



Project Approval MP10_0098 MOD 1 Assessment Report

New Stables at Royal Randwick Racecourse

September 2015

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TABLE OF CONTENTS

1	Introduction	1
2	The Site and Context	2
3	Background	3
3.1	Approved Scheme	3
3.2	CBD and South East Light Rail (CSELR) Project Approval	3
3.3	Consultation	3
3.3.1	Transport for NSW	3
3.3.2	Department of Planning and Environment	4
3.3.3	Randwick City Council	5
4	The Proposed Modification	6
4.1	Staging of the Approval	6
4.2	Justification for Proposed Staging of Works.....	6
4.3	Review of Existing Conditions	6
5	Environmental Assessment	8
5.1	Modification of Part 3A Approvals	8
5.2	Environmental Assessment Requirements	8
5.3	Consistency with Current Approval	8
5.4	Consistency with Strategic Planning Policy.....	8
5.5	Consistency with Relevant Environmental Planning Instruments	9
5.5.1	Environmental Planning and Assessment Act.....	9
5.5.2	State Environmental Planning Policies.....	9
5.5.3	Local Environmental Plans	9
5.5.4	Development Control Plans.....	9
6	Conclusion	10
	Disclaimer	11

Appendix A Instrument of Approval

Appendix B Consultation with Transport for NSW

Appendix C Proposed Construction Staging Plan

Appendix D Schedule of Amended Conditions

FIGURES:

Figure 1 – The Stables Precinct	2
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No table of figures entries found.

PICTURES:

No table of figures entries found.

No table of figures entries found.

TABLES:

No table of figures entries found.

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1 Introduction

This report accompanies a request to modify the terms of the Project Approval MP 10_0098, made on behalf of the Australian Turf Club, formerly the Australian Jockey Club, (the Proponent), and which seeks to amend the construction program for the approved new stable facilities at Royal Randwick Racecourse.

It is proposed to introduce a new early stage of works as Stage 1, to precede the remainder of the stable works. The request also provides for various matters included in the conditions of approval to be delivered at the appropriate relevant stage of the three phases of the proposed construction.

This report includes:

- A description of the site and context;
- A summary of the approved project for this site;
- Details of the separately proposed construction of the CBD and Eastern Suburbs Light Rail (CSELR) project adjacent to the site; and
- Details of the proposed modification to the terms of the Project Approval.

This report also outlines the relevant statutory requirements for requests to modify a project approved under the former Part 3A of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), and provides justification for the proposed modification, and an assessment of the potential impacts on the locality. Each condition proposed to be amended or deleted is identified in this report, with an explanation of the change requested and where relevant the proposed wording for the condition.

2 The Site and Context

The Stables Precinct comprises the eastern portion of the Royal Randwick Racecourse site, which is situated in Sydney's eastern suburbs, to the north of the University of New South Wales (UNSW) main campus, and to the south of Centennial Park.

The Stables Precinct has an area of approximately 86,925sqm, with a principle frontage to Wansey Road to the east, from which vehicle access is obtained, and a secondary street frontage to Alison Road to the north-east. The site is legally described as Lot 2009 in Deposited Plan 1169042. An aerial of the Stables Precinct indicating the extent of the site for this proposal is shown in **Figure 1** below.

FIGURE 1 – THE STABLES PRECINCT



The Stables Precinct situated at the corner of Alison Road and Wansey Road has vehicle access from Wansey Road. The Wansey Road frontage is densely vegetated by a mix of large mature trees including Moreton Bay Fig Trees and Plane Trees providing dense foliage. The topography of the site slopes away from Wansey Road, creating visual and acoustic separation between the Stables Precinct and the residential development running along the eastern side of Wansey Road.

The area immediately surrounding the Stables Precinct consists of:

- To the north-west – the Royal Randwick Racecourse racing track, and Spectator Precinct, and further north Centennial Park.
- To the east - residential area consisting of a mix of one and two storey single dwellings and three storey residential flat buildings.
- To the south – the 'Steeple Hill Precinct' which currently comprises older-style stable and training facilities (which are to be replaced by the proposed stable facilities), and further to the south of High Street the University of New South Wales (UNSW) and the Prince of Wales Hospital.
- To the south-west – the 'High Street Precinct' which is occupied by older-style stable and training facilities (to be replaced by the proposed new stables), and further west Anzac Parade which is a mixed use corridor for public transport and local strip-shopping.

3 Background

3.1 APPROVED SCHEME

On 7 February 2011, the Planning Assessment Commission on behalf of the Minister for Planning approved Major Project (MP 10_0098) for a Project Application pertaining to the redevelopment of the Stables Precinct at the Royal Randwick Racecourse, see Approval at **Appendix A**.

The development approved under MP 10_0098 is summarised as follows:

- *Redevelopment of the Stables Precinct including:*
- *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.*

The development has not been commenced at this time.

3.2 CBD AND SOUTH EAST LIGHT RAIL (CSELR) PROJECT APPROVAL

A separate but related project approval relates to the CBD and South East Light Rail (CSELR) project which is located partly within and directly adjacent to the subject site.

Infrastructure Approval SSI-6042 was issued in June 2014 for the construction and operation of a light rail service generally from Circular Quay to Kingsford and Randwick via Surry Hills and Moore Park including 19 light rail stops, interchanges at ferry, rail and bus stations along the route. The proposal also includes facilities in Randwick and at Rozelle for light rail stabling and/or maintenance.

The relevance of this approval is that some of the works forming part of Project Approval MP 10_0098 are now subsumed into or duplicated in the SSI-6042 approval. The light rail alignment along Wansey Road would require the relocation of Gate 10 and as such this is being undertaken so that it is consistent with that proposed within the Project Approval MP 10_0098 to provide vehicle access and egress to the Stables Precinct. Road works along Wansey Road and the intersection at Alison Road would also be undertaken to facilitate vehicle movement into and out of Gate 10 and travel of light rail vehicles between Wansey and Alison Roads. These works will be delivered by Transport for NSW as part of this SSI approval.

3.3 CONSULTATION

3.3.1 TRANSPORT FOR NSW

The development of the Stables project was always planned to commence post completion of the ATC's Grandstand project which was approved at the same time in February 2011.

With this stage of work complete, the ATC has been involved in on-going consultation with Transport for NSW in respect to CBD and South East Light Rail (CSELR) which directly impacts on the racecourse and the delivery of the Stables Precinct. This has resulted in a deed of agreement entered into between both parties that facilitates the delivery of the CSELR project.

With the approved alignment CSELR project under (SSI 6042) now substantially resolved, further planning for the delivery of the Stables Precinct can occur.

A recent meeting was held with Transport for NSW staff to specifically discuss the proposed modification to the MP 10_0098 consent on 3 August 2015. This discussion focussed on the relationship between works on and immediately adjacent to the ATC land to be undertaken by CSELR project consent versus those works to be delivered by the ATC's Project Approval, noting that there are overlapping elements between both project approvals.

Transport for NSW staff was further present at the pre-lodgement meeting with the Department of Planning and Environment (discussed below) on 10 August 2015.

This application was submitted to Transport for NSW staff on 7th September 2015 for comment prior to lodgement. Acknowledgement of this consultation is provided at **Appendix B**.

3.3.2 DEPARTMENT OF PLANNING AND ENVIRONMENT

A pre-lodgement meeting was held with Department of Planning and Environment staff on 10 August 2015. The comments raised at this meeting have informed this application, as outlined in

TABLE 1 – SUMMARY OF PRE-LODGEEMENT MEETING WITH DPE

CONSIDERATION	RESPONSE
The applicant is advised to speak with Randwick City Council prior to lodgement.	Pre-lodgement consultation was undertaken with Randwick City Council on 31 August 2015 as outlined in Section 3.2.3 below.
The application documentation should be clear regarding which entity (the applicant or TfNSW) will be undertaking which construction work.	This delineation between contract work is provided on the Construction Staging Plan included at Appendix C .
Have the TfNSW works included the additional traffic generation approved under MP 10_0098	TfNSW have confirmed that the design of the intersection and all road works have taken into account the expansion of the Stable facilities as approved within MP 10_0098.
Amended DGRs/SEARs are not required to be issued.	Noted. No request for amended DGRs/SEARs has been made by the applicant.
The application should provide rationale for each stage of the construction proposed.	This is provided within Section 4.2 of this report.
The application should (where possible) provide information on the indicative CSELR project construction.	The proponent understands that works to be undertaken on the CSELR project in proximity of the site will occur in Mid-2016.
This application will be required to be determined by the PAC if the applicant has made a political donation in the past two years, and/or if Randwick City Council makes an objection to the application.	Noted.

3.3.3 RANDWICK CITY COUNCIL

Prior to the lodgement of this application, the applicant met with Randwick City Council staff to discuss the proposed modification to the consent conditions, including the staging of works. At the meeting dated 31 August 2015, Council raised the following matters which have been addressed within this application.

TABLE 2 – SUMMARY OF PRE-LODGEMENT MEETING WITH COUNCIL

CONSIDERATION	RESPONSE
Clarification on the overlap and interaction between MP 10_0098 and the CSELR project in terms of conditions of consent and scope of works.	The relationship between the two applications is outlined Section 4 of this report and is illustrated on the Proposed Construction Staging Plan at Appendix C . The relevant conditions of consent that relate to works within the road reserve are not proposed to be removed as part of this Modification Application, however are deferred to a later stage of the construction to ensure these works are not conflicting with the CSELR project.
Once the CSELR project is completed, the proponent may be required to lodge another Modification Application to remove or consolidate conditions or aspects of the design that have been overridden by the CSELR project, such as road intersection works.	This is noted by the proponent and will be addressed once the final rail package for the CSELR project is made available.
Ensure the existing conditions of approval and responsibilities of the proponent are not diluted by the changes proposed in the Modification Application.	No wholesale changes of the conditions of approval and the content of the approval are proposed as part of this Modification Application. Rather, the conditions and responsibilities are proposed to be allocated to an appropriate stage, ensuring the requirements are commensurate with the scope of works proposed in each construction phase.
The Modification Application is to be clear that no changes are proposed to the design, function, or operation of the stable facilities.	This application does not propose any changes to the approved design, function, use, or operation of the stable facilities. The proposal relates only to the staging of the construction. The construction of the development will still be required to be managed in accordance with construction conditions and the provisions of safeguards including Construction Management Plans and construction hours.

4 The Proposed Modification

4.1 STAGING OF THE APPROVAL

The proposed modification seeks to insert a construction staging program for the Royal Randwick Racecourse stable facility development by introducing an early stage of works and modifying the staging of consent conditions to reflect the status of the CSELR project.

The proposed construction staging is as follows:

- Stage 1 – Early Works
- Stage 2 – Equine Tunnel
- Stage 3 – Stables, Northern Car Park and Landscaping

The proposed Construction Staging Plan is provided at **Appendix C**.

This application is not seeking staged development consent under Division 2A, Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act); this application seeks only to implement a staged construction of the project. This applicant acknowledges that a final OC for the early stages of the development will only be issued following the certified construction of all stages.

4.2 JUSTIFICATION FOR PROPOSED STAGING OF WORKS

Each of the proposed construction stages of the development have been considered due to practical construction requirements, the operation of Royal Randwick Racecourse, and the indicative timing of the CSELR construction. An overview of each proposed construction stage is provided below.

Stage 1 – Early Works

A construction platform is proposed to be established in the centre of the site as identified on the Construction Staging Plan at **Appendix C**. This construction platform will be used as a base for site preparation works and for the subsequent stages of the construction. Notably, this construction platform establishes a level area on a portion of the site that does not require significant excavation or civil works.

Stage 2 – Equine Tunnel

The Equine Tunnel proposed as Stage 2 will start from the construction platform base and will extend under the track and connect to the infield. This stage involves the most significant ground excavation of the project and as such it is proposed prior to the primary building works. This stage will require certain conditions to be applied to reflect the extent of below ground work required, otherwise not triggered by Stage 1 works, such as heritage management plans and remediation work, where required.

Stage 3 – Stables, Northern Car Park and Landscaping

The remainder of the project will be completed within Stage 3. This stage includes the stable facilities themselves and the car parking and landscape areas required prior to the final occupation and operation of these stables.

4.3 REVIEW OF EXISTING CONDITIONS

As a result of the proposed staging of the construction, it is necessary to amend the conditions of approval to enable the early works stage to proceed without being burdened with requirements applicable to the later stages of the approved development.

Further, Conditions B6 –B9 specifically are required to be amended to reflect the indicative timing of the CSELR project to ensure that road, footpath and intersection works required under both development approvals are not unnecessarily duplicated or made redundant. Each condition proposed to be amended,

and the new conditions required to be imposed is identified in the Schedule of Amended Conditions provided at **Appendix D**.

The following conditions are specifically proposed to be brought forward in the consent to enable the commencement of the Stage 1 works (prior to the commencement of the subsequent stages):

- *Part A – Administrative Conditions* shall continue to apply to Stage 1 proposed works.
- *Part B – Prior to the Certification of Building Work* shall continue to apply to the development, however conditions shall be amended to reflect the 'relevant Construction Certificate' to ensure that Stage 1 is not burdened with the requirements applicable to the subsequent stages, notably including Conditions B2 – B10, B13 – 14 and B17 – B22. Modifications to conditions that relate to the payment of contributions such as the Long Service Levy and Developer Contributions do not seek to change the total amount of contributions payable by the proponent, but merely stage the payments to more accurately reflect the scope of works proposed in each construction stage.
- *Part C – Prior to Construction* shall continue to apply to the development; however Conditions C7 – C10, C12, C14 and C16 shall be deferred to the 'relevant Construction Certificate' or the subsequent stages of development to ensure that Stage 1 is not burdened with unrelated requirements. It is to be noted that none of the changes proposed relating to the conditions required 'Prior to Construction' will dilute the responsibilities of the proponent to provide safeguards and mitigation measures throughout the construction of the project. For instance, a Construction site management plan and waste control will continue to be required from Stage 1 works.
- *Part D – During Construction* shall continue to apply to the development and is not proposed to be modified as part of this application.
- *Part E – Prior to Operations* shall continue to apply to the development, however Condition E2 is proposed to be satisfied either by the reconfiguration works outlined in the original development approval for MP10_0098, or as otherwise delivered to the satisfaction of the consent authority.
- *Part F – During Operations* shall continue to apply to the development and is not proposed to be modified as part of this application.

5 Environmental Assessment

5.1 MODIFICATION OF PART 3A APPROVALS

Schedule 6A of the EP&A Act came into effect on 1 October 2011 to provide for repealed provisions of Part 3A of the EP&A Act to continue to apply to certain projects that were approved or undetermined under Part 3A. These are all now known as “Transitional Part 3A Projects”.

In accordance with clause 3 of Schedule 6A of the EP&A Act all of the provisions of Part 3A as in force immediately before its repeal continue to apply to Transitional Part 3A Projects. The provisions of section 75W of Part 3A prior to its repeal and as modified by Schedule 6A, state that “the Proponent may request the Minister to modify the Minister’s approval of a project.”

Under s.75W(1) ‘modification of approval’ means “*changing the terms of a Minister’s approval, including:*

- (a) *revoking or varying a condition of the approval or imposing an additional condition of the approval, and*
- (b) *changing the terms of any determination made by the Minister under Division 3 in connection with the approval.”*

The approval MP10_0098 is a Transitional Part 3A Project to which Schedule 6A of the EP&A Act applies. The proposed change to the staging of the development and consequential amendments to the conditions of approval can therefore be considered under s.75W of the EP&A Act as in force immediately before the repeal of Part 3A.

5.2 ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Section 75(3) of the EP&A Act provides scope for the Secretary of the Department to issue Environmental Assessment Requirements (SEARs) in relation to a request to modify the terms of the Minister’s approval. Given that the modification requested is only for a change to the construction staging of the approved development, it is considered that new or amended SEARs are not required as part of this application.

5.3 CONSISTENCY WITH CURRENT APPROVAL

The modifications proposed within this application do not constitute a ‘radical transformation’ to the original Project Approval because:

- The proposed use is the same as that originally approved under the Project Approval.
- The proposal does not seek to increase the maximum gross floor area or maximum height of buildings as approved under the Project Approval.
- There will be no reduction of car parking or open space on the site.
- No amendments are proposed to the access points across the site.

The proposed modification is consistent with the provisions of S75W as outlined in Section 5.1 of this report.

5.4 CONSISTENCY WITH STRATEGIC PLANNING POLICY

Since the approval of the original Part 3A application (MP10_0098), the NSW State Government has adopted a new metropolitan plan for Sydney, ‘A Plan for Growing Sydney’ (the Metro Plan). The Metro Plan identifies the site as being within the Randwick Education and Health Precinct., a strategic centre within the Central Subregion.

Key priorities of the Central Subregion that relate to the site include:

- *Enable delivery of key transport projects to facilitate better connections to Global Sydney, including Sydney Rapid Transit, CBD and South East Light Rail, and WestConnex.*
- *Work with Councils to identify suitable locations for housing intensification and urban renewal, including employment agglomerations, particularly around Priority Precincts, established and new centres, and along key public transport corridors including the Airport; Inner West and South Line; the Eastern Suburbs and Illawarra Line; the Bankstown Line; Inner West Light Rail; CBD and South East Light Rail; and Sydney Rapid Transit.*
- *Improve the accessibility of cultural and recreational facilities outside the Sydney CBD, such as the Moore Park sporting and entertainment precinct.*

The proposed staging of the previously approved development is consistent with the relevant priorities of the Metro Plan as it increases employment around key centres and will assist in delivering road works and site access associated with the CSELR project in a considered and communicative approach.

5.5 CONSISTENCY WITH RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed modifications have been considered against the relevant provisions contained in the following Environmental Planning Instruments.

5.5.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT

The proposed modifications are considered to be consistent with the Objects of the Act.

5.5.2 STATE ENVIRONMENTAL PLANNING POLICIES

The proposed modification to the construction staging and staging of consent conditions will not impact the consistency of the application with any State Environmental Planning Policies. Notably, the proposed modifications do not have any impact with regard to the ongoing compliance of the proposal with the provisions of *SEPP (Infrastructure) 2007*.

5.5.3 LOCAL ENVIRONMENTAL PLANS

At the time of the Project Approval, *Randwick Local Environmental Plan 1998* (RLEP 1998) (since repealed) was the principal Local Environmental Plan (LEP) governing development of the site, and was the LEP under which the development was determined.

Since the determination of the Project Approval, RLEP 1998 has been repealed and Randwick Local Environmental Plan 2012 is the current principal LEP that applies to the site.

As no changes are proposed to the approved final built form, building uses, or parking requirements, this modification application maintains consistency with the relevant LEPs governing the site, as approved.

5.5.4 DEVELOPMENT CONTROL PLANS

The proposed modification to the construction staging and staging of consent conditions will not impact the consistency of the application with any Development Control Plans. As outlined in Section 3.2.3, Randwick City Council did not raise any specific concerns regarding the staging of the Project Approval and implication of the timing of satisfying certain conditions.

6 Conclusion

Overall, the modification can be considered under s.75W of the EPA&A Act as it applied prior to the repeal of Part 3A for the following reasons:

- No conditions are proposed to be deleted as part of this modification; conditions are only proposed to be amended to reflect the various elements of the approved development. The existing conditions will be required to be met prior to the operation of the stable facilities, unless otherwise met by the construction and operation of the CSELR project.
- The overall development will remain in accordance with the approved gross floor area, height, parking and vehicle access, with the same uses as originally approved.
- The proposed introduction of the early stage of work will bring forward the construction of the Stables Precinct and enable the staging of construction to respond to the construction of the adjoining CSELR project.

In summary, we conclude that the proposed modification includes changes to the terms and conditions of the existing approval and that it can comfortably be considered as modification under s.75W and accordingly it is requested that the terms of approval to MP10_0098 be modified in accordance with the Schedule of Amended Conditions provided at **Appendix C**.

Disclaimer

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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

Appendix A

Instrument of Approval

Appendix B

Consultation with Transport for NSW

Appendix C

Proposed Construction Staging Plan

Appendix D

Schedule of Amended Conditions

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition			
SCHEDULE 2					
Part A – Administrative Conditions					
A1 Development Description	No implications on the staging of construction.	No change proposed.			
A2 Development in accordance with plans and documents	This request includes the addition of a ‘Construction Staging Plan’ in the approved drawings and documents.	Insert the following as an approved drawings:			
		Drawing No.	Revision	Name of Plan	Date
		SK-003	A	Construction Staging Diagram	03/09/2015
New Condition A2A Development in accordance with staging plan	This request includes the provision of a ‘Construction Staging Plan’.	Insert the following as a new condition of approval: “A2A Development in accordance with staging plan The development is to be undertaken generally in accordance with the stages as shown on the Construction Staging Plan submitted with the modification request (MP10_0098 MOD 1), and any reference in this approval to any Stage is a reference to the relevant stage as shown on this plan.”			
A3 Compliance with the Building Code of Australia	No implications on the staging of construction.	No change proposed.			
A4 WorkCover and DECC Requirements	No implications on the staging of construction.	No change proposed.			
A5 Development Expenses	No implications on the staging of construction.	No change proposed.			
A6 NSW Police Requirements	No implications on the staging of construction.	No change proposed.			
A7 Mediation	No implications on the staging of construction.	No change proposed.			
A8 Approval Time Limit	No implications on the staging of construction.	No change proposed.			
Part B – Prior to the Certification of Building Work					
B1 Building Work	No implications on the staging of construction.	No change proposed.			
B2 Long Service Levy	Condition B2 requires the Long Service Levy Payment to be made prior to the issuing of a Construction Certificate. This condition should be paid at pro-rata rate for each stage of the proposed construction works.	Revise the relevant portion of Condition B2 to read: “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 the relevant Construction Certificate for the applicable stage of the			

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
		<p>project, in accordance with Section 109F of the Environmental Planning & Assessment Act 1979.</p> <p>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 for that relevant stage."</p>
B3 Acoustic Report	This condition shall apply to Stage 3 of the Project Approval.	<p>Revise the relevant portion of Condition B3 to read:</p> <p>"B3 Acoustic Report A report prepared by a suitably qualified and experienced consultant in acoustics shall be submitted to Council prior to a the relevant construction certificate being issued for Stage 3 of the development..."</p>
B4 Water and Cooling Systems	This condition shall apply to Stage 3 of the Project Approval.	<p>Revise the relevant portion of Condition B4 to read:</p> <p>"Details of compliance must be provided with the relevant construction certificate application for Stage 3 of the development. Waste water from cooling tower warm water systems are to be discharged to the sewer under a Trade Waste Agreement from Sydney Water."</p>
B5 Developer Contributions	Condition B5 requires the 50% of the total monetary levy payable to be made prior to the issuing of a Construction Certificate, with a bank guarantee for the remaining 50% to be provided to Council prior to a Construction Certificate being issued. This condition should be paid at pro-rata rate for each stage of the proposed construction works. It is proposed that 10% of the total monetary levy is payable prior to the issue of a Construction Certificate for Stage 1, and 40% of the total monetary levy payable prior to the issue of a Construction Certificate for Stage 2.	<p>Revise the relevant portion of Condition B5 to read:</p> <p>"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 relevant stage of 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.</p> <p>Fifty (50) Ten (10) percent of the total levy must be paid prior to a the construction certificate being issued Stage 1 of the for the proposed development. Forty (40) percent of the total levy must be paid prior to the relevant construction certificate being issued for Stage 2 of the development. A bank guarantee for the remaining fifty (50) percent of the levy must also be provided to Council prior to a the relevant 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 the relevant occupation certificate (whichever occurs first)."</p>
B6 Roads and Traffic Authority Requirements	The works referred to in this condition shall be required prior to the issue of an Occupation Certificate for Stage 3 of the development. The requirements under Condition B6 are not proposed to be removed, simply deferred on the basis of the required CSELR works in SSI 6042.	<p>Relocate this condition to Part E – Prior to Operations. Revise the relevant portion of Condition B6 to read:</p> <p>"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</p>

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
	It is acknowledged that should the road works required on Wansey Road and Alison Road as part of SSI 6042 be completed prior to the issue of an Occupation Certificate for this development, this condition will become redundant.	consideration and approval prior to the issue release of any a relevant Construction Certificate for Stage 3 of the proposed development... 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 the relevant construction certificate for Stage 3 of the proposed development."
B7 Wansey Road Accessway	The works referred to in this condition shall be required prior to the issue of an Occupation Certificate for Stage 3 of the development. The requirements under Condition B7 are not proposed to be removed, simply deferred on the basis of the required CSELR works in SSI 6042. It is acknowledged that should the road works required on Wansey Road and Alison Road as part of SSI 6042 be completed prior to the issue of an Occupation Certificate for this development, this condition will become redundant.	Relocate this condition to Part E – Prior to Operations. Revise the relevant portion of Condition B7 to read: "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 the relevant construction certificate for Stage 3 of the proposed development."
B8 Wansey Road and Alison Road Pedestrian Safety	The works referred to in this condition shall be required prior to the issue of an Occupation Certificate for Stage 3 of the development. The requirements under Condition B8 are not proposed to be removed, simply deferred on the basis of the required CSELR works in SSI 6042. It is acknowledged that should the road works required on Wansey Road and Alison Road as part of SSI 6042 be completed prior to the issue of an Occupation Certificate for this development, this condition will become redundant.	Relocate this condition to Part E – Prior to Operations. Revise the relevant portion of Condition B8 to read: "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 the relevant construction certificate."
B9 Wansey Road Pedestrian Refuge	The works referred to in this condition shall be required prior to the issue of an Occupation Certificate for Stage 3 of the development. The requirements under Condition B9 are not proposed to be removed, simply deferred on the basis of the required CSELR works in SSI 6042. It is acknowledged that should the road works required on Wansey Road and Alison Road as part of SSI 6042 be completed prior to the issue of an Occupation Certificate for this development, this condition will become redundant.	Relocate this condition to Part E – Prior to Operations. Revise the relevant portion of Condition B9 to read: "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 the relevant construction certificate for Stage 3 of the proposed development."
B10 Bicycle Parking	Condition B10 relates to Stage 3 works and as such it is appropriate to amend the condition so that it is required prior to the issue of the relevant Construction Certificate.	Revise the relevant portion of Condition B10 to read: "Design details shall be submitted to Randwick City Council for approval

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
		prior to issue of a the relevant construction certificate for Stage 3 of the proposed development. "
B11 Wansey Road Vehicle Load Limit	No implications on the staging of construction.	No change proposed.
B12 Mechanical Ventilation	No implications on the staging of construction.	No change proposed.
B13 Disabled Access	Condition B13 relates to Stage 3 and subsequent stages of works and as such it is appropriate to amend the condition so that it is required prior to the issue of the relevant Construction Certificate.	Revise the relevant portion of Condition B13 to read: "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 relevant Construction Certificate application for Stage 3 of the proposed development. "
B14 Sydney Water – Notice of Requirements	This condition must be satisfied prior to significant excavation and as such it is proposed to defer this condition prior to the issue of a Construction Certificate for Stage 2.	Revise the relevant portion of Condition B14 to read: "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 for Stage 2 or subsequent stages of the development. "
B15 Outdoor Lighting	No implications on the staging of construction.	No change proposed.
B16 Civil Works	This will be required to be complied with prior to the first Construction Certificate being issued. No implications on the staging of construction.	No change proposed.
B17 Service Authority Issues	Condition B17 relates to Stage 2 and subsequent stages of works and as such it is appropriate to amend the condition so that it is required prior to the issue of the relevant Construction Certificate.	Revise the relevant portion of Condition B17 to read: "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 the relevant construction certificate being issued for Stage 2 or any subsequent stages of 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 relevant Construction Certificate to determine whether or not an electricity substation is required for the development."

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
B18 Drainage and associated infrastructure	Condition B18 relates to Stage 2 and subsequent stages of works and as such it is appropriate to amend the condition so that it is required prior to the issue of the relevant Construction Certificate.	Revise the relevant portion of Condition B18 to read: “The plans submitted for any Construction Certificate for Stage 2 and/or subsequent stages shall demonstrate compliance with this requirement and must be certified by the applicant’s drainage consultant.”
B19 Waste management	Condition B19 relates to various stages of works and as such it is appropriate to amend the condition so that this detail is required as relevant to the specific stage of the development.	Revise the relevant portion of Condition B19 to read: “B19 Waste management Prior to the issuing of a the relevant 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 that stage of the development; demolition waste; construction waste; materials to be reused or recycled; facilities/procedures for the storage, collection recycling & disposal of waste and the on-going management of waste.”
B20 Landscape and tree management	This condition shall apply to Stage 3 of the Project Approval.	Revise the relevant portion of Condition B20 to read: “Prior to the issue of a Construction Certificate for Stage 3 of the development , 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...”
B21 Drainage Works	Significant drainage works are only required from Stage 2 of the proposed development. As such this condition is to be amended to defer these requirements prior to lodging a Construction Certificate for Stage 2 works.	Revise the relevant portion of Condition B21 to read: “Prior to lodging a Construction Certificate for Stage 2 or subsequent stages of the development , 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 relevant 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

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
		<p>prior to a the relevant construction certificate being issued. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a the relevant construction certificate being issued, if the Council is not the certifying authority....</p> <p>The relevant 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 the relevant Construction Certificate for Stage 2 and subsequent stages of the proposed development."</p>
B22 Heritage	Due to the minor works proposed in Stage 1, the location of the works from existing heritage items (not within an area of significance), and lack of excavation, it is proposed that this condition is deferred to Stage 2 of the development.	<p>Revise the relevant portion of Condition B22 to read:</p> <p>"Prior to a the relevant construction certificate being issued for Stage 2 or subsequent stages of the development:..."</p>
B23 Aquifer Recharge	No implications on the staging of construction.	No change proposed.
Part C – Prior to construction		
C1 Construction Site Management Plan	No implications on the staging of construction.	No change proposed.
C2 Notice to be Given Prior to Construction	No implications on the staging of construction.	No change proposed.
C3 Notice to be Given Prior to Commencement/Excavation	No implications on the staging of construction.	No change proposed.
C4 Demolition Work Plan for hazardous materials	No implications on the staging of construction.	No change proposed.
C5 Sydney Water services	No implications on the staging of construction.	No change proposed.
C6 Waste Control	No implications on the staging of construction.	No change proposed.
C7 Heritage Item Management	<p>Due to the minor works proposed in Stage 1, the location of the works from existing heritage items (not within an area of significance), and lack of excavation, it is proposed that this condition is deferred to Stage 2 of the development.</p> <p>It is to be noted that this Modification Application does not seek to ignore or removal any obligations with regards to heritage and archaeological impact, it merely seeks to align this work with the relevant stage of the development.</p>	<p>Revise the relevant portion of Condition C7 to read:</p> <p>"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 prior to the commencement of Stage 2 or subsequent stages of works. 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 relevant works. The consultant shall</p>

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
		<p>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 Stage 2 or subsequent stage 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 the relevant 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...</p> <p>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."</p>
C8 European Archaeological Heritage Management	<p>Due to the minor works proposed in Stage 1, the location of the works from existing heritage items (not within an area of significance), and lack of excavation, it is proposed that this condition is deferred to Stage 2 of the development.</p> <p>It is to be noted that this Modification Application does not seek to ignore or removal any obligations with regards to heritage and archaeological impact, it merely seeks to align this work with the relevant stage of the development.</p>	<p>Revise the relevant portion of Condition C8 to read:</p> <p>"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 prior to the commencement of Stage 2 or subsequent stages of works...</p> <p>All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated Archaeologist prior to commencing relevant 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."</p>
C9 Aboriginal Heritage Management	No implications on the staging of construction.	No change proposed.
C10 Heritage Interpretation Strategy	<p>Due to the minor works proposed in Stage 1, the location of the works from existing heritage items (not within an area of significance), and lack of excavation, it is proposed that this condition is deferred to Stage 2 of the development.</p> <p>It is to be noted that this Modification Application does not seek to ignore or removal any obligations with regards to heritage interpretation, it merely seeks to align this work with the relevant stage of the development.</p>	<p>Revise Condition C10 to read:</p> <p>"An Interpretation Strategy will be prepared in accordance with Heritage Council guidelines prior to the commencement of Stage 2 or subsequent stage works for approval by the consent authority. In particular this will outline how heritage significance to be lost will be interpreted within the site."</p>
C11 State Transit Authority	No implications on the staging of construction.	No change proposed.

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
Requirements		
C12 RTA requirement - Alison and Wansey Road Intersection reconfiguration	This condition will only apply should the road reconfiguration works as part of MP10_0098 be required prior to the issue of an Occupation Certificate.	Revise the relevant portion of Condition C12 to read: "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 the relevant works."
C13 Demolition	No implications on the staging of construction.	No change proposed.
C14 Contamination	This condition requires additional investigation to be undertaken prior to above-ground works to ensure that the site 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. As the proposed Stage 1 works are for a construction platform only, does not involve excavation works, or a permanent land use, this condition is proposed to be deferred to Stage 2 of the development.	Revise the relevant portion of Condition C14 to read: "Prior to above-ground Stage 2 or subsequent stages of 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."
C15 Works within road reserve/public place	No implications on the staging of construction.	No change proposed.
C16 Tree management	This will be complied with prior to the commencement of Stage 1 works. No implications on the staging of construction.	No change proposed.
Part D – During Construction		
D1 Ecological Sustainable Development	No implications on the staging of construction.	No change proposed.
D2 Protection of adjoining premises	No implications on the staging of construction.	No change proposed.
D3 Hours of Work	No implications on the staging of construction.	No change proposed.
D4 Public Health and Safety	No implications on the staging of construction.	No change proposed.
D5 WorkCover	No implications on the staging of construction.	No change proposed.
D6 Site Notice	No implications on the staging of construction.	No change proposed.
D7 Excavation	No implications on the staging of construction.	No change proposed.
D8 Noise Control	No implications on the staging of construction.	No change proposed.
D9 Standards and Codes	No implications on the staging of construction.	No change proposed.
D10 Work Cover Requirements	No implications on the staging of construction.	No change proposed.
D11 Footpath protection	No implications on the staging of construction.	No change proposed.

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
D12 Service authority Issues	No implications on the staging of construction.	No change proposed.
D13 Tree Management Issues	No implications on the staging of construction.	No change proposed.
D14 NSW Office of Water Requirements - Groundwater	No implications on the staging of construction.	No change proposed.
D15 Tanking and waterproofing issues	No implications on the staging of construction.	No change proposed.
Part E – Prior to operations		
E1 Occupation Certificate	No implications on the staging of construction.	No change proposed.
E2 Alison Road and Wansey Road Intersection Reconfiguration	This condition shall apply, or otherwise as satisfied by the completion of all road works in accordance with SSI 6042.	Amend Condition E2 to read: “The required reconfiguration works for the Alison Road and Wansey Road intersection (or otherwise delivered to the satisfaction of the consent authority) shall be fully constructed and operational prior to the release of the Occupation Certificate.”
E3 Fire Safety	No implications on the staging of construction.	No change proposed.
E4 Structural Inspection and Certification	No implications on the staging of construction.	No change proposed.
E5 Cooling Systems	No implications on the staging of construction.	No change proposed.
E6 Sydney Water Requirements	No implications on the staging of construction.	No change proposed.
E7 Drainage Works Requirements	No implications on the staging of construction.	No change proposed.
E8 Work Place Travel Plan and Travel Access Guide	No implications on the staging of construction.	No change proposed.
Part F – During operations		
F1 RTA Requirements	No implications on the staging of construction.	No change proposed.
F2 Annual Fire Safety Certificate	No implications on the staging of construction.	No change proposed.
F3 Noise & Vibration Controls – Operational, Plant & Machinery	No implications on the staging of construction.	No change proposed.
F4 Operation Management Plans	No implications on the staging of construction.	No change proposed.
F5 Operation Waste Management	No implications on the staging of construction.	No change proposed.
F6 NSW Health Requirements	No implications on the staging of construction.	No change proposed.
Advisory Notes		
AN1 Use of Mobile Cranes	No implications on the staging of construction.	No change proposed.

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
AN2 Movement of Trucks Transporting Waste Material	No implications on the staging of construction.	No change proposed.
AN3 Disability Discrimination Act	No implications on the staging of construction.	No change proposed.
AN4 Temporary Structures	No implications on the staging of construction.	No change proposed.
AN5 Structural Capability for Existing Structures	No implications on the staging of construction.	No change proposed.
AN6 Commonwealth Environment Protection and Biodiversity Conservation Act 1999	No implications on the staging of construction.	No change proposed.
AN7 Building Code of Australia	No implications on the staging of construction.	No change proposed.
AN8 Fire Safety	No implications on the staging of construction.	No change proposed.
AN9 Council Assets	No implications on the staging of construction.	No change proposed.
SCHEDULE 3		
Statement Of Commitments		
Section 94 Contributions	Section 94 Contributions to be paid as a proportion of the works proposed within each stage.	Revise the relevant portion of the commitment to read: “Prior to issue of the relevant Construction Certificate”
Residential Amenity – Light Spill	No implications on the staging of construction.	Revise the relevant portion of the commitment to read: “Prior to issue of the relevant Construction Certificate”
Residential Amenity – Odour and Dust Management	No implications on the staging of construction.	No change proposed.
Landscape Design and Tree Preservation	No implications on the staging of construction.	No change proposed.
Ecologically Sustainable Development	No implications on the staging of construction.	Revise the relevant portion of the commitment to read: “Prior to issue of the relevant Construction Certificate”
Stormwater Management	No implications on the staging of construction.	Revise the relevant portion of the commitment to read: “Prior to issue of the relevant Construction Certificate”
Groundwater Management	No implications on the staging of construction.	Revise the relevant portion of the commitment to read: “Prior to issue of the relevant Construction Certificate”
Environmental Health and Animal Welfare	No implications on the staging of construction.	No change proposed.
Integrated Water Management	No implications on the staging of construction.	Revise the relevant portion of the commitment to read: “Prior to issue of the relevant Construction Certificate”

Condition N ^o & Purpose	Implications on the staging of construction	Requested change to the condition
Contamination	No implications on the staging of construction.	No change proposed.
Aboriginal Archaeological Heritage	No implications on the staging of construction.	No change proposed.
European Heritage	No implications on the staging of construction.	No change proposed.
Waste Management	No implications on the staging of construction.	No change proposed.
Construction Management	No implications on the staging of construction.	No change proposed.

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