-General, the matter is to be referred to the Director-General for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution.

A11 Approval Time Limit

This approval is liable to lapse within 5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

PART B – PRIOR TO THE CERTIFICATION OF BUILDING WORK

B1 Building Work

Prior to the commencement of any building works, a construction certificate must be obtained from the council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.

A copy of the construction certificate, the approved plans and development approval conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.

The works must be inspected by the Principal Certifying Authority, in accordance with sections 109 E (3) of the Environmental Planning & Assessment Act 1979 and clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, development approval and the construction certificate.

B2 Developer Contributions

In accordance with Council's Section 94A Development Contributions Plan effective from 2 July 2007, the applicant must pay to Council the applicable monetary levy, being 1% of the Capital Investment Value of the project. Prior to the issuing of a construction certificate a revised report, prepared at the applicant's cost shall be submitted to Council setting out an estimate of the proposed cost of carrying out the development for the purposes of clause 25J of the Environmental Planning & Assessment Regulation in order to determine the amount of the monetary levy payable.

Fifty (50) percent of the total levy must be paid prior to a construction certificate being issued for the proposed development. A bank guarantee for the remaining fifty (50) percent of the levy must also be provided to Council prior to a construction certificate being issued. The remaining fifty (50) percent of the levy must then be paid in full to Council within two years of the date of issuing of the construction certificate or prior to the issuing of an occupation certificate (whichever occurs first).

B3 Disabled Access

Access and facilities for people with disabilities must be provided to new buildings and new building work, in accordance with the relevant provisions of the Building Code of Australia, to the satisfaction of the Certifying Authority and details are to be provided with the Construction Certificate application.

B4 Construction Traffic Management

Prior to the issue of a construction certificate the applicant shall submit for approval and have approved by Council's Traffic Engineer a detailed construction traffic management plan. The plan shall demonstrate how construction and delivery vehicles will access the development site during the demolition and construction phase of the development.

All traffic associated with the subject development shall comply with the terms of the approved construction traffic management plan.

B5 Sydney Water – Notice of Requirements

An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the *Sydney Water Act 1994* (Compliance Certificate) prior to certification of any Crown building works.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

B6 Stormwater and Drainage

B6.1 Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage for the proposed developments, (i.e. excluding roads and reserves to be dedicated to Council), shall be submitted to and approved by the certifying authority prior to a construction certificate being issued. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a construction certificate being issued, if the Council is not the certifying authority. The drawings and details shall include the following information:

- a) A detailed drainage design supported by a catchment area plan, at a scale of 1:100 or as considered acceptable to the Council or an accredited certifier, and drainage calculations prepared in accordance with the Institution of Engineers publication, Australian Rainfall and Run-off, 1987 edition.
 - b) A layout of the proposed drainage system including pipe sizes, type, grade, length, invert levels, etc., dimensions and types of all drainage pipes and the connection into Council's stormwater system.
 - c) Generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (i.e. above the 1 in 20 year storm) to the proposed drainage system.
 - d) The separate catchment areas within the site, draining to each collection point or surface pit are to be classified into the following categories:
 - i. Roof areas
 - ii. Paved areas
 - iii. Grassed areas
 - iv. Garden areas
 - e) Where buildings abut higher buildings and their roofs are "flushed in" to the higher wall, the area contributing must be taken as: the projected roof area of the lower building, plus one half of the area of the vertical wall abutting, for the purpose of determining the discharge from the lower roof.
 - f) Proposed finished surface levels and grades of car parks, internal driveways and access aisles which are to be related to Council's design alignment levels.
 - g) The details of any special features that will affect the drainage design eg. the nature of the soil in the site and/or the presence of rock etc.
- B6.2 All stormwater run-off naturally draining to the site must be collected and discharged through this property's stormwater system for all storms up to and including the critical 1 in 20 year ARI event.
- B6.3 The internal stormwater drainage system must be suitably designed such that stormwater discharge from the development site for all storms up to the 1 in 20 year storm event does not exceed that which would occur for the 1 in 10 year storm 1 hour duration for the existing site conditions. The Construction Certificate application must demonstrate compliance with this requirement. Compliance with this condition is likely to require the applicant to either construct a new onsite stormwater detention system or to modify the existing onsite stormwater detention systems. Full details of the proposed onsite stormwater detention system must be forwarded to Council, (should Council not be the Certifying Authority) prior to the issuing of a Construction Certificate.
- B6.4 Should the above site be likely to encounter groundwater, (i.e. excavation will be within the water table), the basement levels, tunnel or similar structures are to be suitably tanked and waterproofed. A Structural Engineer\Geotechnical Engineer shall certify the tanking & waterproofing has been carried out to an acceptable standard, to the satisfaction of the certifying authority. A copy of the certification is to be forwarded to Council.

Notes:-

Adequate provision is to be made for the ground water to drain around the basement area (to ensure that the basement will not dam or slow the movement of the ground water through the development site). Groundwater is not to be collected and discharged from the development site.

B7 Warm Water Systems/Cooling Towers

Any Warm water systems and/or Cooling Towers must be designed, installed and maintained in accordance with the requirement of the Public Health Act 1991 (Part 4 Microbial Control) and Regulations. The air handling system cooling tower must be designed, installed and operated in accordance with the relevant requirements of AS/NZS 3666.1 (2002), AS/NZS 3666.2 (2002) and AS/NZS 3666.3 (2000). Details of compliance must be provided with the construction certificate application. Waste water from cooling tower warm water systems are to be discharged to the sewer under a Trade Waste Agreement from Sydney Water.

B8 Food Premises

All food premises are to be designed, constructed and operated in accordance with the Food Act 2003, Food Regulation 2004, Australia & New Zealand Food Standards Code and Australian Standard AS 4674-2004, Design, construction and fit-out of food premises and details of compliance are to be included in the documentation for the **construction certificate** to the satisfaction of the certifying authority.

The design, construction and operation of all food premises must comply with the following requirements, as applicable:-

- a) The floors of kitchens, food preparation areas and the like are to be constructed of materials which are impervious, non slip and non abrasive. The floor is to be finished to a smooth even surface, graded and drained to a floor waste connected to the sewer. The intersection of walls with floor and plinths is to be coved, to facilitate cleaning.
- b) Walls of the kitchen preparation areas and the like are to be of suitable construction finished in a light colour with glazed tiles, stainless steel, laminated plastics or similar approved material adhered directly to the wall adjacent to cooking and food preparation facilities or areas, to provide a smooth even surface.

The glazed tiling or other approved material is to extend up to the underside of any mechanical exhaust ventilation hoods and a minimum of 450mm above bench tops, wash hand basins, sinks and equipment.

- c) Walls where not tiled are to be cement rendered or be of rigid smooth faced non-absorbent material (i.e. fibrous cement sheeting, plasterboard or other approved material) and finished to a smooth even surface, painted with a washable paint of a light colour or sealed with other approved materials.
- d) The ceilings of kitchens, food preparation areas, storerooms and the like are to be of rigid smooth-faced, non absorbent material (i.e. fibrous plaster, plasterboard, fibre cement sheet, cement render or other approved material), with a light coloured washable paint finish. 'Drop-down' ceiling panels must not be provided in food preparation or cooking areas.
- e) All stoves, refrigerators, bain-maries, stock pots, washing machines, hot water heaters, large scales, food mixers, food warmers, cupboards, counters, bars etc must be supported on wheels, concrete plinths a minimum 75mm in height, metal legs minimum 150mm in height, brackets or approved metal framework of the like.
- f) Cupboards, cabinets, benches and shelving may be glass, metal, plastic, timber sheeting or other approved material. The use of particleboard or similar material is not permitted unless laminated on all surfaces.
- g) Fly screens and doors with self-closing devices, are to be provided to all external door and window openings and an electronic insect control device/s are to be provided in suitable locations within the food premises.
- h) Mechanical ventilation exhaust systems are to be installed where cooking or heating processes are carried out in the kitchen or in food preparation areas, where required under the provisions of Clause F4.12 of the BCA and Australian Standard AS 1668 Parts 1 & 2.

Emission control equipment shall be provided in mechanical exhaust systems serving the cooking appliances, to effectively minimise the emission of odours, vapours and oils.

- i) Wash hand basins must be provided in convenient positions located in the food preparation areas, with hot and cold water, together with a sufficient supply of soap and clean towels. The hot and cold water must be supplied to the wash hand basins through a suitable mixing device.
- j) Cool rooms or freezers must have a smooth epoxy coated concrete floor, which is to be sloped to the door. A floor waste connected to the sewer is to be located outside the cool room/freezer. The floor waste should be provided with a removable basket within a fixed basket arrestor and must comply with Sydney Water requirements.
- k) All cool rooms and freezers must be able to be opened from the inside without a key and fitted with an alarm (bell) that can only be operated from within the cool room/freezer.
- l) Any space or gap between the top of any cool room or freezer and the ceiling must be fully enclosed and kept insect and pest proof (e.g. plasterboard partition with gaps sealed).

B9 Landscape and Tree Management

Landscaping works at the site shall be installed generally in accordance with the Landscape Concept Plan by AECOM, drawing no. L-001, project no. 10503376, issue C, dated 23.09.10, as well as all other additional details contained in Appendix J of the Environmental Assessment in relation to Major Development Application MP 10-0098, for the Royal Randwick Racecourse Stables Precinct Development, dated October 2010.

Prior to the issue of a Construction Certificate, the above referenced Concept Plan must be developed further into more detailed landscape plans and specifications, which must be submitted to, and be approved by, the Certifying Authority, and will need to comply with the following:

- a. All external trees either on Council land on Alison Road, or, within 6 metres of the site boundary must be retained and remain unaffected by the proposed works, with all plans needing to show their location and the extent of their canopies/driplines, with suitable protection measures to be implemented by the site Arborist as part of the overall Tree Management Plan at this site.
- b. Prior to the issue of a Construction Certificate, the Certifying Authority must receive written certification, from a suitably qualified industry professional, which confirms that the design of the proposed playground, playground equipment, soffall and shade sails are in accordance with the relevant Australian Standards and Guidelines.
- c. Prior to the issue of a Final Occupation Certificate, the PCA must obtain certification as described above, confirming that these items comply with the relevant standards and guidelines.
- d. A planting plan at a scale of 1:100 or 1:200 indicating the location of all proposed planting and existing trees to be retained, with all plants to shown at their mature size.
- e. A planting schedule which lists all plants by botanic & common names, as well as quantities, spacings, pot/bag size at the time of planting, size at maturity (height & spread), proposed staking methods or maintenance practices such as shaping/hedging where applicable.
- f. An alternative species which is less invasive and aggressive than the Hills Weeping Figs as shown should be used for the proposed pleaching trees to avoid future maintenance issues and intensive maintenance.
- g. All new trees must be a minimum of 45 litres (pot/bag size at the time of planting), with a suitable mixture of semi-advanced and super-advanced trees, being 100-400 litre bag size also to be incorporated.
- h. The association between all proposed trees and their future surrounds must be considered, such as drainage patterns, roadways, pathways, buildings and aspect, and must be planted a minimum distance of 2.5 metres from any physical part of any building.
- i. Additional notation showing soil and mulch details, irrigation details, edging, paving, including construction details of the proposed permeable/porous paving systems to be used for

footpaths, paved areas or similar, within the TPZ's of those trees listed for retention in this approval, as well as fencing details, surface finishes, retaining wall details, signage, seating and any other landscape elements in sufficient detail to fully describe the proposed landscape works.

- j. Sectional elevations through the site showing the existing and proposed groundlines, building elevations, and mature height of proposed planting.
- k. All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm and all lawn areas must have a minimum soil depth of 300mm. Planter box details shall be submitted with the detailed landscape plans.
- l. All detention tanks and below ground stormwater infiltration systems located within the landscaped areas shall have a minimum soil cover of 600mm to ensure sufficient soil depth for the establishment of landscaping.
- m. Any substation required shall be screened from view. The proposed location, elevation and screening method shall be shown, and must also comply with the relevant authority's requirements for access/clearance.

Upon completion of landscape works, and prior to the issue of a Final Occupation Certificate, documentary evidence is to be obtained from a suitably qualified professional in the Landscape/Horticultural industry (must be a registered member of either AILDM or AILA), which shall be submitted to, and be approved by, the PCA, which certifies that the landscaping has been completed in accordance with the approved plans and relevant conditions of development approval. The property owner will be responsible for implementing suitable strategies to ensure that this landscaping is maintained in accordance with the approval, and in a healthy and vigorous state until maturity.

Preservation of existing significant/heritage trees

A Tree Survey Plan must be submitted to, and be approved by, the Certifying Authority, prior to the issue of a Construction Certificate, showing the location of all trees within the site and within 6 metres of the site boundary which are being retained, including their trunks and canopies, with tree numbers matching up with those listed in the Arborist Report to be included on this plan, together with their calculated TPZ's.

This proposal must be re-designed to ensure that the pavement proposed on the southwest side of the *Ficus obliqua* (Small Leafed Fig), identified as Tree 58 in the Arborists Report, is located outside its Structural Root Zone (SRZ), and no closer than the footprint of the existing paved area. Details of the redesign must be submitted with the construction Certificate Application for approval by the Certifying Authority.

Activities associated with demolition of the existing paved areas and pathways within the TPZ's of tree 58, a Small Leafed Fig, as well as T61-62, 64 & 77-78, *Ficus rubiginosa* (Port Jackson Figs) must be undertaken in accordance with Section 14.18 of the Arborist's Report.

Excavations for new pavement sub-grade within the TPZ's of trees 58, 61-62, 64, 77-78, as listed above, must be undertaken in accordance with Section 14.19 of the Arborists Report.

Ground levels within the raised planter box areas surrounding trees 68-69 & 84-85, *Ficus macrophylla* (Moreton Bay Figs) must be retained as existing, with the area occupied by these planters to be maintained as either landscaped or garden area, without any new pavement.

The proposal must be re-designed to ensure that the pathway shown on the western side of tree 91, a *Ficus macrophylla* (Moreton Bay Fig), is either re-aligned or reduced in width. Alternatively, if it is to be provided in its proposed location, permeable/porous pavers provided above existing grades will need to be used, so as to minimise the incursion into its root zone.

In order to avoid any adverse impact on tree 91, a Moreton Bay Fig, the proposed amenities block must be either relocated or re-designed to be outside its calculated TPZ. Details of the redesign must be submitted with the construction Certificate Application for approval by the Certifying Authority.

The PCA must ensure that the Construction Certificate plans demonstrate compliance with the

requirements listed above, through a combination of amended plans, additional details or notations, prior to the commencement of any site works.

All trees listed for retention must be retained and protected as part of the proposed works, (including T39-57, 70, 79, 81-83, 87, 100, 102 & 105, as shown in Appendix 5 of the Arborists Report). The applicant must comply with the requirements of the Tree Management Plan (refer Appendix 2, specifically Sections 9.1.6, 14.10, 14.18 & 14.19), for the duration of works.

B10 Long Service Levy

The required Long Service Levy payment, under the Building and Construction Industry Long Service Payments Act 1986, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 109F of the Environmental Planning & Assessment Act 1979.

At the time of this development approval, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works.

B11 Heritage

A Heritage Management Plan shall be prepared prior to issue of the Construction Certificate as a supplement to the existing Construction Management Plan which clearly identifies the measures to be undertaken to manage heritage impacts.

A Revised Interpretation Strategy, which builds on, the existing strategy prepared by GML 2007 shall be prepared prior to issue of the Construction Certificate. The strategy should provide appropriate interpretation of the following heritage significant buildings and structures and their use over time:

- Tea House Building
- Queen Elizabeth II Grandstand
- Paddock Grandstand
- Landscaping and vegetation to be removed
-

A baseline European (Non-Indigenous) Archaeological Assessment shall be prepared prior to any excavation works to identify any areas of potential European archaeological relics.

B12 Noise Control

A report prepared by a suitably qualified and experienced consultant in acoustics shall be submitted to Council prior to a construction certificate being issued for the development (or prior to any acoustic mitigating measures being installed/undertaken, whichever is the earlier), which demonstrates that noise and vibration emissions from the development satisfy the relevant approved acoustics recommendations in report prepared by Arup dated September 2010 number 220759-00 Titled "Australian Jockey Club Spectator Precinct Environmental and Residential Amenity, Acoustic Privacy" and recommendations and relevant conditions of approval. The report shall also address any break out noise from the venue. The assessment and report must include all relevant fixed and operational noise sources and include assessments from the nearest affected residential properties (namely the nearest sensitive residential receivers any additional proposed acoustic mitigation measures are to be detailed and included in this report.

B13 Drainage/Flood

B13.1 Prior to the issuing of a Construction Certificate the applicant must submit to Council, for Council's records, the flood study which was used to determine the 1 in 100 year flood level for the development site.

B13.2 The floor level of all habitable and storage areas shall be a minimum of 500 millimetres above the calculated 1 in 100 year flood level or suitably waterproofed up to this same level. Similarly any basement level or tunnel must be protected from stormwater inundation to a minimum height of 500mm above the calculated 1 in 100 year flood level. The plans submitted for any Construction Certificate shall demonstrate compliance with this requirement.

B13.3 Prior to the issuing of a Construction Certificate the applicant must undertake a detailed analysis of the existing flow path regime through/surrounding and downstream of the development site and compare that with proposed flow paths post development. The applicant must provide sufficient documentation/evidence to Council to indicate that the proposed development will not increase the depth of overland flow in areas outside the

development site and that no property downstream of the development site will be adversely affected as a result of the proposed development for storm events up to the 1 in 100 year ARI event. The applicant must liaise with Council's Development Engineer Coordinator regarding Council's requirements for the detailed analysis prior to undertaking the analysis.

- B13.4 All windows, vents and other openings into the basement areas must be located at least 500 mm above the determined 1 in 100 year flood level. The plans submitted for the Construction Certificate shall demonstrate compliance with this requirement.
- B13.5 The proposed overland flow routes shall be designed to drain the 1 in 100 year storm event and to consider personal and structure safety and the hazard factor, (product of velocity and depth of flow) This safety factor shall not exceed a value of 0.4 at any location. (i.e. $VD < 0.4$). The Stage 2 Development Application must document how these requirements are to be met.
- B13.6 All structural walls on the ground floor level shall be designed to **structurally** withstand hydrostatic pressure/stormwater inundation from floodwater during the probable maximum flood (PMF) event as defined in the Floodplain Development Manual (New South Wales Government, April 2005). Structural Engineering certification confirming that this condition has been complied with shall be submitted to the certifying authority prior to the issuing of a construction certificate.

It is noted that this requirement does not necessitate the development being flood proof/water tight up to the PMF event, rather the requirement is to ensure that the development will not be structurally damaged in manner that could endanger lives during the PMF event.

B14 RTA Requirements

- B14.1 The applicant shall provide a report prepared by a suitably qualified Traffic Engineer that reviews the existing approved Special Event Transport Management Plan (SETMP) for "Race Days" to determine whether the existing SETMP requires updating as a result of the development. The applicant's consultant must consult with Council's Traffic Engineer prior to the preparation of the report and submit the report to Council for review. If Council's Traffic Engineer after reviewing the report recommends the SETMP is to be updated the applicant must update the SETMP in accordance with the Guide to Traffic and Transport Management for Special Events, and submitted to Randwick City Council for approval. The revised SETMP shall consider all traffic management impact of the project application in particular, the proposed increase in seating capacity of the grandstands.
- B14.2 The post development storm water discharge from the subject site into the RTA drainage system must not exceed the pre-development application discharge.

Should there be charges to the RTA's drainage system then detailed design plans and hydraulic calculations of the stormwater drainage system are to be submitted to the RTA for approval, prior to commencement of any works.

Details should be forwarded to:

Sydney Asset Management
Roads and Traffic Authority
PO Box 973
Parramatta CBD 2124

- B14.3 All works associated with the proposal will be at no cost to the RTA.

B15 Mechanical Ventilation

All mechanical ventilation systems shall be designed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems* of Building, prior to certification of any Crown building works to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.

B16 Civil Works

The following damage/civil works security deposit requirement is to be complied with prior to a construction certificate being issued as security for making good any damage caused to the roadway,

footway, verge or any public place; or as security for completing any public work; and for remedying any defect on such public works, in accordance with section 80A(6) of the Environmental Planning and Assessment Act 1979:

a) \$5000.00 - Damage / Civil Works Security Deposit

The damage/civil works security deposit may be provided by way of a cash or cheque with the Council and is refundable upon:

- A satisfactory inspection by Council that no damage has occurred to the Council assets such as roadway, kerb, guttering, drainage pits footway, or verge; and
- Completion of the civil works as conditioned in this development approval.

The applicant is to advise Council, in writing, of the completion of all building works and/or obtaining an occupation certificate, if required.

The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

B17 Utility Services

- B17.1 A public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.
- B17.2 The applicant must meet the full cost for telecommunication companies, gas providers, Energy Australia and Sydney Water to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.
- B17.3 Documentary evidence from the relevant public utility authorities confirming that their requirements have been satisfied, must be submitted to the certifying authority prior to a construction certificate being issued for the development.
- B17.4 Any electricity substation required for the site as a consequence of this development shall be located within the site, (i.e. not in any road reserve or recreational area), and shall be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications. The applicant must liaise with Energy Australia prior to lodging the Construction Certificate to determine whether or not an electricity substation is required for the development.

B18 Staging

A staging plan for the development of Spectator Precinct works shall be prepared and submitted to Council prior to issue of the Construction Certificate.

PART C – PRIOR TO CONSTRUCTION

C1 Aircraft Safety

An application for any of the following works must be submitted to the Sydney Airport Corporation Ltd a minimum of 35 days prior to commencement of relevant works in accordance with the *Airports (Protection of Airspace) Regulations Statutory Rules 1996* No. 293 detailing:

- (1) Location of any temporary structure or equipment, i.e. construction cranes, planned to be used during construction relative to Mapping Grid of Australia 1994 (MGA94);
- (2) The swing circle of any temporary structure/equipment used during construction;
- (3) The maximum height, relative to Australian Height Datum (AHD), of any temporary structure or equipment i.e. construction cranes, intended to be used in the erection of the proposed structure/activity;
- (4) The period of the proposed operation (i.e. construction cranes) and desired operating hours for any temporary structures.

C2 Construction Management Plan

A Construction Management Plan shall be submitted to Council for approval prior to the commencement of works. The Plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

- (1) Hours of work, which must be in accordance with the conditions of this approval;
- (2) Contact details of the site manager and all principle contractors;
- (3) Traffic management, which is to be developed in consultation with Council and is to include:
 - identification of a work zone/s;
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - number and frequency of vehicles accessing the site and construction vehicle routes;
 - the times vehicles are likely to be accessing the site;
 - access arrangements and traffic control;
 - changes to on-street parking restrictions on roads;
 - management of construction traffic and car parking demand including preparation and distribution of a Travel Access Guide; and
 - management of existing vehicular and pedestrian movements / routes around the site throughout the various stages of construction;
 - management of buses and passengers using existing bus stops in Botany Street and High Street.
- (4) **Erosion and sediment control**, identifying appropriate measures to be installed during construction which shall be designed in accordance with in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1 (2004)* by Landcom;
- (5) **Construction noise and vibration management**, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, and address any other relevant provisions of Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*;
- (6) **Construction waste management**, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste; and
- (7) **Dust control** measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed.

C3 Notice to be Given Prior to Construction

Prior to the commencement of any building, excavation or demolition works, the person having the benefit of the development approval must:-

- appoint a Principal Certifying Authority for the building work, and
- appoint a principal contractor for the building work and notify the Principal Certifying Authority and Council accordingly in writing, and
- unless the person having the benefit of the approval is the principal contractor, notify the principal contractor of the required critical stage inspections and other inspections to be carried out, as specified by the Principal Certifying Authority, and
- give at least two days notice to the Council, in writing, prior to commencing building works.

C4 Notice to be given prior to Commencement/Excavation

Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site for each stage of the project.

C5 Traffic

Within three years of the issuing of this approval, the applicant must engage an independent, suitably qualified traffic consultant to develop a traffic model study of the intersection of Doncaster Avenue and Ascot Street. The traffic consultant should model the intersection under worst case scenario (peak period during major race days and major events such as future music festival). The traffic model should be developed with SIDRA modelling software (or another similar modelling package approved by Randwick City Council's Manager Integrated Transport). The traffic consultant should liaise with Council's Manager Integrated Transport with regards to any specific modelling requirements. The traffic consultant should provide Council with the SIDRA input file and all output results.

Should the traffic model indicate that the existing roundabout is operating at capacity or unsatisfactorily (LOS E or F), the proponent will contribute its modelled portion of cost to upgrade the intersection to Traffic Signals as a result of the impact of the development. The percentage of costs to be met by the applicant will not exceed 50 percent of the total cost of the upgrade.

C6 Barricade Permit

Where construction/building works require the use of a public place including a road or footpath, approval for a Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

C7 Road/Asset Opening Permit

A Road / Asset Opening Permit must be obtained from Council prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the *Roads Act 1993*, and all of the conditions and requirements contained in the Road / Asset Opening Permit must be complied with.

C8 Vehicle Cleansing

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

C9 Contact Telephone Number

The proponent shall ensure that a 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development. The contact number shall be forwarded to Council prior to commencement of works.

C10 Structural Capability for Existing Structures

A Certificate prepared by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority) prior to issuing an occupation certificate, which confirms that any structural works satisfy the relevant structural requirements of the Building Code of Australia and approved design documentation.

C11 Demolition

A report prepared by a professional engineer, building surveyor or other suitably qualified independent person is to be submitted to the Principal Certifying Authority advising whether a dilapidation report is required prior to the issue of a construction certificate. If a dilapidated report is necessary, the applicant is to prepare a dilapidation report prepared by a professional engineer, building surveyor or other suitably qualified independent person to be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any demolition, excavation or building works, in the following cases:

- excavations for new buildings, additions to buildings or other work which is within rock or may result in vibration and or potential damage to any building, associated garage or other substantial structure located upon an adjoining premises, as otherwise required by the Principal Certifying Authority.

The report (including photographs) are required to detail the current condition and status of any building, associated garage or other substantial structure located upon the adjoining premises, which may be affected by the subject works. A copy of the dilapidation report is to be forwarded to the Council and the owners of the premises encompassed in the report/s before commencing any works.

Demolition, excavation and building work must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and supported to prevent them from being dangerous to life, property or buildings, to the satisfaction of the Council.

If necessary, retaining walls, shoring or piling must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land and buildings, to the satisfaction of Council.

In accordance with section 80 A (it) of the Environmental Planning & Assessment Act 1979 and clause 98 E of the Environmental Planning & Assessment Regulation 2000, it is a prescribed condition that the adjoining land and buildings located upon the adjoining land must be adequately supported at all times.

- 1) If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development must, at the person's own expense:
 - a) protect and support the adjoining premises from possible damage from the excavation, and
 - b) where necessary, underpin the adjoining premises to prevent any such damage.
- 2) The condition referred to in subclause 1) does not apply if the person having the benefit of the development approval owns the adjoining land or the owner of the adjoining land has given approval in writing to that condition not applying.

Prior to demolition of any building constructed before 1970, the person acting on this approval shall prepare a Work Plan prepared in accordance with Australian Standards AS 2601-2001, Demolition of Structures by a suitably qualified person. The Work Plan shall outline the identification of any hazardous materials, including materials containing asbestos and surfaces coated with lead paint and the plan should detail the method of demolition, the precautions to be employed to ensure public safety and to minimise any dust nuisance and methods of disposal of any hazardous materials. A copy of the work plan is to be forwarded to the Council prior to commencing such works.

The removal, cleaning and disposal of any lead-based paints must be carried out in accordance with the relevant provisions of AS 2601-2001, Demolition of Structures, The Protection of the Environment Operations Act 1997 and the requirements and guidelines of the Environmental Protection Authority.

The premises must be designed, constructed and operated in accordance with relevant regulatory requirements, guidelines and standards, including:

- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008
- DECC Guidelines (including Environmental Action for Service Stations)

- Australian Standard AS 1940 (2004) – The Storage and Handling of Flammable and Combustible Liquids
- WorkCover NSW requirements and guidelines
- Sydney Water requirements and licences
- Occupational Health & Safety Act and regulations, including the Occupational Health & Safety (Dangerous Goods) Amendment Regulation-2009

Details of design and operational compliance shall be submitted to Council in relation to Dangerous Goods uses at the site prior to an occupation certificate being issued. The assessment should be conducted and compliance determined by a member of the Australasian Institute of Dangerous Goods Consultants.

C12 Contamination

C12.1 Prior to above groundworks commencing for the development, a detailed site contamination investigation must be undertaken by an independent appropriately qualified environmental consultant in order to provide information on land and ground water contamination and migration in relation to past and current activities and uses that may have occurred on the site.

The report is to be prepared in accordance with Council's Contaminated Land Policy 1999 and relevant Guidelines made or approved by the NSW Department of Environment and Conservation (formerly EPA), including the Guidelines for Consultants Reporting on Contaminated Sites and the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999. Also, as detailed in the Planning Guidelines to SEPP 55 – Remediation of Land, the report is to assess the nature, extent and degree of contamination upon the land. The detailed site contamination report must be sufficiently detailed and be submitted to and accepted by Council's Manager of Health, Building & Regulatory Services prior to issuing a construction certificate for the development.

Should the Detailed Site Investigation Report demonstrate that the land and groundwater is not contaminated, the conclusion to the report must clearly state that 'the land is suitable for its intended land use, posing no immediate or long term risk to public health or the environment and is fit for occupation by persons, together with clear justification for the statement. The report must demonstrate that any site contamination satisfies the relevant criteria in the National Environment Protection (Assessment of Site Contamination) Measure 1999.

C12.2 The written concurrence of Council must be obtained before a construction certificate is issued for the development.

C12.3 Should the Detailed Site Investigation Report identify that the land is contaminated and the land requires remedial works to meet the relevant criteria in the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999, the following matters must be complied with:-

- a) A Remediation Action Plan (RAP) is required to be prepared and be submitted to Council prior to commencing remediation works.
- b) The RAP is to be prepared in accordance with the relevant Guidelines made or approved by NSW Department of Environment and Conservation (DEC), including the Guidelines for Consultants Reporting on Contaminated Sites.
- c) This RAP is to include procedures for the following:
- d) Excavation of Hydrocarbon-contaminated soil,
- e) Validation sampling and analysis,
- f) Prevention of cross contamination and migration or release of contaminants,
- g) Site management planning,
- h) Ground water remediation, dewatering, drainage, monitoring and validation,

- i) Unexpected finds.
- j) Remediation works shall be carried out in accordance with the requirements of the Contaminated Land Management Act 1997, environmental planning instruments applying to the site, guidelines made by the NSW Department of Environment and Conservation and Department of Infrastructure Planning & Natural Resources, Randwick City Council's Contaminated Land Policy 1999 and the Protection of the Environment Operations Act 1997.
- k) The site remediation including ground water must fully comply with all relevant Commonwealth and State Legislation, Regulations and Standards.
- l) Any fill importation to the site is to be monitored and classified by an independent appropriately qualified environmental consultant. Only 'Virgin Excavated Natural Material' (VENM) is to be imported to the site, as defined within the NSW EPA 'Environmental Guidelines; Assessment, Classification and management of Liquid and Non-Liquid Wastes. 1999'.
- m) A Site Remediation Management Plan must be prepared prior to the commencement of remediation works by a suitably qualified environmental consultant and be implemented throughout remediation works. A copy is to be forwarded to Council. The Site Remediation Management Plan shall include measures to address the following matters:
 - general site management, site security, barriers, traffic management and signage hazard identification and control
 - worker health & safety, work zones and decontamination procedures
 - cross contamination site drainage and dewatering
 - air and water quality monitoring disposable of hazardous wastes
 - contingency plans and incident reporting, and details of provisions for monitoring implementation of remediation works including details of the person/consultant responsible.
- n) The works shall not give rise to environmental pollution or public nuisance or, result in an offence under the Protection of the Environment Operations Act 1997 or NSW Occupational Health & Safety Act (2000) & Regulations (2001).

C12.4 The site must be remediated in accordance with the Contaminated Land Management Act 1997 and the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 and details of compliance are to be provided to Council from a) a suitably qualified Environmental Consultant upon completion of the remediation works.

C12.5 In relation to any asbestos contamination, a comprehensive remediation strategy and remedial action plan must be developed, to the satisfaction of NSW Department of Health or other suitably qualified and experienced specialist to the satisfaction.

The remediation strategy and remedial action plan must demonstrate that the land will be remediated in accordance with relevant guidelines (if any) and to a level or standard where no unacceptable health risk remains from asbestos exposure, which shall be verified upon completion of the remediation works to the satisfaction of the suitably qualified and experienced specialist .

C12.6 The applicant is to engage the services of a suitably qualified environmental consultant to respond to enquiries and complaints made by the community or Council in relation to contamination, remediation and construction site management matters.

C12.7 A specific contact number is to be made available for such enquiries and complaints (including an after-hours emergency contract number) and a complaints register is to be maintained to record all such enquiries, complaints and actions taken in response to same, which is to be made available to Council officers upon request.

C12.8 Hazardous or intractable wastes arising from the demolition process being removed and disposed of in accordance with the requirements of WorkCover NSW and the Environment Protection Authority, and with the provisions of:

- New South Wales Occupational Health and Safety Act, 2000;
- The Occupational Health and Safety (Hazardous Substances) Regulation 2001;
- The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;
- Protection Of the Environment Operations Act 1997 (NSW) and
- Environment Protection Authority's Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

C12.9 The works shall not give rise to environmental pollution or public nuisance or, result in an offence under the Protection of the Environment Operations Act 1997 or NSW Occupational Health & Safety Act (2000) & Regulations (2001).

C13 Sydney Water

All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

The approved Construction Certificate plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to commencing any building or excavation works, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if any further requirements need to be met.

If the proposed works are suitable, the plans will be appropriately stamped by Sydney Water or their Agent. For Quick Check agent details please refer to Sydney Water's web site at www.sydneywater.com.au and go to the Building, Developing and Plumbing, then Quick Check or Building and Renovating or telephone 13 20 92.

The principal certifying authority is required to ensure that a Quick Check Agent/Sydney Water has appropriately stamped the plans prior to the commencement of any building works

C14 Heritage Item Management Conditions

C14.1 The Proponent shall prepare a Non-Indigenous Heritage Management Plan for the approval of the consent authority as a supplement to the Construction Environmental Management Plan. That document shall include details of all procedures to be implemented during the works to manage impacts to non-Indigenous heritage items and non-indigenous archaeology.

C14.2 A specialist heritage manager or heritage consultant shall be nominated for the works. The consultant shall have appropriate qualifications and experience commensurate with the scope of the Major Project works. The heritage consultant shall advise on the detail design resolution of new works, undertake on site heritage inductions, and shall inspect new works, design and installation of services (to minimise impacts on significant fabric and views) and manage the implementation of the conditions of approval for the Project.

C14.3 All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated heritage consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW.

C14.4 All buildings, structures, landscape elements area areas identified as having moderate, high or exceptional significance to be retained are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed.

C14.5 Statements of Heritage Impact will be prepared for all heritage items directly impacted by the proposed development (i.e. Swab Building; Official Stand). They will be prepared according to the NSW Heritage Council guidelines. These documents will inform the preparation of a Heritage Management Plan (HMP) for the project. It is imperative that the SoHIs are prepared before the completion of a HMP. The nature of the impact must be clearly understood before the management measures can be developed.

C14.6 Photographic and archival recording of all buildings, structures, landscape elements area

areas identified as having moderate, high or exceptional significance, as identified in the specialist reports prepared as part of the Environmental Assessments for the project, is to be undertaken prior to the commencement of any construction activity. Recording is to be completed in accordance with the Guidelines issued by the Heritage Council of NSW. Copies of these photographic recordings should be made available to the Heritage Office, Department of Planning, and also to the Local Studies Library and to Randwick City Council.

- C14.7 A report by the nominated heritage consultant/s (illustrated by works' photographs) shall be submitted to the consent authority for approval within 6 months of the completion of the works which describes the work, any impacts/damage and corrective works carried out.

C15 European Archaeological Heritage Management Conditions

- C15.1 The Proponent shall submit a baseline European (Non-Indigenous) Archaeological Assessment and Archaeological Management Plan for the approval of the consent authority as a supplement to the Construction Environmental Management Plan. That document shall include details of all procedures to be implemented during the works to manage impacts to non-indigenous heritage items and non-indigenous archaeology, including recommendations for the appointment of a specialist heritage manager or heritage consultant should that the Archaeological Assessment conclude that to be necessary.

- C15.2 All affected historical archaeological sites of Local and State significance identified in the baseline European (Non-Indigenous) Archaeological Assessment are to be subject to professional archaeological excavation and/or recording before construction works commence. A Research Design including an Archaeological Excavation Methodology must be prepared in accordance with Heritage Council guidelines prior to excavation. Those documents should be prepared for the approval of the consent authority.

- C15.3 After archaeological works are undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the Local Studies Library and Randwick City Council. The proponent shall also be required to nominate a repository for the relics salvaged from any historical archaeological excavations. The information within the final excavation report shall be required to include the following:

- An executive summary of the archaeological programme;
- Due credit to the client paying for the excavation, on the title page;
- An accurate site location and site plan (with scale and north arrow);
- Historical research, references, and bibliography;
- Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
- Nominated repository for the items;
- Detailed response to research questions (at minimum those stated in the Department of Planning approved Research Design);
- Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site;
- Details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).

C16 Interpretation Strategy

An Interpretation Strategy to be prepared in accordance with Heritage Council guidelines prior to the commencement of works for approval by the consent authority. In particular this will outline how heritage significance to be lost will be interpreted within the site.

C17 Heritage Conservation

- C17.1 The required conservation works to the Official/Members Stand, the Totaliser building and the Swab building identified in the Heritage Management Plan are to be implemented in conjunction with the proposed development.

- C17.2 The required Interpretation Strategy for the Spectator Precinct is to be implemented in conjunction with the proposed development.
- C17.3 The Aboriginal Cultural Heritage Assessment prepared by Archaeological and Heritage Management Solutions is to be finalised to incorporate any comment is received from La Perouse Aboriginal Land Council and Dharawal Elders.
- C17.4 Aboriginal Cultural Heritage management is to be in accordance with the Aboriginal Cultural Heritage Assessment prepared by Archaeological and Heritage Management Solutions (as lodged) and the provisions of the NSW National Parks and Wildlife Act and the Department of Environment Climate Change and Water.

C18 Waste Management

Prior to the issuing of a construction certificate the applicant is to submit to Council and have approved by Council's Manager of Waste Services, a Waste Management Plan detailing waste and recycling storage and disposal for the development site including a plan to collect horse manure for either reuse on-site or taken off-site.

The plan shall detail the type and quantity of waste to be generated by the development; demolition waste; construction waste; materials to be re-used or recycled; facilities/procedures for the storage, collection recycling & disposal of waste and the on-going management of waste.

C19 Tree Management

Site Arborist

Prior to the commencement of any site works, the PCA must ensure that a professional Arborist has been engaged in accordance with, and for the purposes described in, Appendix 2, point 14.1 of the Arborists Report by Earthscape Horticultural Services, dated September 2010 (*"the Arborists Report"*).

Tree Removals

Approval is granted for the removal of only Tree 86 as identified in the Arborists Report, being a *Magnolia grandiflora* (Bull Bay Magnolia), as part of the proposed works as shown, subject to full implementation of the approved landscaping.

Pruning of retained trees

Where pruning is required in order to avoid damage to those trees listed for retention from site machinery, or to maintain clearances or similar, it must be performed in accordance with Section 14.17 of the Arborists Report. All pruning must be undertaken by an Arborist who holds a minimum of AQF Level V in Arboriculture, and to the requirements of Australian Standard AS 4373-2007 'Pruning of Amenity Trees.'

PART D – DURING CONSTRUCTION

D1 Ecological Sustainable Development

The project shall implement all design, construction & demolition and operation measures outlined in the Ecological Sustainable Development Report prepared by Arup Pty Ltd, Issue 3, dated September 2010.

D2 Hours of Work

Building, demolition and associated site works must be carried out in accordance with the following requirements:

Activity	Permitted working hours
All building, demolition and site work, including site deliveries (except as detailed below)	<ul style="list-style-type: none">Monday to Friday - 7.00am to 5.00pmSaturday - 8.00am to 5.00pmSunday & public holidays - No work permitted
Excavating of rock, use of jack- hammers, pile-drivers or the like	<ul style="list-style-type: none">Monday to Friday- 8.00am to 5.00pmSaturday - No work permittedSunday & public holidays - No work permitted
Internal work only within a commercial or industrial development, located in a commercial or industrial zone, which is not audible within any residential dwelling or commercial or industrial premises	<ul style="list-style-type: none">Monday to Saturday - No time limitsSunday & public holidays - No work permitted
Additional requirements for all development, except for single residential dwellings	<ul style="list-style-type: none">Saturdays and Sundays before or after a public holiday - No work permitted

An application to vary the abovementioned hours may be submitted to Council's Manager Health, Building & Regulatory Services for consideration and approval to vary the specified hours may be granted in exceptional circumstances and for limited occasions (e.g. for public safety, traffic management or road safety reasons). Any applications are to be made on the standard application form and include payment of the relevant fees and supporting information. Applications must be made at least 10 days prior to the date of the proposed work and the prior written approval of Council must be obtained to vary the standard permitted working hours.

D3 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the duration of works for the purposes of informing the public of project details including, but not limited to:

- (1) details of the Builder and Structural Engineer for all stages of the project;
 - (2) the approved hours of work;
 - (3) the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- to state that unauthorised entry to the site is prohibited.

D4 Excavation

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the owners of the roadway are to be given at least 7 days notice. This notice is to include complete details of the work.

D5 Noise Control

- All work, including excavation and construction work must comply with the Australian Standard 2436-1981 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'.
- Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents or

businesses and the relevant provisions of *the Protection of the Environment Operations Act 1997* must be satisfied at all times.

D6 Standards and Codes

All building works shall be constructed in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

D7 Work Cover Requirements

To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

D8 No Obstruction of Public Way

The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

D9 Disposal of Seepage and Stormwater

Any seepage or rainwater collected on-site during excavation shall not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant Authority.

D10 Erosion and Sediment Control

Sediment controls are to be in place for the duration of the works to ensure that no sediment, fines, and like material can enter the waterway or drainage system. The proponent is to carry out works generally in accordance with the Construction Management Plan and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

D11 Dust Control Measures

Dust control measures are to be in place or are to be undertaken for the duration of the works to prevent dust from affecting the amenity of the immediate area during construction. The proponent is to carry out works generally in accordance with the Construction Management Plan, and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

D12 Setting Out of Structures

The new buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels.

D13 Directional Signage

Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area.

Particular attention is to be paid to:

- wheelchair accessible paths of travel;
- safe road crossing areas including signalised and other designated crossings;
- key landmarks;
- access to transport nodes including public transport; and
- the vehicular entrance and exit driveways and the direction of traffic movement within the site being clearly indicated by means of reflectorised signs and pavement markings.

D14 Traffic Movement

- All vehicles must enter and leave the site in a forward direction.
- The cost of all traffic management works shall be borne by the proponent.
- Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- The Contractor shall make provisions for safe, continuous movement of traffic and pedestrians in public roads and private roads accessible to the public and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "Control of Traffic" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 2002.

D15 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of Council.

D16 Work On Site to Cease

If any unidentified historical archaeological remains or deposits are exposed during the works excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with section 146 of the NSW *Heritage Act, 1977*.

Should any Aboriginal relics or artefacts be discovered during the course of any works on-site, then work is to cease immediately. Work may only be resumed following written approval being obtained from the Department of Environment, Climate Change and Water.

D17 Excavation Material

Any excavated material to be removed from the site being assessed, classified, transported and disposed of in accordance with the EPA's *Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes*.

D18 Imported Fill

Any imported fill onto the site being validated to ensure its suitability for the proposed land use from a contamination perspective. Imported fill is to be certified that it is not contaminated, based upon analysis or the known past history of the site from which it is obtained.

D19 Contamination

All site works shall comply with the occupational health and safety requirements of WorkCover NSW and Occupation Health and Safety Act and regulations.

All hazardous, contaminated or intractable wastes and materials (including asbestos) from construction and operation of the proposal shall be removed and disposed of in accordance with the requirements of WorkCover NSW, the Department of Environment Climate Change and Water (DECC), including the following provisions:

- Occupational Health and Safety Act 2000;
- Occupational Health and Safety (Hazardous Substances) Regulation 2001
- Occupational Health & Safety (Dangerous Goods) Amendment Regulation-2009;
- Occupational Health and Safety (Asbestos Removal Work) Regulation 2001; and
- The Protection of the Environment Operations Act 1997 and relevant EPA/DECC guidelines.

D20 Footpath Protection

D20.1 The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.

D20.2 A separate written approval from Council is required to be obtained in relation to all works which are located externally from the site within the road reserve/public place, in accordance with the requirements of the Roads Act 1993. Detailed plans and specifications of the proposed works are to be submitted to and approved by the Director of City Services prior to commencing any works within the road reserve/public place.

All works within the road reserve/public place must be carried out to the satisfaction of Council and certification from a certified practicing engineer is to be provided to Council upon completion of the works.

Relevant Council assessment and inspection fees, as specified in Council's adopted Pricing Policy, are required to be paid to Council prior to commencement of the works.

PART E –PRIOR TO OPERATIONS

E1 Occupation Certificate

An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation or use of the development encompassed in this development approval (including alterations, additions and 'fit-out' work to existing buildings), in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development approval. The requirements of the Environmental Planning & Assessment Act 1979 and conditions of development approval must be satisfied prior to the issuing of an occupation certificate.

Details of critical stage inspections carried out by the principal certifying authority together with any other certification relied upon and must also be provided to Council with the occupation certificate.

Prior to the issuing of an interim or final occupation certificate, a statement is required to be obtained from the Principal Certifying Authority (or other suitably qualified person), which confirms that the development is not inconsistent with the development approval and the relevant conditions of development approval have been satisfied.

E2 Fire Safety Certificate

A Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this approval prior to occupation of the building. A copy of the fire safety certificate must be displayed in the building near the entrance and a copy must be forwarded to the NSW Fire Brigades.

E3 Structural Inspection and Certification

A Certificate prepared by a professional engineer shall be submitted to the certifying authority (and the Council, if the Council is not the certifying authority) prior to issuing an occupation certificate, which confirms that any structural works satisfy the relevant structural requirements of the Building Code of Australia and approved design documentation.

E4 Cooling System

Any Cooling Towers, warm water systems and water cooling systems must be registered with the Council together with the payment of the approved fee, prior to Occupation Certificate being issued for the development, and the system/s are to be maintained and certified in accordance with the provisions of the Public Health Act 1991.

E5 Sydney Water

A Compliance Certificate issued under Part 6, Division 9, Section 73 of the *Sydney Water Act 1994* shall be obtained prior to occupation of the building.

E6 Road Damage

The cost of repairing any direct damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the proponent prior to the occupation of the building.

E7 Waste Management

Prior to occupation of the building the proponent must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant Council policy.

Adequate provisions are to be made within the premises for the storage and removal of waste and recyclable materials, to the satisfaction of Council and the location, collection, storage and removal of wastes generated within the premises must not result in a nuisance or cause pollution.

Commercial / trade waste materials must not be disposed in or through Council's domestic garbage service. All trade/commercial waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales. Details of the proposed waste collection, disposal and recycling services are to be submitted to Council.

Any liquid trade waste materials are to be disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department and details of compliance are to be provided to Council.

E8 Car Sharing

A community car sharing/carpool scheme is to be prepared and submitted to Council for approval. The scheme should demonstrate the reduction in private vehicle usage for race day and non-race day events. The initiatives to be considered should include (but not limited to) car share opportunities and preferential parking for vehicles with higher rates of occupancy.

E9 Contamination

In the event potential contaminants or hazardous materials are used onsite, an Emergency Response Management Plan must be prepared by a suitably qualified person and be submitted to Council prior to the issue of the Occupation Certificate. The Plan shall include the following:

- list of chemicals and maximum quantities to be stored at the site;
- identification of potentially hazardous situations;
- procedure for incident reporting;
- details of spill stations and signage;
- containment and clean-up facilities and procedures; and
- the roles of all staff in the Plan and details of staff training.

E10 Food Premises

E10.1 Prior to the issuing of an interim or final occupation certificate, the food premises must be inspected by Council's Environmental Health Officer to ascertain compliance with relevant food safety standards and the written approval of Council (being the relevant Food Authority for this food business) must be obtained prior to the operation of the food business.

E10.2 Prior to commencement of food business operations, the food premises must be registered with Council's Health, Building & Regulatory Services department and the NSW Food Authority in accordance with the food safety standards.

E10.3 Upon completion of the work and prior to the occupation/commencement of use, the food premises must be inspected by Council's Environmental Health Officer to ascertain compliance with relevant Food Safety Standards and the written approval of Council (being the relevant Food Authority for this food business) must be obtained prior to the operation of the food business.

E10.4 The applicant is required to ensure that all temporary food stalls, vendors and mobile food vendors for race day and non race day events have registered their details with council's environmental health unit, at least one week prior to the event. The required registration fee must be forwarded to council with the registration details. Further details can be obtained by telephoning 9399 0973.

E11 Traffic

Prior to the issuing of an Occupation Certificate Transport Access Guides (TAGs) for specific events such as Major Race Days must be developed. The Transport Access Guide must be prepared in accordance with the RTA's Guide to Producing and Using Transport Access Guides and other guidelines/standards considered best practice.

Prior to the issuing of an Occupation Certificate the applicant must engage a suitably qualified traffic consultant to apply to the RTA for reclassification of Alison Road, between Anzac Parade and the Racecourse gate, as an RTA approved B-double route. B-double vehicles are not to enter/exit the site until such time as the RTA has approved the necessary reclassification.

Prior to the issuing of an Occupation Certificate the applicant must engage a suitably qualified traffic consultant to apply to the RTA seeking a reduction in the speed limit on Alison Road, between Anzac Parade and Darley Road, from 70km/h to 60km/h. This condition is required to improve traffic (including protecting pedestrians/patrons attending events).

E12 Drainage

Prior to the issuing of an Occupation Certificate, the applicant shall submit to Council, a works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer. The works-as-executed drainage plan shall be to the satisfaction of the Principal Certifying Authority (PCA) and shall include the following details:

- a) The location of the detention basin with finished surface levels;
- b) Finished site contours at 0.2 metre intervals;
- c) Volume of storage available in the detention areas;
- d) The location, diameter, gradient and material (i.e. PVC, RC etc) of all stormwater pipes;
- e) The orifice size(s) (if applicable);
- f) Details of any infiltration/absorption systems; and
- g) Details of any pumping systems installed (including wet well volumes).

E13 Work Place Travel Plan and Travel Access Guide

Prior to occupation of the building, a work place travel plan and travel access guide is to be prepared to encourage the use of non-car transport modes by employees and visitors to the site.

PART F – DURING OPERATIONS

F1 Ecologically Sustainable Development

The project shall implement all construction, design and operation measures outlined in the Ecologically Sustainable Development Report prepared by Arup Pty Ltd, Issue 3, dated September 2010.

F2 Annual Fire Safety Certificate

An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

F3 Noise & Vibration Controls – Operational, Plant & Machinery

F3.1 The proposed use of the premises and the operation of all plant and equipment must be in accordance with the approved recommendation included in the Environmental and Residential Amenity, Acoustic Privacy report, Issue 3, prepared by Arup dated September 2010 and as validated by the acoustic report submitted for the construction certificate.

F4 Loading and Unloading

All loading and unloading, including deliveries to and from the site in connection with the use must be carried out between 7am to 9pm, Monday to Sunday.

F5 Food Premises

F5.1 Food safety practices and operation of the food premises must be in accordance with the *Food Act 2003*, *Food Regulation 2004*, Food Standards Code and Food Safety Standards at all times, including the requirements and provisions relating to:

- a) Food handling – skills, knowledge and controls.
- b) Health and hygiene requirements.
- c) Requirements for food handlers and businesses.
- d) Cleaning, sanitising and maintenance.
- e) Design and construction of food premises, fixtures, fitting and equipment.

A failure to comply with the relevant food safety requirements is an offence and may result in legal proceedings, service of notices and/or the issuing of on-the-spot penalty infringement notices.

F5.2 The food premises must be registered with Council's Environmental Health section and the NSW Food Authority must also be notified of the food business in accordance with the Food Safety Standards, prior to commencement of food business operations.

F5.3 The Proprietor of the food business and all staff carrying out food handling and food storage activities must have appropriate skills and knowledge in food safety and food hygiene matters, as required by the Food Safety Standards.

F5.4 The food premises must notify Council's Health, Building & Regulatory Services department of their food safety supervisor. Business must keep a copy of the food safety supervisor certificate on the premises and produce it for inspection on request by an authorised officer.

F5.5 The food premises must be kept in a clean and sanitary condition at all times, including all walls, floors, ceilings, fixtures, fittings, appliances, equipment, fridges, freezers, cool rooms, shelving, cupboards, furniture, crockery, utensils, storage containers, waste bins, light fittings, mechanical ventilation & exhaust systems & ducting, storage areas, toilet facilities, basins and sinks.

F5.6 Sanitary facilities, plus wash hand basin and paper towel dispenser or hand dryer and appropriate signage, must be provided to the premises and be maintained in a clean and sanitary condition at all times.

F5.7 All food storage shall occur in the food preparation area and retail areas only. Storage shall be within appropriate shelves, off the floor and in approved storage containers.

- F5.8 A numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius being provided to refrigerators, cool rooms, other cooling appliances and bain-maries or other heated food storage/display appliances. The thermometer is to be located so as to be read easily from the outside of the appliance.

A digital probe type thermometer must also be readily available to check the temperature of food items.

- F5.9 All food that is to be kept hot should be heated within one (1) hour from the time when it was prepared or was last kept cold, to a temperature of not less than 60°C and keep this food hot at or above the temperature. Food that is to be kept cold should be cooled, within four (4) hours from the time when it was prepared or was last kept hot, to a temperature of not more than 5°C and keep this food cold at or below that temperature.

- F5.10 Adequate provisions are to be made within the premises for the storage, collection and disposal of trade/commercial waste and recyclable materials, to the satisfaction of council.

The waste storage areas must be located within the property and not within any areas used for the preparation or storage of food.

Waste/recyclable bins and containers must not be placed on the footpath (or road), other than for waste collection, in accordance with Council's requirements

F6 Waste Management

- F6.1 The location and facilities for the collection, storage and disposal of wastes generated within the premises shall be in accordance with Waste Management Plan Appendix W of Environmental Assessment Royal Randwick Racecourse Spectator Precinct Redevelopment DA MP 10-0097.

- F6.2 All waste generated on the site shall be stored handled and removed in accordance with the following:

- Protection of the Environment Operations Act 1997;
- Waste Management Plan Appendix W of Environmental Assessment Royal Randwick Racecourse Spectator Precinct Redevelopment DA MP 10-0097.
- All Sydney Water requirements;
- All requirements of The WorkCover Authority.

- F6.4 Trade/commercial waste materials must not be disposed via council's domestic garbage service. All trade/commercial waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed waste collection and disposal service are to be submitted to Council prior to occupation of the building.

F7 Pollution Control

The use and operation of the premises shall not give rise to an environmental health or public nuisance and there are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and *Regulations*.

F8 Health, Safety and Amenity

The operation of Royal Randwick Racecourse shall not result air, noise or water pollution offence under the *Protection of the Environment Operations Act 1997*.

The relevant requirements of WorkCover New South Wales and the Occupational Health and Safety Act 2000, are required to be complied with at all times.

The management of Royal Randwick racecourse must keep a legible record (register) of all complaints made to it or any employee or agent in relation to the operation of the racecourse: The complaints register must keep a record of the following:

- the date and time of the complaint;

- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the organiser in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the management of the racecourse, the reasons why no action was taken.

ADVISORY NOTES

AN1 Use of Mobile Cranes

The proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the proponent shall ensure the following matters are complied with:

- for special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions; and
 - at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions;
- the use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN2 Movement of Trucks Transporting Waste Material

The proponent shall submit to Council for approval details of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN3 Disability Discrimination Act

This application is to comply with the *Disability Discrimination Act 1992*. The proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

AN4 Temporary Structures

A Barricade/Hoarding Permit must be obtained prior to the commencement of construction works from the relevant Authority. The permit application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must also be submitted to the relevant Authority to certify the structural adequacy of the design of the temporary Barricades/Hoarding.

AN5 Structural Capability for Existing Structures

The structural capabilities of any existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

AN6 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning & Assessment Act, 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

AN7 Building Code of Australia

The assessment of this development application does not include an assessment of the proposed building work under the Building Code of Australia (BCA).

All new building work must comply with the BCA and relevant Australian Standards and details of compliance must be provided in the Construction Certificate application.

AN8 Fire Safety

In existing buildings, the levels of fire and occupant safety should be upgraded where necessary and details should be incorporated in the Construction Certificate to the satisfaction of the Certifying authority.

Where the levels of accessibility to existing buildings do not meet current standards, if practicable, the level of accessibility should also be upgraded in conjunction with the proposed development (e.g. via the installation of a 1:8 access ramp within the building) and details included in the construction certificate application.

Building owners, applicants and builders are advised to liaise with the appointed Certifying Authority prior to lodgement of the Construction Certificate.

AN9 Council Assets

The proponent is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

SCHEDULE 3

STATEMENT OF COMMITMENTS

Subject	Commitments	Timing												
Traffic and Transport	The AJC is to engage a suitably qualified traffic engineer to undertake observations during a major event to confirm adequacy of the current transport strategy and anticipate conditions when 50,000 are attending an event. Where the observations indicate the strategy is not adequate, mitigation measures will be recommended and implemented. Particular attention be paid to the conflicts between vehicles and pedestrians at the intersection of Doncaster Avenue and Ascot Street.	During major events												
Residential Amenity – Light Spill	<p>The proponent agrees to the following measures and actions recommended in the from Arup <i>Environmental and Residential Amenity, Light Spill</i> Report (September 2010), with regards to minimising light spill:</p> <table><tr><th>Technical Parameter</th><th>Maximum Permissible Value</th><th>Calculated value</th><th>Compliant</th></tr><tr><td>Light Trespass</td><td>10 lux</td><td>3.18 lux</td><td>√</td></tr><tr><td>Luminous Intensity</td><td>1000 cd</td><td>315 cd</td><td>√</td></tr></table> <p>Threshold Increment Luminaires have minimum viewing angles from Alison Rd and Doncaster Avenue and therefore do not impact upon them. √</p> <p>Lighting Parameters for the Spectator Precinct, extracted from Arup <i>Environmental and Residential Amenity, Light Spill</i> Report, Sept 2010.</p> <p>Design detail of lighting shall meet the above specifications.</p>	Technical Parameter	Maximum Permissible Value	Calculated value	Compliant	Light Trespass	10 lux	3.18 lux	√	Luminous Intensity	1000 cd	315 cd	√	Prior to issue of Construction Certificate
Technical Parameter	Maximum Permissible Value	Calculated value	Compliant											
Light Trespass	10 lux	3.18 lux	√											
Luminous Intensity	1000 cd	315 cd	√											
Waste Management	<p>The proposal will implement the following waste management strategies in accordance the Arup Waste Management Plan:</p> <ul style="list-style-type: none">▪ Sizing of waste storage areas and loading dock areas to the waste storage requirements in Section 5 and to the relevant Australian building standards;▪ All waste to be treated or removed from site at the end of each race day or large event;▪ Undertake further examination of potential waste treatment strategies during detailed design including;<ul style="list-style-type: none">• Back of house organic food collection (colour coded bin);• Back of house paper collection (colour coded bin);• Increased back of house (non-biodegradable) recyclable plastic collection;	During the design and operational phase												

Subject	Commitments	Timing
	<ul style="list-style-type: none"> Waste transportation from the site to be via waste truck or mobile compactor vehicle 	
Odour Management	<p>An odour complaints management system is to be maintained for the Royal Randwick Racecourse during operation to meet the requirements of Section 11 of the DECCW <i>Technical Notes: Assessment and management of odour from stationary sources in NSW (DECC 2006)</i>. The management system should include:</p> <ul style="list-style-type: none"> a hotline for receiving complaints about the activity; a system for recording complaints and dealing with them (e.g. complaints register); records of complaints and operator's responses or actions, readily accessible to the community and regulatory authorities; and an ability to provide feedback to the community where required (for example, a newsletter or meetings with affected residences). 	During operation
	<p>A landscape plan shall be prepared detailing additional planting and maintaining the existing vegetative buffer surrounding the site. Any removal of vegetation should be offset with new plantings where possible;</p>	Prior to issue of Construction Certificate
	<p>Waste to be handled, stored and removed from site in accordance with the Waste Management Plan, including:</p> <ul style="list-style-type: none"> Any manure waste collected to be kept in enclosed bins and and/or an enclosed area prior to removal; The bin storage area on the boundary of Doncaster Avenue has potential as an odour source if bins are not kept clean. No storage of waste in this area outside of during a race day should occur. If for whatever reason waste is not removed from site on the day of an event, waste is to be housed in an enclosed area away from nearby residences so as to reduce potential for odour emissions. 	During operation
Dust Management	<p>Operations shall employ the following dust suppressing measures:</p> <ul style="list-style-type: none"> Surfaces to be sealed or vegetated where possible; Any unsealed areas are to be sprayed down under windy and dry conditions; Access roads used by vehicles and horses are to be kept clean; In relation to potential impact throughout the period of construction, a construction management plan will be prepared to manage and mitigate any potential air quality impact. 	During operation
Landscaping	<p>A detailed landscape design plan is to be prepared which is to be generally in accordance with the Landscape Concept Plan prepared by AECOM.</p>	Prior to issue of the Construction Certificate

Subject	Commitments	Timing
Landscape Design and Tree Preservation	<p>The Proponent agrees to the following measures and actions recommended in the Arborist Report prepared by Earthscape Horticultural Services dated September 2010:</p> <ul style="list-style-type: none"> ▪ The following Tree Protection Specifications should be implemented to ensure the long term survival of all trees within the site to be retained as part of the development. <ul style="list-style-type: none"> ○ The proposed pavement on the south-western side of T58 should be relocated outside the Structural Root Zone, no closer than the footprint of the existing paved area, to avoid severance and damage to woody roots ○ Demolition of existing paved areas and pathways located within the TPZ's of tree No.s T58, T61, T62, T64, T77 & T78 should be undertaken in accordance with Section 14.18. ○ Excavations for new pavement sub-grade within the TPZ's of tree No.s T58, T61, T62, T64, T77 & T78 should be undertaken in accordance with Section 14.19. ○ In order to avoid any adverse impact on trees T68, T69, T84 & T85, the existing ground levels within the raised planter box areas surrounding each tree should be retained as existing. The existing area occupied by the planters should be maintained as a landscaped or garden area without any new pavement. ○ In order to avoid any adverse impact on T91, consideration should be given to altering the alignment or width of the proposed pathway on the western side of this tree or alternatively installing a permeable pavement above existing ground levels to minimise the incursion to the root zone. Consideration should also be given to relocating the proposed amenities block outside the TPZ. ○ In order to avoid any adverse impact on T91, consideration should be given to relocating the proposed amenities block outside the TPZ of this tree (15 metres radius). 	<p>Prior to construction</p>
Accessibility	<p>The Construction Certificate shall include details demonstrating:</p> <ul style="list-style-type: none"> ▪ Floor systems used in the grandstands are slip resistant in accordance with AS4586 and HB197. ▪ The design will ensure that all accessible WC entry doors have a minimum clear open width of 800mm (870mm door leaf) compliant with AS1428.1 and BCA. Should the client wish to comply with the DDA Premises standards, ensure the door has a minimum 850mm clear open width (920mm door leaf). ▪ A minimum 2000mm x 1600mm un-obstruction circulation space would be required around the toilet pan compliant with AS1428.1. A minimum 2300mm x 1900mm unobstructed circulation space around 	<p>Prior to issue of the Construction Certificate</p>

Subject	Commitments	Timing
	<p>the toilet pan would be required should the client wish to comply with the DDA Premises Standards. In both instances the basin should not encroach into this area (may encroach max 100mm).</p> <ul style="list-style-type: none"> ▪ The detailed design of the Spectator grandstand will ensure the accessible WC found on level 2 is approached from within the Chairman Lounger Area corridor, rather than from the BOH (DDA issue). ▪ The detailed design of the proposal will consider the provision of an ambulant cubicle in each of the male and female bank of toilets, compliant with AS1428.2. 	
Groundwater Management	<p>The reconfigured stormwater system will remain offline until the system is complete and the site is sufficiently stabilised. Swale sand/metal pillows in geotextile fabric will cover any existing stormwater inlets and gully inlets to prevent runoff entering the system prematurely.</p> <p>All fuel or chemicals stored on site during construction shall be kept within bunded areas in double skinned containers.</p>	During construction
Integrated Water Management	<p>Rainwater Harvesting will be installed in accordance with the recommendations of Arup's Integrated Water Management Plan.</p> <p>Low Water Use WELS rated taps and fittings will be used in accordance with the recommendations of Arup's Integrated Water Management Plan.</p> <p>A sediment and erosion control plan will be prepared and implemented in accordance with the Sediment and Erosion Control measures included in section 8 of Arup's Integrated Water Management Report</p>	<p>Prior to occupation</p> <p>Prior to occupation</p> <p>Prior to construction</p>
Stormwater Management	<p>A detailed stormwater overland flow plan will be prepared as part of the detailed engineering design phase of the project to ensure that surface flows are directed away from buildings.</p>	Prior to construction
Contamination	<p>Additional contamination investigations will be undertaken in accordance with the recommendations of the DP report to verify the extent of asbestos contamination in the vicinity of TP102. This will involve step-out sampling at TP102.</p> <p>If any asbestos pipes are uncovered during bulk excavation they will be managed by the implementation of an "unexpected asbestos finds protocol" that shall be developed.</p> <p>Subsequent to delineating the extent of the asbestos contamination in the vicinity of TP102, remedial works will be undertaken where require to render the site suitable for the proposed development.</p> <p>Waste will be disposed off as per the recommendations of the DP report.</p>	<p>Prior to construction</p> <p>Prior to construction</p> <p>Prior to construction</p>
Aboriginal Heritage	<p>Consultation with the Aboriginal community should continue where necessary and they should be given the opportunity for continued</p>	During construction

Subject	Commitments	Timing
	<p>involvement in the project;</p> <p>In the event that previously undiscovered Aboriginal objects, sites or places (or potential Aboriginal objects, sites or places) are discovered during construction, all works in the vicinity of the find should cease and AJC/Urbis should determine the subsequent course of action in consultation with a heritage professional, relevant registered Aboriginal stakeholders and/or the relevant State government agency as appropriate; and</p> <p>If suspected Aboriginal skeletal material is identified on the site, all works should cease and the NSW Police and the NSW Coroner's office contacted. If the burial proves to be archaeological, consultation with a heritage professional, relevant registered Aboriginal stakeholders and/or the relevant State government agency will be undertaken.</p>	<p>During construction</p> <p>During construction</p>
Non-Indigenous Heritage	<p>An experienced Conservation Architect will be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project to resolve matters where existing significant fabric and spaces are to be subject to change.</p> <p>An Archaeological Management Plan for the Spectator Precinct should be prepared and implemented prior to the commencement of works.</p> <p>An Archival Photographic Recording of the Spectator Precinct should be made prior to the commencement of any works. The archival recording should include details of the exteriors, interiors and setting of the Tea House, Swab Building, Grandstands and Parade Ring, as well as the site layout and visual character of the built and landscape elements of the Spectator Precinct.</p> <p>The Royal Randwick Racecourse - Interpretation Plan - Phase 1: Strategic Overview - Draft Report, prepared by Godden Mackay Logan in November 2007 will be used to inform the development and implementation of future site interpretation.</p>	<p>During detailed design and construction</p> <p>Prior to construction</p> <p>Prior to construction</p> <p>Note</p>
Acoustics	<p>Noise from proposed mechanical plant will be controlled to meet the established INP criteria at the nearest noise sensitive receivers at 66A Doncaster Avenue.</p> <p>Any new sound system installed as part of the development will be designed using line array loudspeaker technology and directional sub-woofers that allow the sound to be directed digitally to the location where it is needed, and avoid unnecessary sound spill to other areas.</p> <p>Physical articulation on the back of the grandstands will be maximised where practical in the architectural design to scatter any reflected sound from the sound system. To prevent focusing of sound, the depth of articulation will vary.</p> <p>Noise limits at affected residences similar to those approved for the Future Music Festival 2010 be adopted in order to set noise limits for all event types to be held at Randwick Racecourse (both race day and non-race day events). This noise limit is to apply to events held both on the infield</p>	<p>During operation</p> <p>Prior to occupation</p> <p>Prior to issue of construction certificate</p>

Subject	Commitments	Timing
	<p>and within the Theatre of the Horse. The proposed noise limit criteria are:</p> <ul style="list-style-type: none"> □ LA1,15min 70 dB(A) □ LC90,15min 90 dB(C) <p>Noise levels are to be measured at affected residences with the sound level meter set to the 'fast' response setting over any 15 minute period during the event, including any bump in/out phases and sound checks.</p>	
Public Safety and Security	<p>A detailed CPTED assessment will be undertaken to further demonstrate how the proposed design achieves the CPTED principles. In particular, the proposal will need to demonstrate compliance with the following CPTED principles:</p> <ul style="list-style-type: none"> ▪ Territoriality ▪ Territorial Reinforcement ▪ Surveillance ▪ Adjacencies ▪ Maintainability. 	Prior to issue of construction certificate
ESD	The development will be designed, constructed and operated in accordance with the recommendations of Arup's ESD report 003 Issue 3.	Prior to issue of the Construction Certificate, occupation and operation
Utilities Infrastructure	Augmentation of existing electricity infrastructure in accordance with Energy Australia requirements.	Prior to occupation