

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



Member of the Commission

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Sydney

7 February 2011

SCHEDULE 1

Application No.:	MP 10_0098
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 Stables Precinct including:</p> <ul style="list-style-type: none">• Six two-storey stable buildings, each housing 100 horses, sand rolls, wash-bays and accommodation for 10 strappers / stable-hands.• 12 two-storey mechanical horse walkers (24 machines in total).• Tie-up Stalls for 50 visiting horses for Barrier Trials.• Pony Enclosure for 20 to 25 ponies.• Exercising facilities including a 'Bull Ring', Parade Rings, and Equine Pool.• Parking for some 110 vehicles, comprising 80 permanent and 30 over-flow parking spaces.• Modifications to the existing vehicle access from Wansey Road, relocating it further north of the existing Wansey Road access.

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
DITRD LG	Department of Infrastructure, Transport, Regional Development & Local Government or its successors
EA	Environmental Assessment titled <i>Royal Randwick Racecourse Stables 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 Stables 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 Stables Precinct Redevelopment Royal Randwick Racecourse and Appendices prepared by URBIS, October 2010</i>			
Architectural (or Design) Drawings prepared by Robertson & Marks Architects			
Drawing No.	Revision	Name of Plan	Date
PA-01	A	Context/Locality Plan	24 September 2010
PA002	A	Site Analysis Plan	24 September 2010
PA-03	A	Site Plan	24 September 2010
PA-05	A	Site Sections A & B	24 September 2010
PA-06	A	Site Section C	24 September 2010
PA-010	A	Ground Floor Plan – Stable Block	24 September 2010
PA-011	A	First Floor Plan – Stable Block	24 September 2010
PA-012	A	Mezzanine Floor Plan – Stable Block	24 September 2010
PA-013	A	Roof Plan – Stable Block	24 September 2010
PA-014	A	Sections A-A & B-B Stables	24 September 2010
PA-015	A	North & East Elevation – Stable Block	24 September 2010
PA-016	A	South & West Elevation – Stable Block	24 September 2010
PA-018	A	Finishes	24 September 2010
PA-030	A	Farriers, Saddler & Kiosk	24 September 2010
PA-040	A	Tie Up Stalls	24 September 2010
PA-041	A	Pony Enclosure	24 September 2010
PA-050	A	Horse Walkers & Shaving Stall	24 September 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*.

A copy of the construction certificate, the approved plans and development consent 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, Council's development consent and the construction certificate.

A4 WorkCover and DECC Requirements

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.

A5 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.

A6 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.

A7 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.

A8 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

Building work cannot be commenced unless the building work is certified to comply with the technical provisions of the State's building laws. The proponent shall supply the Council with evidence of the certification of the works.

Certification of the works under Section 109e of the EP&A Act 1979 before commencement can be either for the whole project or a component of the works, reflecting the staging of construction.

B2 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 consent, 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.

B3 Acoustic Report

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 220880-00 Titled "Australian Jockey Club Stables and Training Facilities Environmental and Residential Amenity, Acoustics" 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.

B4 Water and Cooling Systems

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.

B5 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).

B6 Roads and Traffic Authority Requirements

The Alison Road and Wansey Road intersection shall be reconfigured to incorporate a right turn bay on Alison Road northwest approach for vehicles turning right into Wansey Road. Reconfiguration works are likely to involve provision of the right turn bay within the existing carriageway (ie., existing pavement) or require removal of existing on-street parking. The length of the right turn bay shall be based on geometric requirements specified in the RTA's Road Design guide and traffic modelling of the intersection during AM and PM peak periods. The traffic modelling shall consider future traffic generated at the intersection.

Certified copies of civil design plans for the works on the intersection of Alison Road/Wansey Road/Prince Street shall be submitted to the RTA for consideration and approval prior to the issue release of any Construction Certificate for the proposed development.

The civil design plans shall be designed in accordance with RTA's Road Design Guide, the RTA's and other Australian Codes of Practice and endorsed by a suitably qualified chartered Engineer (ie., who is registered with the Institute of Engineers, Australia).

The proponent shall enter into a minor Work Authorisation Deed (WAD) for the civil works to reconfigure the Alison Road and Wansey Road intersection. The WAD shall be executed prior to the RTA's assessment of the detailed civil design plans for the reconfiguration works.

Community consultation for the required reconfiguration works for the intersection of Alison Road/Wansey Road/Prince Street shall be undertaken by the developer to the satisfaction of Randwick City Council.

A demolition and Construction Traffic Plan detailing construction vehicle routes, numbers of trucks, hours of operation, access arrangements and traffic control shall be submitted to Randwick City Council prior to issue of a construction certificate.

All works associated with the proposed development shall be at no cost to the RTA.

B7 Wansey Road Accessway

The Wansey Road driveway access point to the development must be restricted to "LEFT TURN ONLY - VEHICLES UNDER 6M EXCEPTED". Traffic islands and RTA approved regulatory signage, preventing larger type vehicles from turning right out of the site and turning left into the site, must be provided centrally on Wansey Road, opposite the vehicular entrance.

The Wansey Road access driveway is to be designed as a driveway and not a road. To maximise protection for pedestrians and cyclist, the access point is to include "STOP" control treatment (pavement marking and regulatory signs) within the property boundary for vehicles exiting the development.

Certified detailed civil design plan of the entry/exit point of proposed new Stables, including proposed traffic control devices and regulatory signage on Wansey Road, must be provided to Randwick City Council for referral to, and approval by, the Randwick Traffic Committee, to the satisfaction of Council's Director City Services prior to issue of a construction certificate.. The detailed design must also include an autoTURN simulation of the largest possible vehicle likely to access the development entering and leaving the development in a forward direction.

All works associated with the restrictions should be fully funded by the applicant at no cost to Council or the RTA.

B8 Wansey Road and Alison Road Pedestrian Safety

In view of the expected increase of traffic at the intersection of Alison Road and Wansey Road, the Wansey Road approach at this intersection must be redesigned and reconstructed in the interest of improving traffic and pedestrian safety. Redesign and reconstruction works are likely to include alterations to the approach alignment (throttling the mouth of the intersection and adjusting the junction so it meets Alison Road at right angles) and the provision of a pedestrian refuge traffic island at the intersection. Additionally, the lane assignment of the Wansey Road approach to Alison Road should be two lanes for the vehicles to egress Wansey Road into Alison Road (left lane to be pavement marked left turn arrow and right lane to be pavement marked with right/ through arrow) and one lane for vehicles to access Wansey Road from Alison Road.

The applicant shall liaise with Randwick City Council's Manager Integrated Transport to obtain Council's design Certified detailed civil design plans, prepared in accordance with the RTA's Road Design Guide, RTA's technical direction 2002/10 Pedestrian Refuges and Council specifications, shall be submitted to Randwick City Council for consideration and approval by the Randwick Traffic Committee, and to the satisfaction of Council's Director City Services, prior to issue of a construction certificate. The detailed design should include autoTURN simulations of the largest possible vehicle likely to access/ egress Wansey Road from/to Alison Road.

All works associated with the redesign and reconstruction must be fully funded by the applicant at no cost to Randwick City Council or the RTA.

B9 Wansey Road Pedestrian Refuge

As staff of the new Stables Precinct will primarily access the Royal Randwick Shopping Centre and the Belmore Road Shopping Precinct via Arthur Street, and to improve pedestrian safety along this pedestrian desire line, a pedestrian refuge island must be constructed in Wansey Road, just north of Arthur Street. The pedestrian refuge islands must also be designed to perform the function of a traffic calming device (featuring kerb build-outs and 3.0m wide traffic lanes), aimed at further discouraging larger vehicles from travelling on Wansey Road, south of the development's driveway access.

The pedestrian refuge is to be designed in accordance with the RTA's technical direction 2002/10 Pedestrian Refuges. Certified copies of the civil design plans shall be submitted to Randwick City Council, for referral to, and approval by, the Randwick Traffic Committee, to the satisfaction of Council's Director City Services, prior to issue of a construction certificate.

All works associated with the design and construction of a pedestrian refuge at this location must be fully funded by the applicant at no cost to Randwick City Council or the RTA.

B10 Bicycle Parking

Twenty (20) bicycle parking spaces must be provided within the proposed development. The bicycle parking facilities must be secured with the inclusion of end of trip facilities (showers, lockers and changing facilities). The bicycle facilities are to be designed and installed in accordance with AS 2890.3 – Bicycle Parking Facilities (1993) and current best practice guides/ standards. Design details shall be submitted to Randwick City Council for approval prior to issue of a construction certificate.

All works associated with the design and construction of a pedestrian refuge at this location must be fully funded by the applicant at no cost to Randwick City Council or the RTA.

B11 Wansey Road Vehicle Load Limit

All vehicles three (3) tonne or over must enter and exit the site via Alison Road and Wansey Road only, (i.e. left turn only out of the site and right turn only into the site).

B12 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.

B13 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.

B14 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 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.

B15 Outdoor Lighting

All outdoor lighting shall be designed to comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*.

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 consent by Council.

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

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.

B17 Service Authority Issues

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.

Any electricity substation required for the site as a consequence of this development shall be located within a residential 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 Drainage and associated infrastructure

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 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 and must be certified by the applicant's drainage consultant.

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.

The level of any open carspace shall be a minimum of 150mm above the calculated 1 in 100 year flood level. The Construction Certificate Application shall demonstrate compliance with this requirement.

The proposed internal roadways, drainage easements and overland flow routes through/around the development site 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 Construction Certificate must document how these requirements are to be met.

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.

B19 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. 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

B20 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-101, project no. 10503376, issue B, dated 30/09/10, as well as all other additional details contained in Appendix H 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 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 trees on Council land external to the site, being those on either the Wansey or Alison Road frontages, must be retained and remain unaffected by the proposed works, other than those identified in clause C18, 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. 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.
- c. 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.
- d. Consideration should be given to the incorporation of either prominently flowering native trees or exotic species as accent/features, which will offer seasonal colour variations either through foliage and/or flower displays, as currently provided by the Jacaranda's.
- e. All new trees must be a minimum of 45 litres (pot/bag size at the time of planting), and shall be located with consideration for maximising their screening potential, both for surrounding residents to the east, as well as within the Racecourse, when viewed from the western side of the site, with a suitable mixture of semi-advanced and super-advanced trees, being 100-400 litre bag size at the time of planting to be used.
- f. 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.
- g. In order to maintain visual screening of the new Stable Buildings from both the roadway and for those residents in either Wansey or Alison Road, additional trees using those species which already exist in these areas, being *Ficus microcarpa* 'Hillii' (Hills Weeping Fig) or *Ficus macrophylla* (Moreton Bay Fig) shall be used along both frontages to provide a continuous canopy cover.
- h. Additional notation showing soil and mulch details, irrigation details, edging, paving, fencing details, surface finishes, retaining wall details, and any other landscape

elements in sufficient detail to fully describe the proposed landscape works.

- i. Sectional elevations through the site showing the existing and proposed groundlines, building elevations, and mature height of proposed planting.
- j. 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.
- k. In order to reduce the amount of storm-water generated by the site, as well as to recharge groundwater supplies, porous/permeable paving shall be used in all hard surfacing not over slab.
- l. Separate planting plans, plant schedules and details/sections shall be submitted for the proposed Wetland/Detention Ponds and road verge plantings.
- m. 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.
- n. 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 consent. The property owner is 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.

B21 Drainage Works

Prior to lodging a Construction Certificate, the applicant must undertake a detailed investigation and survey of all Council owned/controlled stormwater infrastructure within the Stables Precinct. The proposed development must either be suitably designed so as to allow free and unimpeded access to Council's existing drainage infrastructure or alternatively the pipelines must be relocated /reconstructed clear of any structures.

All relocated / reconstructed drainage pipelines/culverts must be designed to discharge stormwater flows generated by the critical 1 in 20 year ARI storm event. Full design details must be submitted to Council for approval, and be approved, prior to lodgement of the Construction Certificate.

Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage for the proposed residential 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.

All stormwater run-off naturally draining to the site must be collected and discharged through this property's stormwater system.

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.

B22 Heritage

Prior to a construction certificate being issued:

- a. A Heritage Management Plan shall be prepared as a supplement to the existing Construction Management Plan which clearly identifies the measures to be undertaken to manage heritage impacts.
- b. Statements of Heritage Impact (SoHI) shall be prepared for all heritage items directly impacted by the proposed development. These documents shall be prepared according to the NSW Heritage Council guidelines. These documents shall inform the preparation of a Heritage Management Plan (HMP) for the project such that each SoHI shall be prepared before the completion of a HMP. The SoHI shall demonstrate a clear understanding of the impact of the proposed development upon all heritage items within the Stables Precinct before the management measures are developed.
- c. A Revised Interpretation Strategy shall be prepared which builds on the existing strategy prepared by GML 2007. The strategy should provide appropriate interpretation of the site and its use over time.
- d. A baseline European (Non-Indigenous) Archaeological Assessment shall be prepared prior to any excavation works to identify any areas of potential European archaeological relics.

B23 Aquifer Recharge

Any proposed aquifer recharge from the stable precinct to be in accordance with National Managed Aquifer Recharge (MAR) Guidelines.

PART C – PRIOR TO CONSTRUCTION

C1 Construction Site Management Plan

A *Construction Site Management Plan* is to be developed and implemented prior to the commencement of any demolition, excavation or building works. The site management plan must include the following measures, as applicable to the type of development:

- location and construction of protective fencing / hoardings to the perimeter of the site;
- location of site storage areas/sheds/equipment;
- location of building materials for construction;
- provisions for public safety;
- dust control measures,
- site access location and construction
- details of methods of disposal of demolition materials;
- protective measures for tree preservation;
- provisions for temporary sanitary facilities;
- location and size of waste containers/bulk bins;
- details of proposed sediment and erosion control measures;
- construction noise and vibration management;
- construction traffic management details.

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity to the satisfaction of Council. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

C2 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 consent 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 consent 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.

C3 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.

C4 Demolition Work Plan for hazardous materials

Prior to demolition of any building constructed before 1970, the person acting on this consent 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.

C5 Sydney Water services

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

C6 Waste Control

The location and facilities for the collection, storage and disposal of wastes generated within the premises shall be submitted to and approved by Council prior to the commencement of works.

C7 Heritage Item Management

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.

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 name and experience of this consultant shall be submitted to the consent authority for approval prior to commencement of 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.

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.

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.

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.

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.

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.

C8 European Archaeological Heritage Management

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.

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.

All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated Archaeologist 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.

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).

C9 Aboriginal Heritage Management

Aboriginal Cultural Heritage management is to be undertaken in accordance with the Aboriginal Cultural Heritage Assessment prepared by Archaeological and Heritage Management Solutions and the provisions of the NSW National Parks and Wildlife Act and the Department of Environment Climate Change and Water.

C10 Heritage Interpretation Strategy

An Interpretation Strategy will 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.

C11 State Transit Authority Requirements

A copy of any traffic management plan or traffic control plan for any road closures that may impact on bus operations, related to the demolition and construction stages shall be provided to the STA for assessment and comment. Any impact on a bus stop or bus stop infrastructure in relation to this development shall also be provided to STA for review.

C12 RTA requirement - Alison and Wansey Road Intersection reconfiguration

The RTA fees for administration, plan checking, civil works inspection and project management for required reconfiguration of the Alison Road and Wansey Road intersection shall be paid by the proponent prior to the commencement of works.

C13 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.

C14 Contamination

Prior to above-ground works 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.

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).

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.

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 .

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.

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.

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).*

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).

C15 Works within road reserve/public place

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.

C16 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, point 14.1 of the Arborists Report by Earthscape Horticultural Services, dated September 2010 ("the Arborists Report").

Tree Removals

Approval is granted for removal of the following trees as part of the proposed works, subject to full implementation of the approved landscaping:

- a) Those 17 trees with low and very low retention values as identified in point 11, Conclusions, 11.1.6 of the Arborists Report, being Trees T6, 25, 30-32, 39-42, 54, 63, 71 & 73-77;

- b) Those 14 trees of moderate retention value as listed in point 11.1.7 of the Arborists Report, being Trees 2-3a, 5, 35, 38, 51, 55-56, 61-62, 64, 70 & 72;
- c) T4, of a high retention value, as per point 11.1.8 of the Arborists Report.

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, (e.g. Trees T11, 12 and 13), 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 Sustainable Design Report, Issue 2, prepared by Arup Pty Ltd and dated September 2010.

D2 Protection of adjoining premises

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.

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.

The requirements to protection, support and underpinning of adjoining premises condition referred to above does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing that these requirements do not apply.

D3 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 limits (subject to column 1)Sunday & 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.

D4 Public Health and Safety

Public health, safety and convenience must be maintained at all times during demolition and building works and the following requirements must be complied with at all times (as applicable):

- a) Demolition work must be carried out in accordance with Australian Standard, AS2601 (2001) - The Demolition of Structures and a Demolition Work Plan is required to be developed and implemented to the satisfaction of the Principal Certifying Authority **prior to commencing any demolition works.**
- b) The demolition, removal, storage and disposal of any materials containing asbestos must be carried out in accordance with the relevant requirements of WorkCover NSW, Council's Asbestos Policy and the following requirements:
 - A licence must be obtained from WorkCover NSW for the removal of friable asbestos and or more than 10m² of bonded asbestos (i.e. fibro)
 - Asbestos waste must be disposed of in accordance with the Protection of the Environment Operations Act 1997 & relevant Regulations.
 - A sign must be provided to the site/building stating "Danger Asbestos Removal In Progress".
 - A Clearance Certificate or Statement must be obtained from a suitably qualified person (i.e. Occupational Hygienist) upon completion of the asbestos removal works, which is to be submitted to the Principal Certifying Authority and Council **prior to issuing an Occupation Certificate.**

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development section or a copy can be obtained from Council's Customer Service Centre.

- c) A sign must be provided and maintained in a prominent position, which contains the following details:
 - name, address, contractor licence number and telephone number of the principal contractor, including a telephone number at which the person may be contacted outside working hours, or owner-builder permit details (as applicable)
 - name, address and telephone number of the Principal Certifying Authority,
 - a statement stating that "unauthorised entry to the work site is prohibited".
- d) The roadway, footpath and nature strip must be maintained in a good, safe condition and free from any obstructions, trip hazards, materials, soils or debris at all times. Any damage caused to the road, footway or nature strip must be repaired immediately, to the satisfaction of Council.
- e) A Road/Asset Opening application must be submitted to and be approved by 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.

The owner/builder must ensure that all works within or upon the road reserve, footpath, nature strip or other public place are completed to the satisfaction of Council, prior to the issuing of an occupation certificate for the development. For further information, please contact Council's Road/Asset Opening Officer on 9399 0691 or 9399 0999.
- f) Building materials, sand, soil, waste materials, construction equipment or other materials or articles must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions, soil and debris at all times.
- g) Bulk bins, waste containers or other articles must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council. Applications to place a waste container or other articles in a public place can be made to Council's Building Services section.
- h) During demolition and construction, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater — Soils and Construction, published by Landcom, to the satisfaction of Council.

- i) Public safety must be maintained at all times and public access to any demolition and building works, materials and equipment on the site is to be restricted. If necessary, a temporary safety fence or hoarding is to be provided to protect the public. Temporary site fences are to be structurally adequate, safe and be constructed in a professional manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

If necessary, an awning or other adequate protection is to be provided to prevent any articles from, or in connection with the work from falling into the public place or adjoining premises.

A 'B Class' overhead type hoarding is required is to be provided to protect the public, located adjacent to the development, prior to the commencement of any works on the site which comprise any works or hoisting of materials over a public footway or adjoining premises or, any building or demolition works on buildings which are over 7.0m in height and located within 3.6 metres of the street alignment.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction. If it is proposed to locate any site fencing, hoardings or items upon any part of the footpath, nature strip or any public place, a Local Approval application must be submitted to and approved by Council's Health, Building & Regulatory Services department beforehand. Details and plans are to be submitted with the application, together with payment of the weekly charge in accordance with Council's adopted Pricing Policy.

- j) The owner/builder is required to hold Public Liability Insurance, with a minimum liability of \$10 million and a copy of the Insurance cover is to be provided to Council.

D5 WorkCover

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

D6 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.

D7 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.

D8 Noise Control

Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.

Noise and vibration from any rock excavation machinery, pile drivers and all plant and equipment must be minimised, by using appropriate plant and equipment, silencers and the implementation of noise management strategies.

A Construction Noise and Vibration Management Plan, prepared in accordance with the DECC Construction Noise Guideline, by a suitably qualified person is to be implemented throughout the works, to the satisfaction of the Council. A copy of the plan must be provided to the Principal Certifying Authority and Council prior to the commencement of site works.

D9 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.

D10 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.

D11 Footpath protection

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.

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.

D12 Service authority Issues

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.

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.

D13 Tree Management Issues

Replacement Planting

Should it become necessary throughout the course of the works to remove any of those trees listed for retention, the applicant must first demonstrate to the PCA that all options available for their preservation have been exhausted. If removal is the only course of action, it should only be done where absolutely necessary, based on their remaining SULE. Replacement planting must be undertaken in these cases, in accordance with the Royal Randwick Racecourse Development Control Plan, being sympathetic to the heritage context of the site, and selecting species of the late Victorian to Interwar Periods.

Preservation of existing trees

In order to specifically ensure retention of the row of seven (7) *Platanus x hybrida* (London Plane Trees), in the northeast corner of the site, between the existing Racecourse and proposed buildings, identified as trees 7-13 in the Arborists Report, consideration must be given to placement of the road pavement and kerb above grade to avoid excavations within their calculated Tree Protection Zones (TPZ). Consideration also needs to be given to the use of a permeable pavement surface to maximise water infiltration to the root zone, with drainage works including pits, pipelines or similar to be placed outside the recommended Minimum Setback Distance, as per Appendix 5 of the Arborists Report.

Demolition of the existing asphalt pavement and stables buildings within the TPZ's of trees T20-24, *Ficus macrocarpa* var 'Hillii' (Hills Weeping Figs) must be carried out in accordance with Section 14.18 of the Arborists Report.

All trees listed for retention must be retained and protected as part of the proposed works, (including Trees 14-19, T26-27, 27a, 28-29, 33-34, 36-37, 43, 43a, 44-50, 52-53, 57-60, 65-67, 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 14.17 & 14.19 of the Arborists Report), for the duration of the works.

D14 NSW Office of Water Requirements - Groundwater

Prior to undertaking any works for the purposes of temporary dewatering of the subject site as part of the proposed development, licences under Part V of the Water Act 1912 are for temporary dewatering shall be obtained. 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:

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.

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.

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 a Consent 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).

D15 Tanking and waterproofing issues

Should the above site be likely to encounter groundwater, (i.e. excavation will be within the water table), the basement levels 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 (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.

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 consent (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 consent. The requirements of the Environmental Planning & Assessment Act 1979 and conditions of development consent 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 consent and the relevant conditions of development consent have been satisfied.

E2 Alison Road and Wansey Road Intersection Reconfiguration

The required reconfiguration works for the Alison Road and Wansey Road intersection shall be fully constructed and operational prior to the release of the Occupation Certificate.

E3 Fire Safety

A Fire Safety Certificate must be submitted to Council prior to the issuing of an Occupation Certificate, in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

The Fire Safety Certificate must include details of all of the fire safety measures contained in the building as detailed in the fire safety schedule attached to the Construction Certificate.

Prior to issuing any Occupation Certificate the Principal Certifying Authority must be satisfied that all of the relevant fire safety measures have been included and are sufficiently detailed within the Fire Safety Certificate. 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. An annual Fire Safety Statement is also required to be submitted to the Council and the NSW Fire Brigades, each year after the date of the Fire Safety Certificate, in accordance with the Environmental Planning & Assessment Regulation 2000.

E4 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.

E5 Cooling Systems

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.

E6 Sydney Water Requirements

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.

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.

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.

E7 Drainage Works Requirements

Prior to the issuing of an Occupation Certificate the applicant must create suitable drainage easements in favour of Council over the line of any existing/ new / relocated or upgraded stormwater pipelines within the site, under the control of Council. Minimum easement widths are as follows:

- Pipeline diameter is 1,200mm or less -easement width required = 3.0m
- From 1,200mm to and including 1,500mm diameter -easement width required =3.5m
- Above 1500mm diameter -easement width required to Council's satisfaction.

Note: no buildings or structures must be located within the easement.

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).

E8 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 RTA Requirements

The use of the narrow/southern access driveway on Alison Road known as Gate 9 is to be demolished as it is no longer required. Use of the wider/northern access driveway on Alison Road can be maintained provided parking on the approach to this access is banned.

Gate 8 access and driveway must comply with AS2890.1 and AS2890.2 for large vehicles. The access driveways shall be reviewed and if required re-designed and re-constructed to comply with AS2890.1 and AS2890.2.

All vehicles shall be wholly contained on site before being required to stop on access driveways on Alison Road.

Off-street carparking spaces, bicycle facilities and loading areas shall be provided to the satisfaction of Randwick City Council.

The layout of the proposed carparking areas, loading docks and access driveway on Wansey Road associated with the subject development (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths, loading area dimensions and parking dimensions) shall be in accordance with AS2890.1-2004 and AS2890.2-2002 for large vehicles.

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

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 report, Issue 2, prepared by Arup dated September 2010 and as validated by the acoustic report submitted for the construction certificate.

F4 Operation Management Plans

The operation of the Stable and Training Precinct shall be conducted in accordance with the following management plans:

- AJC Stabling Management Plan dated 9th September 2010;
- Environmental and Residential Amenity, Odour Management Plan prepared by Arup dated September 2010, Issue 2;
- “Environmental and Residential Amenity, Waste Management Plan” prepared by Arup and dated September 2010, Issue 3;
- “Evacuation & Equine Disease – Related Management” prepared by the Australian Jockey Club Ltd and dated 6 September 2010.

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.

F5 Operation Waste Management

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 titled "Environmental and Residential Amenity, Waste Management Plan" prepared by Arup dated September 2010;
- All Sydney Water requirements;
- All requirements of The WorkCover Authority.

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 submitted to the certifying authority prior to the commencement of works.

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.

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.

F6 NSW Health Requirements

The plumbing for the proposed rainwater tanks requires colour coding in accordance with the Enhealth Guidelines to prevent cross-contamination with the potable water supply especially with respect to the proposed construction of stable residences. The plumbing should also comply with the Australian standard AS/NZS 3500 NSW Plumbing Code of Practice.

Water in the proposed horse pool shall be treated to prevent disease transmission and insect infestation such as flies and mosquitoes.

Any copies of additional contamination reports prepared for the site shall be forwarded to the Public Health Unit for Human Health Risk assessment and comment.

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																
Section 94 Contributions	<p>Section 94 Contributions are to be made in accordance with the following formula, derived from the Randwick Section 94 Developer Contribution Plan 2007:</p> <p style="text-align: center;"><i>1% x Total cost of carrying out development</i></p>	Prior to issue of the Construction Certificate																
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>0.54 lux</td><td>✓</td></tr><tr><td>Luminous Intensity</td><td>1000 cd</td><td>0 cd</td><td>✓</td></tr><tr><td>Threshold Increment</td><td colspan="2">Luminaires have minimum viewing angles from Wansey Road</td><td>✓</td></tr></table> <p>Lighting Parameters for the Stables Precinct, extracted from Arup <i>Environmental and Residential Amenity, Light Spill</i> Report, Sept 2010.</p> <p style="text-align: center;">Design detail of lighting shall meet the above specifications.</p>	Technical Parameter	Maximum Permissible Value	Calculated value	Compliant	Light Trespass	10 lux	0.54 lux	✓	Luminous Intensity	1000 cd	0 cd	✓	Threshold Increment	Luminaires have minimum viewing angles from Wansey Road		✓	Prior to issue of Construction Certificate
Technical Parameter	Maximum Permissible Value	Calculated value	Compliant															
Light Trespass	10 lux	0.54 lux	✓															
Luminous Intensity	1000 cd	0 cd	✓															
Threshold Increment	Luminaires have minimum viewing angles from Wansey Road		✓															
Residential Amenity – Odour and Dust Management	<p>The proponent agrees to implement the following odour and dust management measures during the operating of the stable and training facilities:</p> <ul style="list-style-type: none">▪ Establishing an odour complaints line.▪ Maintaining and enhancing existing vegetation buffers along precinct boundaries.▪ A dedicated enclosed waste area is proposed for manure and stable bedding waste prior to removal.▪ Waste is to be removed in accordance with the Waste Management Plan▪ Seal or vegetate surfaces wherever possible.▪ Hose down unsealed areas during windy and dry conditions.▪ Keep dust suppressing equipment on site at all times.▪ Clean tracks that have dust transfer as soon as possible. <p>An Operational Management Plan which will adopt these mitigation measures shall be prepared.</p>	Prior to issue of the Construction Certificate.																
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> <ol style="list-style-type: none">1. <i>The following Tree Management Plan (Appendix 2) should be implemented to ensure the long term survival of all trees within the site to be retained as part of the development</i>2. <i>In order to minimise adverse impact on Trees 7, 8, 9, 10, 11, 12 & 13, consideration should be given to placement of the road pavement and kerb above grade to avoid excavations within the TPZ (refer Figure 1). Consideration should also be given to a permeable type pavement surface to maximise water infiltration to the underlying root zone. Drainage works, including pits and</i>	Prior to and during construction																

Subject	Commitments	Timing
	<p><i>pipelines, should be placed outside the recommended Minimum Setback Distance (refer Appendix 5) where possible</i></p> <ol style="list-style-type: none"> 3. <i>Demolition of the existing asphalt pavement and stables buildings within the TPZ's of T20, T21, T22, T23 & T24 (all Hill's Figs) should be carried out in accordance with Section 14.18</i> 4. <i>Any required pruning of T11, T12 or T13 to accommodate the proposed new building should be undertaken in accordance with Section 14.17.</i> 	
Ecologically Sustainable Development	<p>The Proponent agrees to design the stable and training facilities in accordance with the key operational ESD principles outlined in the Ecological Sustainable Design Report prepared by Arup dated September 2010 (Issue 2), including:</p> <ol style="list-style-type: none"> 1. <i>Rainwater harvesting from the stable roofs will be captured in six 30,000L tanks to be used on-site for WC flushing, horse wash, wash down and pool top up.</i> 2. <i>On site detention will be provided to offset discharge to municipal stormwater during peak rain periods.</i> 3. <i>Infiltration and aquifer recharge from the stabling precinct will be adopted.</i> 4. <i>Manure is collected and re-used as a combination of offsite and some onsite practices.</i> 5. <i>The naturally ventilated stables and accommodation will reduce overall power consumption.</i> 6. <i>The sensor lighting of the stables and accommodation will reduce power consumption.</i> 7. <i>Resilient surfaces will limit dust and noise from horse movement.</i> 8. <i>Contractors will implement a robust commissioning process for lighting and water systems to ensure design intent is met through operation.</i> 9. <i>A tenant guide is proposed to aid the building users to maintain and upgrade the buildings in line with the design intent.</i> 10. <i>Odour minimisation strategies will be adopted to minimise the effect on adjoining residents' amenity.</i> 11. <i>Operational waste, including but not limited to, horse-associated organic waste, paper, plastics, glass and other organics will be separated individually on-site for re-use or recycling either on-site or by external parties.</i> 12. <i>It is anticipated that a proportion of the site's energy will come from less carbon intensive sources than coal-fired electricity. In this event, the stables would be proportionately supplied by these alternatives that may include solar photovoltaics.</i> 13. <i>The site is easily accessible to public transportation systems with bus stops within 400m of either direction north along Alison Road or South towards High Street. Refer to the map on the next page.</i> 14. <i>The site is directly connected with bicycle systems, pedestrian paths, and walking routes, all of which will further reduce reliance on private vehicle use to access the site. Refer to the map on the next page and the map provided by the RTA also on the next</i> 	<p>Prior to issue of Construction Certificate</p>

Subject	Commitments	Timing
	<p>page.</p> <p>Design detail provided to demonstrate the above.</p>	
Stormwater Management	<p>The Proponent agrees to implement the following measures and actions recommended in the Water Management Report prepared by Robert Bird Group dated September 2010:</p> <ul style="list-style-type: none"> ▪ <i>Initial surface infiltration rates on flat grassy areas of the Randwick Racecourse are likely to be about 36 mm/hour (1.0 ×10⁻⁵ m/s). However a range of infiltration rates that are at least an order of magnitude lower and higher than this value are recommended for stormwater modelling. Long term continuous infiltration rates are likely to be an order of magnitude lower than initial rates.</i> ▪ <i>Limited field measurements have indicated a 50% decline in surface infiltration rates within 5-10 minutes.</i> ▪ <i>Site specific measurements using an appropriate methodology and testing duration are recommended to verify and refine these estimates.</i> <p>Design of the stormwater management system shall meet the above specifications.</p>	Prior to issue of Construction Certificate.
Groundwater Management	<p>The Proponent agrees to implement the following measures and actions recommended in the Groundwater Management, Groundwater Dependent Ecosystems report prepared by Arup dated September 2010:</p> <ul style="list-style-type: none"> ▪ During Construction <ul style="list-style-type: none"> • <i>The newly formed 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.</i> • <i>All fuel or chemicals stored on site during construction shall be kept within bunded areas in double skinned containers.</i> ▪ Post Construction <ul style="list-style-type: none"> • <i>The proposed stormwater system and infiltration ponds shall include an interceptor drain. The interceptor drain will intercept possible contaminants prior to reaching the infiltration ponds.</i> • <i>Horse manure in the stables will be adequately managed and disposed of. All hard standings will be regularly cleaned to prevent the build up of any manure.</i> <p>Design of the stormwater management system shall meet the above specifications.</p>	Prior to issue of Construction Certificate
Environmental Health and Animal Welfare	<p>The Proponent agrees to implement the practices and procedures outlined in the Animal Welfare Statement prepared by the Australian Jockey Club Limited dated 6 September 2010.</p>	During operation
Integrated Water Management	<p>The Proponent agrees to implement the recommended water saving methods into the Stables Precinct as recommended in the Integrated Water Management Plan prepared by Arup dated September 2010:</p> <ul style="list-style-type: none"> ▪ Rainwater Harvesting ▪ Low Water Use Fittings ▪ On-site Detention / Infiltration ▪ Management of overland flow ▪ Sedimentation and Erosion Controls. <p>Design of the stable and training facilities will incorporate the above water management measures.</p>	Prior to issue of Construction Certificate

Subject	Commitments	Timing
Contamination	The Proponent agrees to implement the removal of fill in accordance with the waste removal classification recommended by the Preliminary Contamination, Salinity and Acid Sulphate Soils Assessment prepared by Douglas Partners dated September 2010, and for the fill identified as containing asbestos to be remediated to be suitable for the intended use of the Stables Precinct.	Prior to and during construction
Aboriginal Archaeological Heritage	<p>The Proponent agrees to implement the following recommendations of the Aboriginal Archaeological Assessment prepared by AHMS for managing the impacts of the proposed works on the archaeological and cultural heritage value of the Stables Precinct:</p> <ol style="list-style-type: none"> <i>1. Consultation with the Aboriginal community should continue and they should be given the opportunity for continued involvement in the project;</i> <i>2. No further archaeological assessment or action is required in the portion of the Stable Precinct study area designated low archaeological sensitivity in Figures 8 and 9;</i> <i>3. Prior to any direct or indirect disturbance in the area of high Aboriginal archaeological sensitivity (Figure 9), archaeological testing should take place to determine the nature and extent of the archaeological resource within the area. The subsequent approvals and requirements to undertake testing and/or salvage of the archaeological resource will be dependent upon the approval process proposed for the project. These are discussed in Section 7. However, in all cases, testing/salvage of the archaeological resource should ensure that a suitably qualified archaeologist is engaged to prepare a methodology, research design and undertake the archaeological excavations, in consultation with the Aboriginal communities, DoP and/or DECCW;</i> <i>4. Depending on the findings of (3) and the identification of archaeological materials within areas of high Aboriginal archaeological sensitivity. Areas not subject to impact by the proposed development should be preserved. If these areas prove not to retain Aboriginal objects/sites, this recommendation should be reviewed and/or removed; and</i> <i>5. In the event that previously undiscovered Aboriginal objects, sites or places (or potential Aboriginal objects, sites or places) are discovered during construction regardless of location, 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;</i> <i>6. Should suspected Aboriginal skeletal material be identified, all works should cease and the NSW Police and the NSW Coroner's office contacted. Should the burial prove to be archaeological, consultation with a heritage professional, relevant registered Aboriginal stakeholders and/or the relevant State government agency should be undertaken; and</i> <i>7. Consideration should be given to developing interpretive and educational material relating to the Aboriginal associations with the area for public display. This should be developed in conjunction with the Aboriginal community.</i> 	During construction
European Heritage	The Proponent commits to preparing an archival photographic recording of the Stables Precinct prior to any works commencing, in accordance with the recommendations of the Heritage Impact Statement prepared by Graham Brooks and Associates dated September 2010.	Prior to construction

Subject	Commitments	Timing
Waste Management	The Proponent agreed to ensure operations of waste management within the stables precinct will be in accordance with the Waste Management Plan prepared by Arup dated September 2010.	During construction and operation
Construction Management	The Proponent agrees to undertaken construction of the Stables Precinct in accordance with the Construction Management Plan prepared by the Australian Jockey Club Limited dated 24 August 2010.	During construction