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**PLANNING ASSESSMENT REPORT BY
MG PLANNING PTY LTD
GREEN SQUARE INFRASTRUCTURE**

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DEVELOPMENT APPLICATION: ESSENTIAL INFRASTRUCTURE FOR THE GREEN SQUARE TOWN CENTRE

FILE NO: D/2012/1175

DEVELOPMENT APPLICATION NO: D/2012/1175

SUMMARY

Provision of essential infrastructure for the Green Square Town Centre, including demolition of minor structures and tree removal, construction of new roads, footpaths and associated infrastructure, green infrastructure (including electricity, non drinking recycled water, waste collection and thermal energy), concept landscaping and streetscape design, provision of above and below ground services (including stormwater, sewer, water, electrical and telecommunications) and staged construction.

Date of Submission: 6 August 2012
[amended plans received 31 October 2012]

Applicant: City of Sydney

Civil Engineer: Aurecon

Proposal Summary: The proposed works include major essential infrastructure works to allow for the development of the Green Square Town Centre. Works include:

- Rearrangement and construction of new streets, including footpaths, ramps, access stairs and the like together with associated infrastructure such as drainage, services, vehicular crossings, bus stop set-outs, street tree pits and street trees etc. Detailed road marking and signage plans, including pedestrian crossings, cycle lanes, bus stops, traffic lights;
- Green infrastructure works including the above and below ground utility connections to the Green Infrastructure Centre which is proposed to be located in the former Royal South Sydney Hospital site (3 Joynton Avenue, Zetland)
- Concept landscape and streetscape design works including pavement design and construction, street furniture (seats, light poles and bins etc.) tree planting etc.
- Existing services (including electrical, water, stormwater, sewer and telecommunications) demolition and relocation (including both above and below ground services);
- Tree removal and demolition of minor structures
- Provision of new services
- Stormwater diversion construction sequencing details

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- Services coordination details
- Staging details to match the planned construction delivery for the Town Centre; and
- Erosion and sediment control measures during the proposed works.

Summary Recommendation: The development application is recommended for approval, subject to a deferred commencement condition and other conditions of consent.

- Development Controls:**
- (i) State Environmental Planning Policy (Infrastructure) 2007
 - (ii) State Environmental Planning Policy No. 55 – Remediation of Land
 - (iii) South Sydney Local Environmental Plan 114 – (Gazetted 19 August 1994)
 - (iv) South Sydney Local Environmental Plan 1998 (Gazetted 28 April 1998 as amended)
 - (v) South Sydney Local Environmental Plan 1998 – Draft Amendment Green Square Town Centre
 - (vi) City of Sydney Notification of Planning and Development Applications Development Control Plan 2005 (date of commencement – 18 May 2005)
 - (vii) Development Control Plan No. 11 – Transport Guidelines for Development 1996 (Adopted 8 May 1996)
 - (viii) City of Sydney Contaminated Land Development Control Plan 2004 (in force on 28 June 2004)
 - (ix) City of Sydney Access Development Control Plan 2004 (in force on 28 June 2004)

- Attachments:**
- A1 - Location Plan
 - A2 - Selected Drawings

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RECOMMENDATION

It is resolved that:

- (A) pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2012/1175 subject to the following:

(1) REMEDIATION ACTION PLAN

An overarching Remedial Action Plan (RAP) covering the full extent of the proposed Essential Infrastructure works shall be submitted to and approved by the Council and the NSW EPA accredited Site Auditor Graeme Nyland. A statement must also be submitted by the Site Auditor certifying that the overarching RAP is practical and that the entire site will be suitable after remediation for the proposed development.

(2) APPROVAL BY RAILCORP

The Applicant shall prepare and provide to RailCorp for approval / certification the following items:

- (a) Documentation that meets the requirements of the "Airport Line Tunnel Protection Guidelines."
 - (b) Final Construction methodology with construction details pertaining to the installation of services and undertaking of works either above or within 25m of the rail tunnel.
 - (c) Final cross sectional drawings showing the tunnel location, sub soil profile, location of works and services to be installed that are located either above or within 25m of the rail tunnel. All measurements are to be verified by a Registered Surveyor.
 - (d) Detailed survey plan showing the relationship of the proposed development with respect to RailCorp's land and infrastructure.
 - (e) If required by RailCorp, any other documentation to enable assessment of any impacts on the rail tunnel.
- (B) evidence that will sufficiently enable Council to be satisfied as to those matters identified in the deferred commencement conditions, as indicated above, must be submitted to Council within 2 years of the date of determination.
- (C) the consent will not operate until such time that the Council notifies the Applicant in writing that deferred commencement consent conditions as indicated above, have been satisfied.
- (D) upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the following conditions of consent and any other additional conditions reasonably arising from consideration of the deferred commencement consent conditions.

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SCHEDULE 1A

Approved Development / Design Modifications/Covenants and Contributions/Use and Operation

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2012/1175 dated 6 August 2012 (amended 31 October 2012) and Statement of Environment Effects - Green Square Town Centre Essential Infrastructure prepared by City of Sydney, dated August 2012 and the following drawings: prior to the commencement of any work on site:

Drawing Number	Rev.	Title	Prepared by	Date
L100-L305 (incl.)	D	Various	Occulus	22/06/2012
CIV-010 – CV-055 (incl.)		Services Demolition and Relocation Plans	Aurecon	21.08.12
CIV-100-CIV-160	04	Staging Plans	Aurecon	14.06.12
CIV-200-CIV-220	03	General Arrangements	Aurecon	14.06.12
CIV-260-271 (incl.)	03	Typical Cross Sections and Set Out	Aurecon	14.06.12
CIV-272-341	03	Longitudinal Sections and Cross Sections	Aurecon	14.06.12

and as amended by the conditions of this consent:

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

(2) PLANS / DOCUMENTS NOT APPROVED

The plans and documents set out below are NOT APPROVED as part of the subject development consent and shall be resubmitted for Council approval prior to the commencement of any works on site:

Drawing Number	Rev.	Title	Prepared by	Date
L300	D	Street Section A	Occulus	22/06/2012
L306-308	D	Shared Zone Sections	Occulus	22/06/2012
L400	D	Landscape Details Village Centre 01	Occulus	22/06/2012
L401	D	Landscape Details Village Centre 02	Occulus	22/06/2012

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Drawing Number	Rev.	Title	Prepared by	Date
L402	D	Landscape Details Village Centre 03	Occulus	22/06/2012
L404	D	Landscape Details Local Area 02	Occulus	22/06/2012
L405	D	Landscape Details Local Area 03	Occulus	22/06/2012
CIV-230	03	Joynton Avenue – Detention Basin	Aurecon	14.06.12
CIV-235	03	Green Square Plaza Plan and Sections	Aurecon	14.06.12
CIV-240	04	Typical pavement details	Aurecon	21.08.12
CIV-243	03	Access Way Vehicle Crossing Details	Aurecon	14.06.12
CIV-250-252 (incl.)	03	Stormwater Miscellaneous Details	Aurecon	14.06.12
CIV-400-403 (incl.)	04	Pavement Layout	Aurecon	14.06.12
CIV-450 and 455	03	The Drying Green Plan and Sections	Aurecon	14.06.12
CIV 460-461 (incl.)	03	Culvert Diversion Chambers	Aurecon	14.06.12
Green Square Town Centre – Public Domain Strategy, Draft			McGregor Coxall	January 2013

(3) ESSENTIAL INFRASTRUCTURE AND SERVICES

In principle support is given for the provision of Essential Infrastructure on the stamp approved plans including the provision of new, augmentation of existing and the removal of redundant services, road and public domain infrastructure.

Essential Infrastructure and Services must be designed and constructed in accordance with the City's current technical specification and standard details for civil works, and the relevant Authorities requirements.

Staged Public Domain Plans and Civil Documentation are to be submitted and approved by Council for each Stage prior to approval for works being granted for the relevant Stage. The submission must clearly indicate any temporary or sacrificial work (such as temporary vehicle turning areas, public footways, stormwater lines, services, remediation areas and stormwater overland flow paths) required due to Staging.

All Essential Infrastructure and Services for each Stage are to be completed to the Council's satisfaction prior to the use commencing.

(4) SUBMISSION OF FINAL DESIGN DRAWINGS

Final design drawings shall be submitted for all infrastructure works.

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(5) PUBLIC DOMAIN PLAN

The Public Domain Plan accompanying this Development Application has not been approved by this consent.

Three copies of a detailed Public Domain Plan for each Stage of the development must be prepared by an architect, urban designer or landscape architect and must be approved by Council prior to a Construction Certificate being issued or works commencing on the relevant Stage excluding approved preparatory, demolition, remediation or shoring work.

The Public Domain Plan for each Stage must be prepared in accordance with the City of Sydney's Public Domain Manual, Sydney Streets Design Code and other relevant Public Domain Policies. Public Domain Plans are to be prepared and submitted concurrently with the Civil Design Documentation required for the Alignment Levels, Road Works, Subsoil Drainage, Rain Gardens, Stormwater Management and Utility Services.

The works to the public domain must be completed in accordance with the approved plans, the Public Domain Manual and the City's satisfaction before the use commences for each Stage.

(6) RAIN GARDENS AND LANDSCAPED VERGE

The location of the rain gardens and landscaped verges as shown on the stamped approved plans is supported in principle. Opportunities for additional rain gardens and landscaped verges are to be investigated and incorporated into the design where appropriate. Final locations and design of the raingardens and landscaped verge is to consider the following;

- Crossings and driveway entrances
- Sight lines
- Street lights and other services
- Maximum rainfall harvesting and overall stormwater management
- Street tree locations
- Good design practise

The design and construction of the rain gardens and landscaped verge is be undertaken in accordance with the City's current technical specification and standard details for civil works and submitted concurrently with the Public Domain Plans and Essential Infrastructure Plans for each Stage for approval. The submission shall include as a minimum the following information:

- (a) Detailed construction plans, drawn to scale, by suitably qualified landscape architect and engineers (as appropriate).
 - (i) Details of proposed levels and site grading including temporary surface treatments (if applicable);
 - (ii) Details of bio filtration and soil material;
 - (iii) Location, numbers and type of plant species;

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- (iv) Details of drainage systems including subsoil drainage.
- (b) Prior to the issue of a Construction Certificate, a maintenance plan addressing the Council's operational capabilities is to be submitted to and approved by the Principal Certifying Authority. The maintenance plan is to be complied with during the specified maintenance and defects liability periods.
- (c) All works in the approved plan is to be completed prior to any Occupation Certificate being issued or the use commencing for the relevant Stage.

(7) TWEED PLACE BARKER STREET AND HINCHCLIFF STREET (NORTH) DESIGN

The design of Tweed Place, Barker Street (north of the Plaza), and Hinchcliff Street (north) has not been approved by this consent. The design of these streets is to be revised to incorporate the traffic conditions, and address the following;

- (a) Crime Prevention Through Environmental Design principles
- (b) In accordance with the City's Access DCP 2004 and Access Policy 2004.
- (c) Environmental Sustainable Design principles (investigate opportunities for additional soft landscaping).
- (d) Ausgrid and City's lighting requirements and standards
- (e) Minimise streetscape clutter
- (f) Prioritise pedestrian movement
- (g) Adequate footway widths and direct line of pedestrian movement

The revised plans are to be submitted to Council and approved as part of the public domain plan submission for the relevant stage.

The proposed design of Tweed Place (south) is to extend not further than 45m in length measured from the centreline of Ebsworth Street to provide appropriate access to Development Site 6.

(8) FUTURE OPEN SPACE – DRYING GREEN

Works to the future open space – Drying Green, have not been approved by this consent.

The design of all works to the Drying Green must be submitted to Council and approved prior to any works commencing on this land. Works which require approval include but are not limited to remediation, earthworks, service installation, stormwater detention, construction of GPT's.

The design of works to the Drying Green must demonstrate that the final landscape design of the Drying Green has been adequately considered and designed for.

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(9) DRYING GREEN STORAGE BASIN

Prior to any works on the Drying Green, detailed design of the proposed stormwater works within this area shall be submitted and approved by Council. As a minimum the design shall include the following:

- (a) Detailed design of the proposed detention basin to meet the storage allowed in the flood modelling including:
 - (i) Flood assessment report to ensure that there will be no over flows from the basin up to and including the 1 in 20 year flood event. The assessment report must also calculate any adverse flood impacts to any existing developments upstream or downstream. No adverse flood impacts are allowed outside the development site.
 - (ii) Designs to show all overflows up to and including the 1 in 100 flows from the proposed basin are contained within the proposed road carriage ways. The depths and velocity of flows are to comply with the safety requirements for overland flows within road carriageways.
 - (iii) Contour plans including long section of the basin wall and cross sections at 20m intervals.
 - (iv) Inlet and outlet details.
- (b) Detailed design of the proposed stormwater pipelines within and through the detention basin, including HGL analysis.
- (c) Detailed design of any temporary drainage works that are required for the construction of the proposed basin and also for any staged construction.

(10) PORTMAN STREET EXTENT OF WORKS

Essential Infrastructure and Public Domain works are to include the streetscape of Portman Street between Portman Lane and Hansard Street.

(11) SHARED ZONE

- (a) The proposed shared zones on Tweed Place and Barker Street are not approved as part of this consent.
- (b) Additional information must be submitted prior to the commencement of stage 2 to show the three shared zones can meet the requirements of the RMS warrants.
- (c) The design and typical cross sections of the proposed Shared Zones for the Tweed Place and Barker Street are not approved as part of this consent.

The detailed design must be submitted as part of the stage 2 detailed design documentation.

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The design of the shared zone will require a referral to the Local Pedestrian, Cycling and Traffic Calming Committee (LPCTCC) for endorsement and then a referral to the RMS for final approval.

Additional reports, information or design changes may be required by Council officers, the LPCTCC or the RMS during the approvals process. The cost for these changes must be undertaken by the applicant at their own cost.

The plan must be approved as part of the in conjunction with the Public Domain Plan prior to the issuing of the Construction Certificate.

[Note: The process of gaining a shared zone approval can take a number of months. It is recommended the applicant begin the process as soon as practical to avoid holding up the issuing of the Construction Certificate.]

[Note: RMS shared zone policy and guidelines can be found on their website]

(d) If these streets are not approved to be shared zones an alternative design must be undertaken and submitted to Council as part of the stage 2 detailed design documentation.

(12) ENTRY TREATMENT – TWEED PLACE AND BARKER STREET

The entry treatments for Tweed Place and Barker Street are not approved. The design of these intersections is to be reviewed and resubmitted to Council for approval prior to the commencement of construction. The revised design is to reduce the width of the entry as much as possible and to ensure pedestrian and driver legibility of the spaces.

(13) ASSOCIATED ESSENTIAL INFRASTRUCTURE COSTS

All costs associated with the construction of any new or temporary Essential Infrastructure works road works including kerb and gutter, road pavement, drainage system, footway, services, vehicle turning movements, remediation, landscaping and similar shall be borne by the developer.

(14) 40KM/H DESIGN SPEED

All streets within the Green Square Town Centre area must be designed to 40km/h speed restrictions.

(15) TRAFFIC CALMING

An indicative area wide traffic calming plan must be submitted to Council for review and approval prior to the detailed design of the first stage of road infrastructure being submitted. This plan must show all the proposed traffic calming devices to be installed on the internal road network within the Green Square Town Centre area. Council will liaise with the RMS with regards to the 40km/h speed zone approval.

All works must be endorsed by the LPCTCC and included in the Essential Infrastructure plans prior to their submission.

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[Note: The process of reporting an item to the Local Pedestrian, Cycling and Traffic Calming Committee takes approximately 8 weeks from the relevant officer being satisfied with the proposal.]

(16) BUS ROUTES

The typical cross sections submitted as part of the development application provide for a bus route throughout the site.

Prior to the detailed design of any road within the site the applicant must liaise with the City to confirm whether this bus route is still the preferred option for the applicant and the City. Any changes to the bus route will result in changes to the typical cross sections.

All bus routes must have a minimum travel lane width of 3.3m.

(17) BUS STOPS

The application does not include any proposed locations for bus stops. The bus zones will need to be included in the parking plans and included in the detailed design of the streets.

To enable an area wide assessment of the bus stop locations to be considered the proposed locations must be submitted to the City prior to the detailed design of any stage which contains a street with a bus route.

The design requirements for the bus stops must be done in consultation with the City.

(18) DESIGN VEHICLES

All streets and intersections must be designed to accommodate a Council waste collection vehicle, as described in Councils Waste Minimisation Policy, with the following exceptions:

- (a) The applicant can provide evidence to Council's satisfaction that neither a waste collection vehicle nor a medium rigid vehicle will be required to use the intersection. In this instance a swept path of the largest service vehicle using the street must be submitted or a B99 car if no service vehicles will be using the street ; or
- (b) The intersection is located on a bus route. In this instance the intersection must be designed to accommodate a 12.8m bus.

(19) TURNING PATHS

A swept path analysis, for each of the intersections, must be submitted to Council with the detailed design package for each stage. The swept paths must be done to suit the largest design vehicle performing that turn.

This information must be submitted and approved as part of the detailed design documentation.

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[Note: The kerb radii shown in the submitted developments applications plans are large and should be refined, where possible, as part of this process.]

(20) TYPICAL STREET SECTIONS

The typical street sections submitted as part of this plan are agreed in principle. Any changes to the typical sections as a result of changes to the cycle network, bus routing or other, will require these sections be amended to the approval of Council prior to the detailed design documentation being submitted.

Section A on plan L-300-D and Section F on plan L-303-D are not approved as part of this application.

(21) CYCLE WAY DESIGN

The minimum section for a bi-direction cycleway must be 2.4m for the cycleway with a 0.4m buffer zone.

The detailed design of the cycle ways must be submitted with detailed design documentation for each stage of the development. All intersection treatments are to be included as part of the detailed design documentation for the relevant stage.

The relevant signage must be included as part of the traffic signage plan required for each stage of the development.

[Note: The location of the Geddes Avenue cycle way must be done in consultation with the City to ensure it is designed to work with the future cycle way currently being designed on the Geddes Avenue extension.]

(22) PARKING SIGNS

All parking restriction signs included as part of this application are not approved.

(23) PARKING PLAN

An indicative area wide parking plan must be submitted to the Traffic Operations team for review and approval. This plan must show all the proposed parking restrictions proposed to be put in place across the entire Green Square Town Centre site as a whole. This plan must be approved prior to any of the street specific parking plans being submitted.

Street specific parking plans must be submitted to the Traffic Operations team for approval. These plans must include the location and information present on each stem and sign. The plans must include chainages to each sign and stem from the kerb line of the nearest intersection. The street specific parking plans must be in line with the area wide parking plan, with any changes identified with the submission. The street specific parking plans must be submitted for each of the streets prior to the construction commencing for the street.

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All parking signs must be approved and installed prior to the road being open for public use and prior to the occupation certificate being granted. The plans will require a referral to the LPCTCC for endorsement.

[Note: The process of reporting an item to the Local Pedestrian, Cycling and Traffic Calming Committee takes approximately 8 weeks from the relevant officer being satisfied with the proposal.]

(24) FLOOD ASSESSMENT REPORT

- (a) A site-specific flood assessment report shall be prepared and submitted by the applicant for each Stage, which ensures that no long term additional adverse impacts are created upstream or downstream of the site;
- (b) The flood assessment is to include a site specific Flood Risk Management Plan in accordance with the recommendations outlined in the Green Square Town Centre Floodplain Risk Management Plan prepared by Cardno dated July 2012.

The flood assessment is to be undertaken by a suitably qualified and experienced hydraulic engineer and must show pre-development and post-development scenarios.

(25) TRAFFIC PRIORITIES AND SIGNAGE

All traffic signage and line marking included as part of the development application is not approved as part of this consent.

A separate application must be made to the City's Traffic Operations Unit for the approval of all traffic signage and line marking within and on the boundary to the Green Square Town Centre site.

The signage and line marking plans must be submitted for each of the stages prior to the construction commencing for that stage.

The signs and line marking for each stage must be approved and installed prior to the road being open for public use and prior to the occupation certificate being granted. The plans will require a referral to the LPCTCC for endorsement.

[Note: The process of reporting an item to the Local Pedestrian, Cycling and Traffic Calming Committee takes approximately 8 weeks from the relevant officer being satisfied with the proposal.]

(26) PEDESTIAN CROSSING FACILITIES

All pedestrian crossing facilities shown within the site are not approved as part of this consent.

A separate application to Council must be made to plan the pedestrian crossing facilities throughout the site.

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Prior to any detailed design documentation being submitted for any of the stages the applicant must undertake a review of pedestrian crossing facilities for the whole site. An area wide plan must be submitted to Council for approval. This plan must provide an indicative location and crossing type along with evidence the RMS warrants for each crossing can be satisfied.

As part of the detailed design documentation for each stage the final location and design of each crossing must be submitted for approval.

All pedestrian crossing facilities along with evidence the RMS warrants can be satisfied must be submitted to the LPCTCC for endorsement.

[Note: The process of reporting an item to the Local Pedestrian, Cycling and Traffic Calming Committee takes approximately 8 weeks from the relevant officer being satisfied with the proposal.]

(27) MEDIAN STRIP

The intersection of Ebsworth Street onto Bourke Street must be restricted to left in left out only. Right turn movements to and from Ebsworth Street must be prohibited by a concrete median.

The design and location of this median is not approved as part of this consent.

The design and location of the median will require a separate submission to be made to the Traffic Operations Unit and a referral to the Local Pedestrian and Traffic Calming Committee (LPCTCC) and approval from Council officers prior to the construction certificate being issued.

The median must be constructed as per the conditions of the LPCTCC.

The median must be constructed prior to Ebsworth Street between Bourke Street and Zetland Avenue being open for public use.

(28) SIGNALISED INTERSECTIONS PLANNING

The applicant must undertake a traffic study of the Green Square Town Centre and surrounding area to review which intersections are required to be signalised and when each of the signalised intersections will need to be activated.

The intersections being reviewed must include but not be limited to:

- (a) Paul Street and Zetland Avenue;
- (b) Zetland Avenue and Joynton Avenue;
- (c) Geddes Avenue and Botany Road; and
- (d) Portman Street and Bourke Street.

The review must be submitted to Council for review and approval. The report will require discussion with the RMS and additional work may need to be undertaken at this planning stage.

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The review must be approved by Council and gain RMS in-principle approval prior to the detailed design documentation of any of the stages within the development site being submitted.

(29) SIGNALISED INTERSECTIONS DESIGN AND DELIVERY

The proposed signalised intersections will each need to be designed and submitted with the detailed design documentation for their respective stage.

The signal design must be submitted to the City and will require approval from the RMS and a referral to the LPCTCC for endorsement.

The traffic signal infrastructure must be installed as part of the stage they appear in even if the planning does not require them to be activated until a later stage of development.

The design of the signals must be approved by the City as part of the detailed design documentation of that stage.

(30) STAGED DELIVERY OF SURROUNDING SITES

This consent does not provide approval for the consent to the staging of the development lots adjacent to the road network.

Each development lot must provide a review of their proposed traffic generation, and any approved applications generation, to ensure the intersection capacity can perform suitably.

The development lots may be required to wait until the next stage of the road network is provided.

(31) TEMPORARY TURNING AREAS

Any road which is constructed and dedicated as a dead end street, as a result of the staged delivery of the site, must provide a temporary vehicle turning area.

Details of the vehicle turning must be submitted with the detailed design of the affected road.

All temporary turning areas must be designed to accommodate a Council waste collection vehicle as a minimum.

The vehicle turning area must remain until the relevant subsequent stages are complete and the turning area is no longer required.

(32) JOYNTON AVENUE INFRASTRUCTURE WORKS

Any infrastructure works associated with the intersection of Joynton Avenue and Zetland Avenue adjacent to the localised low point (depression) shall not proceed until a drainage solution has been developed to the satisfaction of Council. Documentary evidence of the drainage design is to be submitted to Council before any construction works can commence for the relevant Stage.

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(33) HISTORIC SANDSTONE AND BRICK WALL ON JOYNTON AVENUE

The proposed works to raise the level of Joynton Avenue are to include raising the level of the historic sandstone and brick wall on Joynton Avenue to the final road level to the satisfaction of Council.

(34) ADDITIONAL LANDSCAPING DETAILS TO BE PROVIDED

Prior to the commencement of works final design documentation must be submitted to the satisfaction of the City's Tree Management Team including:

- (a) Details of the proposed tree / plant species. This shall include both botanical and common names, quantities of species, pot sizes, height at maturity, and the like.
- (b) The selection of species shall have regard to the adopted Council Street Tree Masterplan policy at the time, the suitability of the respective species having regard to site constraints, and the overarching vision for the Green Square Town Centre as reflected in South Sydney LEP 1998 and DCP 1997 (as may be amended).
- (c) Details of the planting and maintenance methodologies, including pit details, soil preparation methods, soil depths, stock sizes and the like. It should be noted that the use of advance stock is preferred that are a minimum pot size of 100 litres.
- (d) That designs provide details of deep soil plantings on development sites and are in accordance with the standards specified in the DCP.

(35) NEW STREET TREE PLANTINGS

- (a) All street trees are to be supplied and installed in accordance with the requirements of the City of Sydney Street Tree Master Plan 2011 (or the most relevant adopted version), Part D Technical Guidelines.
- (b) The design must include the following Street tree species detailed in the table below; noting that several streets have had the species amended from that detailed within the plan (Geddes Ave, Paul Street, Zetland Ave).

Street location	Recommended tree species	Common name
Ebsworth Street	Liriodendron tulipifera	Tulip Tree
Tweed Place (east of Ebsworth)	Acer buergerianum	Trident Maple
Tweed Place (west of Ebsworth)	Zelkova serrata 'Green Vase'	Japanese Zelkova
Fellmonger Place	Celtis australis	Southern Hackberry
Barker Street (east of Ebsworth)	Acer buergerianum	Trident Maple

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Street location	Recommended tree species	Common name
Barker Street (west of Ebsworth)	Brachychiton acerifolius	Illawarra Flame Tree
Hinchcliff Street	Celtis australis	Southern Hackberry
Woolpack Street	Zelkova serrata 'Green Vase'	Japanese Zelkova
Geddes Avenue	Ulmus parvifolia 'Todd'	Chinese Elm
Sonny Leonard Street	Corymbia maculata	Spotted Gum
Paul Street (footways)	Liriodendron tulipifera	Tulip Tree
Paul Street (median)	Eucalyptus microcorys	Tallow Wood
Zetland Ave (southern median, between Bus lane and traffic lane)	Waterhousia floribunda 'Green Avenue'	Weeping Lilly Pilly
Zetland Ave (northern median, between traffic lane and cycle lane)	Brachychiton acerifolius	Illawarra Flame Tree
Zetland Ave (northern footway)	Populus simonii	Simons Poplar

(36) STREET TREE PLANTING PIT DESIGN

- (a) The volume of uncompacted soil provided within the Stratacell modules in each street location be revised in accordance with the recommended soil volumes presented on drawing L-100, and increased where necessary to at least meet the recommended soil volumes.
- (b) The location of the Stratacell modules be modified to create linked street tree planting pits aligned parallel to the street kerb, rather than individual pits that encourage root growth towards the boundaries of private property.
- (c) All imported soils (including subgrade) be specified by an accredited and experienced consultant specialising in science of urban soils, with proper regard given to the design of the tree planting pits and long term health and viability of the specified street tree species.
- (d) The detailed design gives full consideration to sub-soil drainage to ensure that all street tree planting pits are free draining and suitable for tree establishment.
- (e) Opportunities for the harvesting of surface storm water be investigated and used for the passive watering of street trees and other planted areas where appropriate.
- (f) The specified tree grate be substituted with the new City of Sydney standard street tree grate (yet to be determined). The applicant / developer shall contact the City's Street Tree Contract Coordinator to obtain the relevant details of this standard.

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(37) REMOVAL OF TREES ON THE SITE

The following requirements apply:

- (a) All trees, including the three Poplar trees adjacent to Portman Street, shall be retained and protected in situ for as long as possible during excavation, earthwork, and construction, and where possible, retained until further development on the site is approved and commenced.
- (b) Details of tree protection measures to be implemented during construction and development on site shall be provided to Council's Tree Management Team for approval prior to commencement of work for the respective stages. This shall include a Arboricultural Impact Assessment by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 must be provided to Council that includes:
 - (i) A detailed list of trees recommended for removal and/or retention.
 - (ii) Tree locations and numbers provided on a site plan
 - (iii) An assessment and discussion of the likely impacts the proposed development will have on the trees. This should include above and below ground constraints on trees that should be retained.
 - (iv) Recommendations of any design modifications, construction techniques and/or other protection methods required to minimise adverse impact on trees that should be retained during the demolition & construction works, and into the long term.
 - (v) Any soil level changes and construction methods, and
 - (vi) Details of the tree protection measures in accordance with AS4970-2009 Protection of trees on development site,
- (c) The local community shall be regularly informed of the removal of trees, including any staged removal. This may be in the form of regular neighbourhood newsletters and/or community information sessions and/or the like.

(38) TREE PROTECTION ZONES

- (a) Before the commencement of works, the Tree Protection Zone/s (TPZ) must be established around all tree/s to be retained not less than the distance indicated in the TPZ schedule below.

TPZ Schedule

Tree No	Species Name	Location	Radius (m) from Trunk
Group 1	Poplar trees	Portman Street (at rear of 97-115 Botany Rd).	8 metres
Group 2	Eucalypt trees	Frontage of 377-497 Botany Road	8 metres
Group 3	Eucalypt trees	northern side of Waverly Depot	8 metres

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Each TPZ must be:

- (b) Enclosed as outlined above with a 1.8m high fully supported chainmesh protective fencing. The fencing shall be secure and fastened to prevent movement. The fencing shall have a lockable opening for access. Woody roots shall not be destroyed during the establishment or maintenance of the fencing.
- (c) kept free of weed and grass and mulch maintained to a depth of 75mm for the duration of works
- (d) Have two signs identifying the name and contact details of the site Arborist attached facing outwards in a visible position. All signs must remain in place throughout all work on site
- (e) The following works shall be excluded from within all TPZs, unless prior approval is obtained from the City's Tree Management team;
 - (i) Soil cut or fill including excavation and trenching
 - (ii) Soil cultivation, disturbance or compaction
 - (iii) Removal or pruning of trees, except where consent has been given
 - (iv) Stockpiling, storage or mixing of materials
 - (v) The parking, storing, washing and repairing of tools, equipment and machinery
 - (vi) The disposal of liquids and refuelling
 - (vii) The disposal of building materials
 - (viii) The siting of offices or sheds
 - (ix) Any action leading to the impact on tree health or structure
- (f) All work undertaken within or above the TPZ must be:
 - (i) Carried out in accordance with a work methodology statement prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 and approved by Council's Tree Management Officer before its implementation (including, without limitation, handling and pedestrian/ machinery access).
- (g) Any root/s over 50mm in diameter must be pruned by the site Arborist. The Site Arborist must also detail all root pruning undertaken in report form to Council within 1 month of the excavation being undertaken.

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(39) REMOVAL OF TREES ON 'DEVELOPMENT SITES' TO BE SUBJECT OF SEPARATE DEVELOPMENT APPLICATIONS

- (a) Besides tree removal related to the provision of the essential infrastructure approved as part of this development, the removal of any other trees on the 'Development Sites' identified in South Sydney LEP 1 Green Square Town Centre shall be considered as part of the future Development Applications for the respective sites. Where possible, the future building and landscape designs shall retain healthy trees.
- (b) Setbacks, including allowances for the full height of buildings, shall be considered with all future development applications to allow existing healthy trees to be retained.
- (c) All trees shall remain on private development sites in the short term and their retention will be assessed and considered in relation to each development Application. Overall, any tree that is permitted for removal shall be kept on site for as long as possible, prior to the physical commencement of building works.

(40) STREET TREE REMOVAL AND RETENTION

- (a) No street trees are approved for removal as part of this development application / consent.
- (b) Any street tree which requires removal for the purposes of essential infrastructure works or for any other reasons shall not be removed without written consent from Council's Tree Management Unit.
- (c) The applicant / developer shall provide sufficient evidence detailing why a street tree requires removal. This information shall include but is not limited to;
 - (i) An Arboricultural Impact Assessment by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 must be provided to Council that includes;
 - (ii) A detailed list of trees recommended for removal and/or retention.
 - (iii) Tree numbers provided on a site plan
 - (iv) An assessment and discussion of the likely impacts the proposed development will have on the trees. This should include above and below ground constraints on trees that should be retained.
 - (v) Recommendations of any design modifications, construction techniques and/or other protection methods required to minimise adverse impact on trees that should be retained during the demolition & construction works, and into the long term.
 - (vi) Details of the tree protection measures in accordance with AS4970-2009 Protection of trees on development site,

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(41) ADDITIONAL LANDSCAPING DETAILS TO BE PROVIDED

- (a) All development sites, where appropriate, shall include a provision within the designs / landscape plans, for at least one tree to be planted that will reach a minimum mature height of 8 metres.
- (b) Any landscaping to be undertaken should utilise species native to the locality with reference to the Draft City of Sydney DCP 2010 (Section 2.7) and the Draft Urban Ecology Strategy (in preparation). Non-native plants that have the potential to become invasive weeds should not be used in landscaping. A diversity of trees, shrubs and groundcover should be incorporated in the landscaping plans to provide foraging and nesting opportunities for native fauna.

(42) VEHICLE FOOTWAY CROSSING

A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway and kerb reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of an Occupation Certificate.

Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

(43) COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

(44) TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any work commencing on site.

(45) VEHICLE ACCESS

The site must be configured to allow a vehicle to be driven onto and off the site in a forward direction.

SCHEDULE 1B

Prior to Construction Certificate / Commencement of Work / Health and Building

Note: Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority (whether Council or a private accredited certifier) illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority). If Council is to be the certifying authority, please contact the Building Unit to discuss the requirements prior to submission of the application for construction certificate.

(46) STORMWATER AND DRAINAGE MANAGEMENT

- (a) The existing stormwater management and drainage connections servicing the upper catchment areas are to be maintained at all times (during and after approved works). Where temporary or interim stormwater works are required, permission is to be sought from the relevant authority (Council or Sydney Water) prior to works commencing. If a drainage line is to be removed or altered, replacing drainage line must have similar or better capacity.
- (b) Prior to a Construction Certificate being issued for each Stage, details of the proposed stormwater disposal and drainage from the development including where required a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (c) The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued for each Stage.
- (d) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any work within the public way.

(47) SUBSURFACE DRAINAGE

Subsurface drainage systems shall be provided for all road formations, cuttings, the base and sub base of pavement layers, retaining walls and the street closure parks. The design and construction of the subsurface drainage system shall be undertaken in accordance with City's current technical specification and standard details for civil works. Detailed plans and construction specifications for the subsurface drainage systems shall be prepared and certified as complying with Council's specifications prior to the issue of the first Construction Certificate excluding approved remediation, preparatory, demolition and excavation work for each Stage.

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A design certification report for the subsurface drainage system shall be prepared by an appropriately qualified civil engineer and shall be submitted to the Principal Certifying Authority for approval prior to the issue of the first Construction Certificate excluding approved remediation, preparatory, demolition and excavation work for each Stage.

The plans shall include as a minimum the following information:

- (a) The proposed location of all subsoil drains and sub-pavement drains, including the nominal width and depth of trenches, pipe diameters and materials, longitudinal design grades, and the locations of outlets and cleanouts;
- (b) The location of public utility services shall also be included on the plans and cross sectional drawings;
- (c) Specifications for the construction of all components of the system in accordance with Council's Development Specification for Civil Works; and
- (d) All assumptions and/or calculations made in the determination of the need or otherwise for subsurface drainage in special circumstances shall be submitted to Council for approval with the documentation.

(48) DRAINAGE AND SERVICE PIT LIDS

Drainage and service pit lids throughout the public domain shall be heelguard and bicycle safe, finish flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Pit lids shall be in accordance with any Council standards and details provided to Council prior to issue of a Construction Certificate excluding approved remediation, preparatory, demolition and excavation work for each stage where relevant.

(49) DESIGN AND CONSTRUCTION OF ROADS AND DRAINAGE WORKS

- (a) The final design and construction of all road and drainage works, including temporary road works, shall be undertaken in accordance with City's current technical specification and standard details for civil works. Detailed plans and construction specifications for the works shall be prepared and certified as complying with Council's specifications prior to the issue of the first Construction Certificate for each Stage of works. A design certification report for the road works shall be prepared by an appropriately qualified civil engineer and shall be submitted for approval of Council prior to the issue of the first Construction Certificate excluding approved remediation, preparatory, demolition and excavation work for that Stage.
- (b) The submission to Council is to provide plans and specifications sufficient to describe in detail the design, scope and extent of all proposed road, drainage and infrastructure works for the construction of the road and drainage works prepared and certified by a Professional Engineer, and is to include:

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- (i) Details of existing and final site contours, levels and volumes of proposed earthworks providing confirmation that the site contours and levels will not adversely impact upon the flow of floodwater on the site.
 - (ii) Geometric design and pavement design of the road network including formation widths, batter slopes, longitudinal sections, cross-sections, materials, specifications and thicknesses of pavement and surfacing.
 - (iii) Kerb and gutter design and specifications and any necessary works and matching into existing formations including a minimum 500mm existing road pavement restoration.
 - (iv) Geometric and hydraulic design of all stormwater drainage structures and systems including drainage swales and temporary downstream drainage, if required, and specifications and materials and details of connections into Council's public stormwater system.
 - (v) Details of the provision of stormwater stub connections for each Stage is to be included into the design.
 - (vi) Details of design and specifications for footpaths, retaining walls, pedestrian and associated verge works,
 - (vii) Details of structures and conduits for the provision and installation of any public utility services and any adjustment to existing services required,
 - (viii) Specifications showing assumptions, calculations and testing.
- (c) The certification for each Stage is to include confirmation from a Professional Engineer that the design complies with Council's Development Specifications for Civil Works Design and Construction or Council's specification current at the time.
 - (d) The documentation is to be fully coordinated with the approved Public Domain and Landscape plans for the development.

(50) DRAINAGE SYSTEM DESIGN

Drainage systems that convey flood waters from upstream catchments through the site must be designed such that:

- (a) The drainage systems convey flood waters up to and including the 1 in 100 year ARI and flows safely to downstream trunk drainage system. The design must comply with the safety standard recommended in the Australian Rainfall and Runoff, a guide to Flood Estimation by the Institution of Engineers and NSW Flood Development manual, 2005

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- (b) Minimum of 1 in 20 year ARI flows must be contained within below ground pipes and the remaining flows above the pipe capacity and up to and including the 1 in 100 year ARI flows as overland flows. If roads are to be used to convey overland flows the safety requirements outlined in (a) above must be met.
- (c) Any special drainage structures or collection drainage pits within road reserves or in public spaces to capture or divert overland flows must meet safety requirements in (a) above.

(51) ESSENTIAL INFRASTRUCTURE AND PUBLIC DOMAIN WORKS - HOLD POINTS AND HANDOVER

- (a) Prior to a Construction Certificate for each Stage being issued, excluding approved remediation, preparatory, demolition and excavation work, a set of hold points for approved public domain and civil construction work is to be determined and approved by Council in accordance with the City's Public Domain Manual.
- (b) Completion of the constructed Essential Infrastructure and Public Domain works is to be undertaken in accordance with the City's Public Domain Manual, including requirements for as-built documentation, certification and defects liability period.

(52) ALIGNMENT LEVELS

Plans approved in principle

- (a) Prior to a Construction Certificate being issued for each Stage, road and footpath alignment levels must be submitted to Council for approval. The submission must be prepared by a Registered Surveyor and must be in accordance with the City of Sydney's Public Domain Manual.
- (b) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for a Construction Certificate, excluding a Construction Certificate for approved preparatory, demolition or shoring work.
- (c) If a Public Domain Plan condition applies to the development the Alignment Levels application must be made concurrently or before the submission of a Public Domain Plan.

(53) DESIGN CAPACITY FOR DRAINAGE SYSTEM

- (a) Prior to the release of the Construction Certificate excluding approved remediation, preparatory, demolition and excavation work the applicant must submit for Councils' approval the design capacity for the proposed trunk drainage system to accommodate events up to and including the one in twenty year ARI event, including:
 - (b) Detailed engineering drawings both for all new drainage infrastructure and retained sections of existing drainage infrastructure;

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- (c) Hydrologic and hydraulic calculations, including (but not limited to) allowances for the effects of climate change, HGL levels, pit losses, inlet losses, bend losses, junctions losses and appropriate pit blockage factors.

(54) SYDNEY WATER TRUNK DRAINAGE SYSTEM

- (a) Prior to a Construction Certificate being issued for Stages affected by Sydney Water's trunk drainage system, the approval of Sydney Water for the proposed work and relocation of its system shall be provided to Council.
- (b) Prior to a Construction Certificate being issued for Stages affected by Sydney Water's trunk drainage system, the approval of Sydney Water for any proposed connection into its system shall be provided to Council.

(55) EASEMENTS FOR STORMWATER

- (a) An Easement for stormwater purposes to the benefit of Sydney Water must be registered on title for all relocated sections of its trunk drainage system.
- (b) Creation of Drainage Easement rights in favour of the City for any parts of the proposed local drainage system within private property.

(56) SUBMISSION OF SUBDIVISION APPLICATION

A separate subdivision application shall be submitted to and approved by the City for the creation of the proposed roads and public reserves, including all easements reasonably necessary to recognise and support any infrastructure.

(57) FOOTWAY WIDTH

Minimum footway widths as detailed in the City LEP and DCP are to be provided including at road intersections. Where kerb and gutter alignments need to be adjusted to accommodate vehicle turning movements, appropriate adjustments to future property boundaries will need to occur. All adjustments are to be submitted to Council for approval.

(58) FOOTPATH DAMAGE BANK GUARANTEE

- (a) A Footpath Damage Bank Guarantee for each Stage of the development, calculated on the basis of lineal metres of site frontage of each stage, must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Footpath Damage Bank Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for repairing any damage to the public domain in the vicinity of the site.
- (b) In lieu of the bank guarantee required by a), Council may accept an unconditional performance bond that is in accordance with Council's policy on performance bonds.

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- (c) The guarantee must be lodged with Council prior to works commencing on site.
- (d) The guarantee for each Stage will be retained in full until the works for the relevant Stage are complete and all rectification works carried out to the satisfaction of Council.

(59) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN

Prior to an approval for works being granted, including demolition, for each Stage a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.

The form of the recording is to be as follows:-

- (a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;
- (b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;
- (c) Each image is to be numbered and cross referenced to a site location plan;
- (d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;
- (e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

(60) PRESERVATION OF SURVEY MARKS

All works in City streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box). At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Project Manager Survey / Design Services to arrange for the recovery of the mark.

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Prior to the issue of a Construction Certificate, a survey plan, clearly showing the location of all permanent survey marks fronting the site and within 5 metres on each side of the frontages must be submitted to Council.

At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Senior Surveyor to arrange for the recovery of the mark.

A fee must be paid to the Council for the replacement of any permanent survey mark removed or damaged in accordance with the City's Schedule of Fees and Charges (Reinstatement of Survey Box).

(61) ESSENTIAL INFRASTRUCTURE / PUBLIC DOMAIN SECURITY

Security for Essential Infrastructure works is to be lodged prior to the issue of a Construction Certificate or works commencing (whichever is earlier) for each Stage.

A detailed cost estimate (certified by a Quantity Surveyor) of each Stage of Essential Infrastructure and Public Domain Works is to be prepared and submitted to Council for approval. The approved value of will determine the Essential Infrastructure Security amount.

The Essential Infrastructure Security must be submitted as an unconditional bank guarantee or insurance bond in favour of Council in accordance with Council policy, as security for completion of the relevant Stage of Essential Infrastructure works.

The Security will be retained in full until all Essential Infrastructure works for that Stage is complete and the required certifications, warranties and works—as executed documentation are submitted and approved by Council in writing. On satisfying the above requirements, 90% of the total securities will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

(62) STREET AND PEDESTRIAN LIGHTING

The applicant shall provide a system of underground street and pedestrian lighting along all roads, footpaths, and street closures in accordance with Ausgrid and Council standards. Detailed plans, specifications, light level calculations are to be submitted to and approved by Council for each stage prior to the issue of a construction certificate for that stage.

The extent of smart pole lighting, Ausgrid standard lighting and wall mounted non-standard lighting types are to be reviewed and agreed with by Council.

The lighting plans shall show layout, location, connections, conduits, types, luminaries, fixtures and footings.

If lighting is to be fixed to adjoining buildings the above details plus details of the fixture and timing for delivery are to be included in the submission.

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Temporary lighting to facilitate Staging or until adjoining developments are constructed and permanent lighting installed are to form part of the submission.

(63) DILAPIDATION SURVEYS

If required by RailCorp, prior to the commencement of works and prior to the issue of the occupation certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.

(64) ELECTROLYSIS RISK

Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

(65) RISK ASSESSMENT / MANAGEMENT PLAN AND DETAILED SAFE WORK METHOD STATEMENTS

If required by RailCorp, prior to the issue of a Construction Certificate a Risk Assessment / Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to RailCorp for review and comment on the impacts on the rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from RailCorp that this condition has been satisfied.

(66) TUNNEL/TRACK MONITORING PLAN

If required by RailCorp, a tunnel/track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to RailCorp for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from RailCorp advising of the need to undertake the track monitoring plan, and is required, that it has been endorsed.

(67) PUBLIC LIABILITY INSURANCE COVER

Prior to the issue of a Construction Certificate the Applicant must hold current public liability insurance cover for a sum to be determined by RailCorp. This insurance shall not contain any exclusions in relation to works on or near the rail corridor. The Applicant is to contact RailCorp's Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principle Certifying Authority must witness written proof of this insurance in conjunction with RailCorp's written advice to the Applicant on the level of insurance required.

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(68) UTILITY SERVICES

- (a) Prior to the commencement of any subdivision work on the site or public domain work, documentary evidence is to be submitted to the accredited certifier/Principal Certifying Authority and Council that the requirements of all public utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) with services within and adjacent to the site have been satisfied with regard to the design of any deviation, diversion, construction or removal of service infrastructure within the site.
- (b) Documentary evidence is to be submitted to the accredited certifier/Principal Certifying Authority and Council that the requirements of all public utility authorities providing services to the site have been satisfied with regard to the completion of construction and installation of those services.

(69) REMEDIATION ACTION PLANS – STAGED WORKS

Final Remediation Action Plans for each Stage of the proposed works, are to be submitted for approval by the Council and the NSW EPA accredited Site Auditor Graeme Nyland in accordance with the approved Overarching Remediation Action Plan for the Essential Infrastructure works (referred to in Condition 1 above), prior to the commencement of work.

(70) LAND REMEDIATION

The site must be remediated and validated in accordance with the final Remediation Action Plan approved by the Site Auditor and the Council as required in accordance with this consent.

Any variations to the proposed remediation Action Plan shall be approved in writing by the Accredited Site Auditor and Council prior to the commencement of such work.

(71) SITE AUDIT STATEMENT

PRIOR TO ANY ABOVE GROUND WORKS COMMENCING a Site Audit Statement prepared by a NSW EPA accredited auditor is to be submitted to Council certifying that the site is suitable for the intended use. Conditions on the Site Audit Statement shall form part of the consent.

Note: Where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council these should be discussed with Council before the Site Audit Statement is issued

(72) CLEAN FILL

Documentation is to be submitted to Council for approval demonstrating that clean fill will be established with an adequate clearance around all infrastructure, services, roads and public domain works.

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(73) ASBESTOS REMOVAL WORKS

All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Workcover NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal Licence which ever applies.

Five days prior to the commencement of licensed asbestos removal, Workcover must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.

All works must be carried out in accordance with the Work Health and Safety Regulation 2011 and the NSW Government and Workcover document entitled How to Safely Remove Asbestos, Code of Practice and the City of Sydney Asbestos Policy.

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site.

Asbestos to be disposed of must only be transported to waste facilities licensed to accept asbestos. The names and location of these facilities are listed in Part 6 of the City of Sydney's Asbestos Policy.

No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc.).

No asbestos laden skips or bins are to be left in any public place without the approval of Council.

A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (a) contact person for the site;
- (b) telephone and facsimile numbers and email address; and
- (c) site activities and time frames.

(74) EROSION AND SEDIMENT CONTROL - MORE THAN 2,500SQM

The Soil and Water Management Plan accompanying this Development Application has not been approved by this consent.

[Planner: Only use this first paragraph if a Soil and Water Management Plan was submitted with the DA, otherwise delete]

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Prior to the commencement of any works on site, including, but not limited to demolition, excavation or construction work, a Soil and Water Management Plan (SWMP) must be submitted to and be approved by the Principal Certifying Authority.

- (a) The SWMP must identify and respond to all items for Erosion and Sediment Control Plans listed in the condition above, as well as:
 - (i) existing site contours;
 - (ii) location and diagrammatic representation of all necessary erosion and sediment control systems or structures used to mitigate or prevent pollution to stormwater;
- (b) Location and engineering details with supporting design calculations for all necessary sediment basins, constructed wetlands, gross pollutant traps, trash racks or bio filtration swales (as relevant).

(75) ROAD OPENING PERMIT

A separate Road Opening Permit under Section 138 of the Roads Act 1993 must be obtained from Council prior to the commencement of any:

- (a) Excavation in or disturbance of a public way, or
- (b) Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).

(76) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT

On-site detention, treatment and re-use is encouraged.

- (a) Prior to a Construction Certificate being issued, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any work within the public way.
- (c) The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued.

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- (d) An “Application for Approval of Stormwater Drainage Connections” must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system.
- (e) A Positive Covenant must be registered on the title for all drainage systems involving On-site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.

(77) APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

- (a) A separate application under Section 138 of the Roads Act 1993 is to be made to Council to erect a hoarding and/or scaffolding in a public place and such application is to include:-
 - (i) Architectural, construction and structural details of the design in accordance with the Policy for the Design and Construction of Hoarding (September 1997) and the Guidelines for Temporary Protective Structures (April 2001).
 - (ii) Structural certification prepared and signed by an appropriately qualified practising structural engineer.

Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of demolition or construction works on site.

Assessment of the impacts of construction and final design upon the City of Sydney's street furniture such as bus shelters, phone booths, bollards and litter bins and JCDecaux street furniture including kiosks, bus shelters, phones, poster bollards, bench seats and litter bins. The applicant is responsible for the cost of removal, storage and reinstallation of any of the above as a result of the erection of the hoarding. In addition, the applicant is responsible for meeting any revenue loss experienced by Council as a result of the removal of street furniture. Costing details will be provided by Council. The applicant must also seek permission from the telecommunications carrier (e.g. Telstra) for the removal of any public telephone.

- (b) Should the hoarding obstruct the operation of Council's CCTV Cameras, the applicant must relocate or replace the CCTV camera within the hoarding or to an alternative position as determined by Council's Contracts and Asset Management Unit for the duration of the construction of the development. The cost of relocating or replacing the CCTV camera is to be borne by the applicant. Further information and a map of the CCTV cameras is available by contacting Council's CCTV Unit on 9265 9232.
- (c) The hoarding must comply with the Councils policies for hoardings and temporary structures on the public way. Graffiti must be removed from the hoarding within one working day.

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(78) BARRICADE PERMIT

Where construction/building works require the use of a public place including a road or footpath, approval under Section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

(79) UTILITY SERVICES

To ensure that utility authorities are advised of the development:

- (a) Prior to the issue of a Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

(80) CONTAMINATED WASTE

The generation, storage, transport, treatment or disposal of industrial, hazardous or Group A liquid waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997 and the NSW Department of Environment and Climate Change and Water (DECCW) waste tracking requirements. The generation, storage, transport, treatment or disposal of industrial, hazardous or Group A liquid waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997 and the NSW Department of Environment Climate Change and Water (DECCW) waste tracking requirements. For further information contact DECCW on 131 555.

(81) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

SCHEDULE 1C

During Construction/Prior to Occupation/Completion

(82) TEMPORARY DRAINAGE DIVERSIONS

At all times during the construction/reconstruction of the trunk drainage system, adequate temporary diversions are to be installed and maintained to the satisfaction of Council to ensure that the design 20 year capacity of the drainage system is retained at all times.

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(83) HAZARDOUS AND INDUSTRIAL WASTE

Hazardous and/or industrial waste arising from the development activities must be removed and/or transported in accordance with the requirements of the NSW Environmental Protection Authority, NSW Work Cover Authority pursuant to the provisions of the following:

- (a) Protection of the Environment Operations Act 1997.
- (b) Protection of the Environment Operations (Waste) Regulation 2005.
- (c) Waste Avoidance and Recovery Act 2001.
- (d) Work Health and Safety Act 2011
- (e) Work Health and Safety Regulation 2011

(84) WASTE CLASSIFICATION

Prior to the exportation of waste (including fill or soil) from the site the material should be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA Environmental Guidelines Assessment, Classification and Management of Non- Liquid Wastes'. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporter if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

(85) DUST MANAGEMENT

All reasonable and feasible steps must be taken to ensure that dust from activities conducted on site is kept to a minimum. This includes the covering and wetting-down of disturbed soils.

(86) WATER POLLUTION

No waste water, chemicals or other substances harmful to the environment shall be permitted to discharge to Council's stormwater system. Only clean, unpolluted water is permitted to discharge into the stormwater system.

(87) USE OF INTRUSIVE APPLIANCES - TIME RESTRICTION.

- (a) The operation of high noise intrusive plant and machinery such as pile – drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E or F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436-2010 "Guide to Noise Control on Construction, Maintenance and Demolition Sites is restricted to the hours of:

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- 9:00am – 12:30pm and 1:30pm to 4:30pm Mondays to Fridays and
 - 9am – 1pm on Saturdays and No operation is permitted on Sundays or public holidays.
- (b) All reasonable and feasible steps must be undertaken to ensure that all works complies with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436- 2010 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'
- (c) All reasonable and feasible steps must be taken to ensure that noise levels from activities conducted on site are kept to a minimum including the adoption of less noise intrusive plant and equipment or technologies.

(88) HOURS OF WORK AND NOISE – OUTSIDE CBD

The hours of construction and work on the development must be as follows:

- (a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools etc.) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the City of Sydney Building Sites Noise Code and Australian Standard 2436 - 1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites".

(89) NOISE USE

- (a) General criteria

The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment shall comply with the following criteria:

- (i) The LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence.
- (ii) The background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise.
- (iii) The LAeq,15minute noise level shall be adjusted to account for any applicable modifying factors in accordance with Part 4 of the EPA NSW Industrial Noise Policy.

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- (iv) In this clause, the term “noise level emitted from the use” means the contributing noise level from the use in isolation to any other ambient noise and account must therefore be taken of the LAeq, 15minute when the use is not in operation.
- (v) In circumstances where this development application refers to a modification or addition to an existing use, the background noise level referred to in this clause pertains to the LA90, 15minute noise level measured in the absence of all noise from the site.

(90) ACID SULFATE SOILS

- (a) If any new information comes to light during, demolition, excavation or construction works which has the potential to alter previous conclusions about Acid Sulfate Soils then this must be immediately notified to the Council and the Principal Certifying Authority.
- (b) All works arising from the identification of Acid Sulfate Soils are to be carried out in accordance with the NSW Acid Sulfate Soils Management Advisory Committee, Acid Sulfate Soils Assessment Guidelines 1998 for works that are classified as being in an Acid Sulfate Soils Zone Class 3.

(91) COVERING OF LOADS

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

(92) EROSION AND SEDIMENT CONTROL

The Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been approved by the Principal Certifying Authority must be implemented in full during the construction period.

During the construction period;

- (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and
- (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

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(93) HAZARDOUS AND INDUSTRIAL WASTE

Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the Department of Environment and Conservation (DEC) and the NSW Work Cover Authority pursuant to the provisions of the following:

- (a) Protection of the *Environment Operations Act 1997*.
- (b) Protection of the *Environment Operations (Waste) Regulation 1996*.
- (c) *Waste Avoidance and Recovery Act 2001*.
- (d) *New South Wales Occupational Health & Safety Act 2000*.
- (e) *New South Wales Construction Safety Act 1912* (Regulation 84A-J Construction Work Involving Asbestos or Asbestos Cement 1983).
- (f) *The Occupational Health & Safety Regulation 2001*.
- (g) *The Occupational Health & Safety (Asbestos Removal Work) Regulation 1996*.

(94) PROTECTION OF STREET TREES DURING CONSTRUCTION

All street trees adjacent to the site not approved for removal must be protected at all times during demolition and construction, in accordance with Council's Tree Preservation Order.

Details of the methods of protection must be submitted to and be approved by Council prior to the issue of the Construction Certificate and such approval should be forwarded to the Principal Certifying Authority. All approved protection measures must be maintained for the duration of construction and any tree on the footpath which is damaged or removed during construction must be replaced.

(95) VEHICLE CLEANSING

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

(96) ACCESS DRIVEWAYS TO BE CONSTRUCTED

Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.

(97) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

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- (a) All loading and unloading associated with construction activity must be accommodated on site.
- (b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- (e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

(98) NO OBSTRUCTION OF PUBLIC WAY

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

SCHEDULE 2

The prescribed conditions in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000 apply to the development.

PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Division 8A of the Environmental Planning and Assessment Regulation 2000 apply:

Clause 98 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

Clause 98A Erection of signs

Clause 98B Notification of Home Building Act 1989 requirements

Clause 98C Conditions relating to entertainment venues

Clause 98D Conditions relating to maximum capacity signage

Clause 98E Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 8A of the Environmental Planning and Assessment Regulation 2000. This can be accessed at:

<http://www.legislation.nsw.gov.au>

BACKGROUND

The Site and Surrounding Development

1. The subject site comprises the area of the proposed Green Square Town Centre and some surrounding lands as illustrated on the site location plan at **Attachment A**. The site is generally bounded by Joynton Avenue in the east, Hansard Street to the south, Botany Road and Bourke Road to the west and Portman Street / Lane to the north (as shown on Figure 1 below).



Figure 1 – Site plan

2. The site comprises existing and vacant industrial land. Existing major uses on site include Sydney City Nissan motor showroom and the Waverley Council depot and various other smaller industrial uses. Vacant land includes the former Waverley and Woollahra incinerator site (Botany Road), the former City of Sydney Depot site (bounded by Bourke and Portman Streets and Portman Lane, the former Royal South Sydney Hospital site (bounded by Joynton Ave, Portman and Hansard Street) and the NSW Police site (Botany Road).
3. The area surrounding the site comprises a mix of industrial development, remnant low scale residential development and recently constructed high density residential and mixed use development.
4. Photographs of the site are provided below.

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Figures 2 to 13 below illustrate photographs of the existing site.



Figure 2 – Paul St looking north from Hansard



Figure 3 - Hansard St looking east



Figure 4 – Portman St looking north from Hansard.



Figure 5 – Joynton Ave looking south



Figure 6 – Proposed Zetland Ave location on Joynton



Figure 7 – Corner Bourke St and Portman.

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Figure 8 – Green Square Railway Stn on Botany Road



Figure 9 – Waverley Ccl Depot site on Portman St



Figure 10 – GSTC from Merton / Portman Sts



Figure 11 – Proposed Hinchcliffe St (Emanuel Lane)



Figure 12 – Historic wall on Joynton Ave



Figure 13 – Botany Road looking south

History of Development Applications Relevant to this Site

5. The following development applications are relevant to the subject application:

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- (a) Development application D/2008/1195 for Green Square Town Centre Essential Infrastructure was approved by Council on 17 November 2008. Since approval Council has reviewed its planning controls in response to development plans proposed by the main Town Centre landowners. This review has resulted in an amended road layout within the Town Centre and the inclusion of green infrastructure works. In addition other changes include: staging of the proposed works over a 15 year period, removal of sites 1-4 adjacent to the Green Square Rail Station from the subject DA, changes to road names and removal of a previously required community building from the central plaza area. The changes and the fact that Development Consent D/2008/1195 has lapsed have resulted in the submission of a new DA for the subject essential infrastructure works.
- (b) Development application D/2012/835 relating to 3 Joynton Avenue, Zetland was approved by Council on 15 October 2012 subject to a deferred commencement condition in relation to site remediation. The DA provided for alterations and additions to the former administration building on the Royal South Sydney Hospital site to facilitate the future re-use of the building for infrastructure associated with the Green Square Town Centre and provision of a new vehicular access driveway from Portman Street.
- (c) Development application D/2012/1056, currently under consideration by Council, is a Stage 1 Development Application (DA) at 301-303 Botany Road, Zetland, known as the "John Newell" site. This application is to establish building envelopes and indicative site layout for future mixed use development at the site. Future development would contain retail and residential development and basement car parking. The proposal seeks consent for a building envelope with the potential to accommodate 34,380sq.m of residential floor space (approximately 346 apartments), 5,000sq.m of retail floor space and 3 levels of basement car parking (approximately 311 spaces), 8 – 18 storeys built form, indicative vehicular access and indicative landscaping / public domain works. The Green Square Town Centre planning controls have been "un-deferred" for this site following the execution of a Voluntary Planning Agreement (VPA) between the Applicant and Council. This DA is the first application for development by a private landowner within the Green Square Town Centre. The application will be considered by the Central Sydney Planning Committee (CSPC).
- (d) Development application D/2012/1909 for the installation and operation of the Trigeneration facility within the former administration building on the Royal South Sydney Hospital site at the former Royal South Sydney Hospital site has also been received by Council. This application is currently under consideration by Council.

PROPOSAL

Planning Context

- The Green Square project is in the process of transforming 278 hectares south of the Sydney city centre into an attractive, vibrant and sustainable urban place, with a diverse mix of housing, open spaces, offices, shops and facilities. The Green Square area includes Beaconsfield and Zetland and parts of Rosebery, Alexandria and Waterloo and is 3.5km from the Sydney CBD and 4km from Sydney airport. The Green Square area is shown in Figure 1 below:

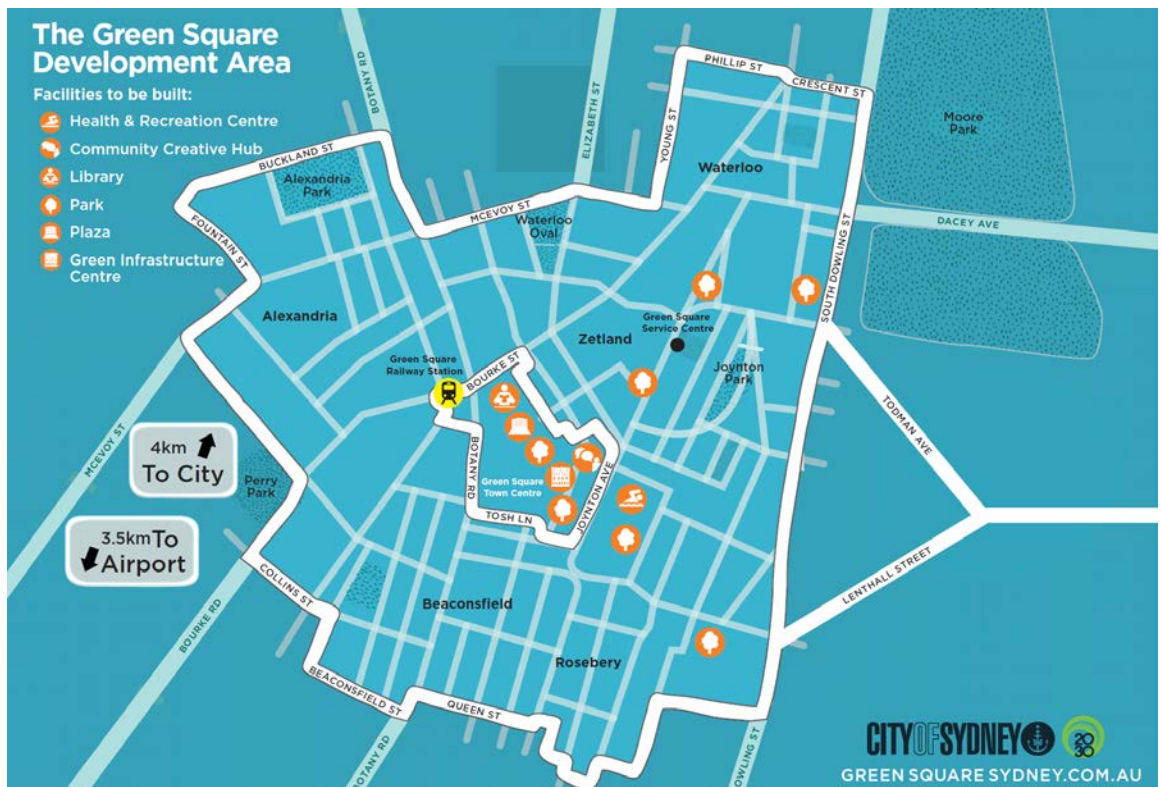


Figure 14: Green Square Development Area (including Town Centre)

- Recent development in Green Square has provided for approximately 5,700 new dwellings since 2000 equating to around 11,000 new residents. By 2030, it is expected that Green Square will house approximately 40,000 residents and provided employment for approximately 22,000 workers.
- Council's priorities for the Green Square area are the delivery of quality community facilities, good transport connections, parks and open spaces and infrastructure to current and future residents and workers.
- At the heart of the Green Square project is the development of the Green Square Town Centre (GSTC). The GSTC will provide a new retail, commercial and cultural hub for the area centred around the Green Square station. The Town Centre itself is intended to accommodate approximately 6,800 residents and 8,600 workers.
- Council's Sustainable Sydney 2030 identifies "5 big moves" to transform the City. Relevant to the subject application, one of these moves is to provide for transformative and sustainable development and specifically to implement initiatives to re-make the City, including energy and water efficient infrastructure, affordable housing, high quality public space and design and access to essential transport choices. As part of Council's vision Green Square is proposed to be connected via a range of high quality transport options and is identified as one of 10 activity hubs which are to provide a focus for doing business, healthcare, taking transport, shopping, meeting people and having cultural and learning experiences.

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Proposal

11. The Essential Infrastructure DA proposes to confirm the layout, form and appearance of the GSTC and to provide the framework for the development of future private and public land within the centre. It seeks approval for all essential infrastructure (including green infrastructure works) to enable the proposed Town Centre to be developed in a consistent, coordinated and timely manner. It proposes a detailed design for the full range of engineering works and services. It also includes concept landscape and streetscape design works and a proposed staging plan.
12. The proposed works include major essential infrastructure works to allow for the development of the GSTC. Works include:
 - (a) Rearrangement and construction of new streets, including footpaths, ramps, access stairs and the like together with associated infrastructure such as drainage, services, vehicular crossings, bus stop set-outs, street tree pits and street trees etc.
 - (b) Detailed road marking and signage plans, including pedestrian crossings, cycle lanes, bus stops, traffic lights;
 - (c) Green infrastructure works including the above and below ground utility connections to the Green Infrastructure Centre which is proposed to be located in the former Royal South Sydney Hospital site (3 Joynton Avenue, Zetland)
 - (d) Concept landscape and streetscape design works including pavement design and construction, street furniture (seats, light poles and bins etc.) tree planting etc.
 - (e) Existing services (including electrical, water, stormwater, sewer and telecommunications) demolition and relocation (including both above and below ground services);
 - (f) Tree removal and demolition of minor structures
 - (g) Provision of new services
 - (h) Stormwater diversion construction sequencing details
 - (i) Services coordination details
 - (j) Staging details to match the planned construction delivery for the Town Centre; and
 - (k) Erosion and sediment control measures during the proposed works.
13. It is proposed that the works be staged over a 15 year period in 6 stages.
14. The following works are excluded from the subject application: public domain contained in the two plazas and the Drying Green, development of buildings, development sites 1-4 adjacent to the railway station (services for these sites to be subject to separate application), upgrading of kerbs and footpaths on Portman Street, and works to kerb and footpaths for Bourke Street, Portman Lane, Navins Lane and Botany Road adjacent to sites 8A and 8B.

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15. The proposed infrastructure works are illustrated on the summary infrastructure, stormwater drainage and landscape plans at **Attachment B**. The proposed staging of the work is shown in **Attachment C**.

IMPLICATIONS OF THE PROPOSAL

Section 79C Evaluation

16. An assessment of the proposal under Section 79C of the Environmental Planning and Assessment Act 1979 has been made, including the following:

Section 79C(1)(a) Environmental Planning Instruments, DCPs and Draft Instruments

STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

17. The following State Environmental Planning Policy/Policies are relevant to the proposed development:

SEPP (Infrastructure) 2007

18. The aim of the Infrastructure SEPP is to facilitate the effective delivery of infrastructure across the State. Whilst a range of infrastructure can be undertaken under the SEPP without development consent, Council has determined it appropriate that a development application be lodged for the subject works. Other relevant provisions contained within the Infrastructure SEPP include consultation requirements with relevant government authorities.
19. Clause 86 requires concurrence from the relevant rail authority for proposals to excavate in, above or adjacent to railway corridors. The north western portion of the GSTC site is affected by the railway corridor hence Railcorp's concurrence was sought for the proposed works. Railcorp provided its concurrence on 5 November 2012 subject to Council imposing a deferred commencement condition which requires the applicant to submit additional information for Railcorp approval / certification. In addition operational conditions were provided. Railcorp's conditions should be applied if the application is recommended for approval.
20. Clause 101 relates to development with frontage to classified roads. The proposed works have frontage to two classified roads: Botany Road and Bourke Street. Relevant to the subject proposal the provision requires that a consent authority must not consent to such development unless it is satisfied that the proposal will not adversely affect the safety, efficiency and ongoing operation of the classified road. The appropriateness of the proposal in terms of traffic safety is addressed in the issues section of this report.
21. In addition clause 104 requires the concurrence of the RMS (formerly RTA) in certain circumstances for specified forms of development. Although this provision does not strictly apply to infrastructure works, the RMS was consulted on the proposal. No submission has been received however it is understood that the RMS has had ongoing involvement in the current proposal and provided input to the proposed development of the road network. In addition a number of conditions recommended by Council's City Access and Transport Unit require approvals from / consultations with RMS.

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22. In relation to consultations with other government agencies it is noted that the applicant has undertaken consultations with Energy Australia and Sydney Water in the preparation of the application.

SEPP 55 – Remediation of Land

23. SEPP 55 promotes the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 7 of SEPP 55 requires that consent must not be granted unless the consent authority has considered whether the land is contaminated and if it is, is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.
24. Initially an Interim Contamination Audit Report (prepared by Graeme Nyland an EPA Accredited Site Auditor from Environ Australia Pty Ltd) was submitted with the DA. The report notes that a range of previous RAPs have been prepared for various sites within the GSTC area and provides a review of these. The report concludes that subject to the outlined recommendations the Site Auditor considers that the site can be made suitable for the proposed uses. Specifically the preparation of an overarching remediation action plan for the entire area covered by the Essential Infrastructure Works is recommended. This plan would bring together all previous plans and investigations covering the site and ensure consistency in remediation measures proposed. In addition subsequent stage specific RAPs would be prepared which would need to be consistent with the overarching RAP.
25. Subsequent to the initial submission, on 22 January 2013 a Draft Remedial Action Plan (RAP) purporting to relate to the roads and service corridors within the GSTC was prepared by JBS Environmental Pty Ltd (Nov. 2012, Rev. E) and submitted as additional information to support the development application. The Draft RAP does not apply to the entire area covered by the subject DA rather it is limited to only part of the land the subject of the DA, the Green Square Consortium (GSC) (Landcom/Mirvac/Leighton) land. A further letter from an EPA Accredited Site Auditor, Graeme Nyland of Environ Australia Pty Ltd, was also submitted with the Draft RAP. However, the site auditor's letter similarly relates only to the GSC land and in relation to other land refers to previous advice prepared in relation to the previous essential infrastructure DA D/2008/1195.
26. Council's Health Section has provided conditions of consent should the application be recommended for approval. It is noted that the site auditor has confirmed that the site can be made suitable for the proposed use however given the different approaches taken in various RAPs and investigations previously undertaken for the site, and to ensure that all affected land is covered by an appropriate RAP, it is considered that a deferred commencement consent condition should be imposed. This condition would require the preparation of an overarching RAP which covers the entire area covered by the essential infrastructure works prior to any consent becoming operational. In addition other standard conditions in relation to remediation should also be applied. Subject to these recommendations it is considered that the proposed works are acceptable in terms of site remediation and that the proposal meets the requirements of SEPP 55.

LEPs AND DCPs

27. The following local planning instruments are relevant to the proposal:

City of Sydney Planning Scheme Ordinance 1971

28. The majority of the land within the defined area (excluding the former South Sydney Hospital site) of the GSTC is currently zoned under the provisions of the City of Sydney Planning Scheme Ordinance (PSO) 1971. The land is generally zoned Industrial 4(a) however land along Botany Road is affected by a “County Road Widening” reservation and some land (roadways) is unzoned. The former South Sydney Hospital site which is included in the subject site area is zoned under South Sydney LEP 114 (Southern Industrial and Rosebery/Zetland Planning Districts) (refer discussion below). The subject land remains primarily zoned under the PSO as South Sydney LEP 1998 – Amendment No. 17 Green Square Town Centre is deferred from operation until agreement for servicing has been reached with relevant land owners (refer below for further details).

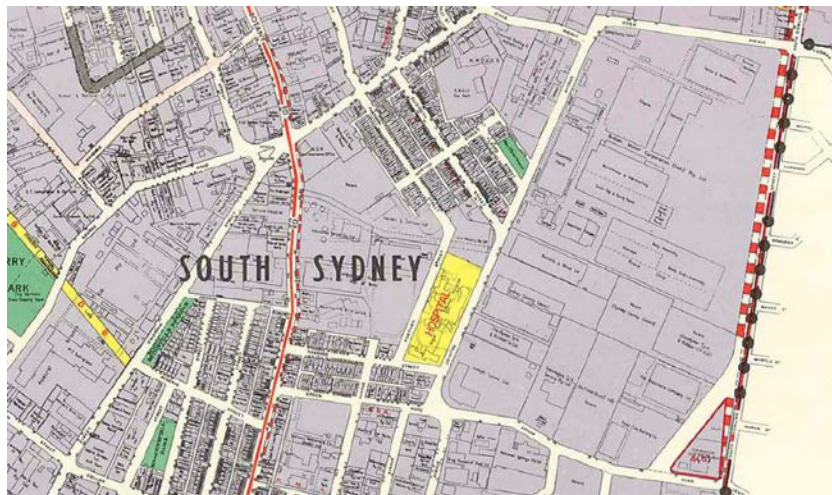


Figure 15: Zoning under CoS PSO

29. The proposed infrastructure works are permissible with consent in the Industrial 4(a) zone. Clause 13 of the PSO in relation to County Road Widening provides that new buildings, works and excavations and alterations to existing buildings, works and excavations may be carried out with consent on land affected by such a reservation. Accordingly the proposed works within the County Road Widening corridor are similarly permissible.
30. Clause 32 and 33 sets out matters to be taken into account in considering a development application. These matters are broad and include matters such as character, size and shape of land parcel, access, views of public authorities, landscape treatment etc. All relevant matters are considered within this report. Section 32(e) also references any detailed plan or design adopted by the responsible authority for the land. The proposed development is generally consistent with the layout of South Sydney LEP 1998 – Amendment 17 (Green Square Town Centre) and South Sydney DCP 1997 – Part H (Green Square Town Centre) (refer below).
31. Portman Street is unzoned under the PSO. The proposed works within the road reserve are permissible under clause 63 which enables the responsible authority to carry out development listed in Schedule 7 without approval. Schedule 7 includes the carrying out of public utility undertakings.

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South Sydney LEP 114 (Southern Industrial and Rosebery/Zetland Planning Districts)

32. Part of the subject land (the site of the former South Sydney Hospital) is zoned 5(a) Special Uses – Hospital under South Sydney Local Environmental Plan 114 (Southern Industrial and Rosebery/Zetland Planning Districts). The objective of the 5(a) Special Uses zone is “to identify land which is currently used by public authorities, institutions, organisations or the council to provide certain community facilities, services or utilities”. Uses that are permissible with consent in this zone include:

“The particular purpose indicated by lettering on the map or a use ancillary or incidental to that purpose or permissible with or without consent in the adjacent zone; child care centres, open space, recreation areas, utility installations, any other purpose which by virtue of its type, function, scale and services provided is, in the opinion of the Council, consistent with the objectives of the zone.”

33. All other uses are prohibited.
34. The proposed essential infrastructure works are considered to be consistent with the objective of the zone and will provide for the development of the adjacent land in accordance with relevant planning instrument. The works are therefore permissible on the subject land.

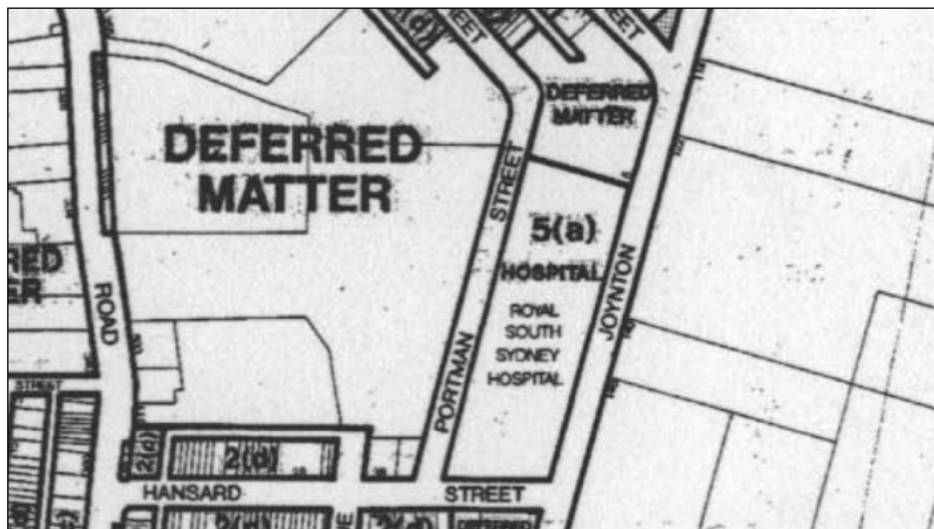


Figure 16- Zoning of former South Sydney Hospital under South Sydney LEP 114.

South Sydney LEP 1998 – Amendment No. 17 Green Square Town Centre

35. As noted above the current planning provisions technically applying to the Green Square Town Centre are primarily contained within the City of Sydney Planning Scheme Ordinance, however Council's most recently adopted objectives and controls for the GSTC are outlined in the South Sydney LEP (Amendment 17) Green Square Town Centre incorporating also Amendments 19 and 21.

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36. The South Sydney LEP 1998, as it applies to the Town Centre, operates as a “deferral” model. The provisions of the LEP, including the land use zoning and development standards, are deferred from operation until individual landowners choose to participate in the development of the Town Centre and agree to contribute to the provision of necessary infrastructure. Under the “deferral” model land within the Town Centre can only be rezoned as set out in the LEP if Council is satisfied the appropriate level of services, infrastructure and public domain can be provided and a voluntary planning agreement is executed.
37. The exception to the above is the John Newell site (301-303 Botany Road, Zetland,) which is located on the corner of Botany Road, Bourke Street and Ebsworth Street. South Sydney LEP 1998 applies to this land as it was undeferred via SS LEP 1998 (Amendment 21) on 22 June 2012. This followed the landowner and Council entering into a voluntary planning agreement for the land.
38. Given that SS LEP 1998 (Amendment 17) contains the main up to date planning controls relevant to the GSTC, and applies to the John Newell site, the compliance of the proposal with the relevant LEP controls is summarised below:

Development Controls	Permissible under South Sydney LEP 1998	Proposal as assessed under South Sydney LEP 1998
Planning principles (Part 2)	Have regard to goals and objectives within the Strategy for a sustainable City of South Sydney	Consistent
Zoning controls (Part 3)	11(b) Green Square Town Centre Public Domain Zone and 11(a) Green Square Town Centre The zoning plan provides the structure for the future development of the Town Centre including the road and public domain network.	The proposed essential infrastructure works are generally located within the 11(b) zone however some works (additional roads, road extensions etc.) are located on land zoned 11(a). Roads are permissible in the 11(b) zone. While not permissible in the 11(a) zone they can be undertaken without consent under the Infrastructure SEPP. Other infrastructure works are considered to be ancillary to development of the land for the GSTC and are therefore permissible.

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Development Controls	Permissible under South Sydney LEP 1998	Proposal as assessed under South Sydney LEP 1998
Vision and Planning Principles for Green Square (Cl. 27A to 27B)	Vision for GSTC and principles to be taken into consideration before granting consent. Key concepts: diversity, connectivity, interdependency and long-term growth. Relevant principles include public domain, urban form, transport and access and environmental performance.	Proposed essential infrastructure works are consistent with the vision and principles for GSTC. The works are essential to provide for the future development of the area. The design is appropriate having regard to all relevant matters.
Consistency with Masterplan (Cl. 27C and 27D)	Consent cannot be granted unless consistent with a masterplan adopted for site (unless requirement waived)	No masterplan has been adopted for the GSTC however an area specific LEP amendment and detailed DCP have been prepared which include detailed provisions. The proposed development is consistent with relevant LEP and DCP provisions. Accordingly it is recommended that the masterplan requirement be waived in this instance.
Floodwater Management (Cl. 27KH)	Consent cannot be granted unless Council satisfied that development will not affect flood behaviour, increase flood hazard, restrict floodwaters, risk life or safety and provides for any freeboard levels and other flood proofing measures adopted by Council.	The issue of flooding is addressed in detail in the issues section of this report. Consent recommended subject to conditions.

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Development Controls	Permissible under South Sydney LEP 1998	Proposal as assessed under South Sydney LEP 1998
Contaminated land (Cl. 39)	Consent not to be granted unless consideration has been given to contamination of land, remediation requirements etc.	This matter is addressed under SEPP 55 above. Relevant conditions of consent proposed.

39. The former South Sydney Hospital Group is identified in Schedule 2 as heritage item 554A under the LEP. However it is noted that the relevant heritage clauses have been repealed from the instrument therefore the heritage status of the item is unclear. Relevant to the subject works the brick and sandstone boundary fence to Joynton Avenue forms part of the item group. The proposed development includes raising the level of Joynton Avenue by up to a maximum of approximately 2.2m. It is considered that subject to a condition which requires that the wall be raised to the final level of the road, the impact of the proposed works on the significance of the item will be minimal.
40. Land surrounding the proposed development is also identified as being within two heritage conservation areas (CA28 Hansard Street and CA53 Zetland Estate Conservation Areas) under SSLEP 1998. The status of these conservation areas is similarly unclear however it is considered that the proposed works will not impact on the heritage significance of these areas.

Green Square Town Centre DCP 2012

41. Compliance of the proposal with the DCP controls is summarised below:

Matter to be Considered	Compliance	Comment
GSTC 1: INTRODUCTION		
GSTC 1.4 Objectives	✓	Complies The proposal provides for the orderly development of the GSTC. An appropriate street network is proposed and all services are appropriate.
GSTC 2: DESIRED FUTURE CHARACTER		
2.1 Locality statement	✓	Complies The proposal is consistent with the locality statement and will provide for the future development of the GSTC.

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Matter to be Considered	Compliance	Comment
2.2 Principles	✓	<p>Complies</p> <p>The proposal is has been designed having regard to the articulated principles and will provide for a coherent, well serviced, sustainable town centre with a high quality public domain and integrated transport network.</p>
GSTC 3: LOCAL INFRASTRUCTURE		
3.1 Open Space	✓	<p>Complies / Able to comply</p> <p>The proposed works provide for a town centre structure and services that comply with relevant principles. The structure allows compliance in the future for detailed design matters (landscape, public domain treatment etc.). The detailed design of open space and public domain areas is to be subject to future DAs. Conditions to be applied.</p>
3.2 Development in the public domain	✓	<p>Complies</p> <p>Utility services to be underground. Conditions proposed requiring further detail for City's approval.</p>
3.3 Street network	✓	<p>Complies</p> <p>Proposal generally consistent with Fig 3.6 and relevant requirements. Council's City Access and Transport section has advised street network appropriate subject to conditions to address detailed issues.</p>
3.4 Flooding and Stormwater Management	✓/*	<p>Complies / Does not comply / Able to comply</p> <p>Proposal generally complies however lifting of Joynton Avenue will displace flood storage with no provision made in the application for alternative storage. Condition requires further information prior to approval of these works.</p>
GSTC 8: ENVIRONMENTAL MANAGEMENT		
8.1 ESD	✓	<p>Complies</p> <p>Proposal provides for green infrastructure to service the town centre</p>

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Matter to be Considered	Compliance	Comment
8.4 Waste	✓	Complies Proposal provides evacuated waste system underground pipe network to service the town centre
8.5 Water	✓	Complies Proposal provides water efficiency, water re-use, recycling and harvesting and WSUD
8.7 Tree Management	✓	Complies Proposal provides removal of some trees but provides for future landscaping of the public domain subject to conditions requiring Council approval. Conditions proposed further assessment of trees prior to approval of removal of street trees and further DA for removal of trees within development blocks.
GSTC 9: SOCIAL SUSTAINABILITY AND IMPACT		
9.1 General Provisions	✓	Complies Social impact statement not required given previous studies undertaken for GSTC. Essential infrastructure will have positive social impact
GSTC 10: TRANSPORT AND PARKING		
10.1 Managing transport demand	✓	Complies Proposal promotes walking, cycling and use of public transport through appropriate infrastructure provision, permeable transport networks and high quality public domain (subject to conditions).
10.2 Transport structure plan	✓	Complies / Able to comply Proposal generally consistent with transport structure plan. Detailed design (bus stops, traffic signals etc. to be subject to further approval.

City of Sydney Access DCP 2004

42. The Access DCP 2004 seeks to provide non-discriminatory, equitable and dignified access for all people who use the City of Sydney, regardless of disability.

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43. It is noted that the current design of Barker Street provides for stairs between Ebsworth Street and Portman Lane however for other reasons the design of this street is not proposed to be approved. Accordingly it is considered that the accessibility of this part of the proposed works can be resolved at the detailed design stage and prior to approval being granted. In general a condition is proposed requiring that the works comply with the City of Sydney Access DCP 2004. Subject to the imposition of this condition it is considered that the proposed works will provide for appropriate access arrangements.

South Sydney DCP 11: Transport Guidelines for Development

44. DCP 11 seeks to reduce reliance on private vehicles in the city and improve facilities for pedestrians, cyclists and public transport users. The proposed infrastructure works are consistent with the principles outlined in the DCP and will provide appropriate access for vehicles, public transport, cyclists, pedestrians etc. Detailed transport issues are discussed below.

ISSUES

45. The issues identified in the above instruments/policies as non-complying or requiring further discussion in the abovementioned tables are discussed in detail below:

Transport and Access

46. The proposal provides for a new road network to service the GSTC generally in accordance with the requirements of the GSTC DCP 2012. East west connections will be provided between the main north south routes (Botany Road and Joynton Avenue) on the GSTC perimeter in the form of Geddes Avenue and Zetland Avenue. The main north south routes running through the centre will be Ebsworth / Paul Street and Portman Street (existing). This primary road network will provide a legible street network and good permeability through and within the centre. Footpaths are provided on both sides of all roads to encourage pedestrian activity and connections to the plaza and open space areas as well as the Green Square railway station.
47. The central area surrounding the civic plaza (Green Square and Neilson Square) are proposed to be low speed traffic areas and an east west running public transport corridor (future light rail) is proposed on the northern side of the squares connecting along Zetland Avenue to Joynton Avenue. An interim bus transport corridor is proposed along new collector streets Civic plaza, Joynton Avenue and Botany Road. On and off road cycle routes are proposed along Botany Road, Portman Street, Joynton Avenue, Bourke Street, Zetland Avenue, civic plaza, Geddes Avenue and Hansard Street. A bi-directional separated cycleway is to be provided on the western side of Paul Street between Hansard Street and Geddes Avenue and between Zetland Avenue and Bourke Street.
48. Council's City Access and Transport team has provided advice that the proposed development is generally appropriate in transport terms subject to conditions of consent. However a number of concerns were raised regarding the level of detail currently provided. Specifically it was noted that the application does not identify intersection locations where traffic signals are proposed notwithstanding the DCP identifying that signals will potentially be required at the intersections of Paul St / Zetland Ave, Zetland Ave / Joynton Ave, Geddes Ave / Botany Rd, and Portman St / Bourke St. A condition in this regard is recommended.

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49. Concern has also been raised that the staging plan shows development blocks adjacent to a stage as forming part of the stage. The application does not provide information to verify that the staged development of development blocks within the site can be accommodated within the associated road network being delivered within or up to the relevant stage. This means that each DA for a development block will need to assess the suitability of intersections provided to date to ensure the development can be approved. For example no evidence is provided that development sites identified within Stage 2 can be developed having regard to road works provided up to that point in time. This applies similar to other infrastructure works (e.g. drainage works). A condition is therefore recommended to make clear that the staging relates to infrastructure works only and not adjacent development blocks. All development applications will be required to demonstrate that prior to occupation of the development all required infrastructure and services are either in place, or will be in place, to adequately service the development.
50. Concern has also been raised regarding the proposed 'shared zones' identified on the plans in Tweed Place and Barker Street. The advice notes that these three sections of road are likely to carry vehicle numbers which exceed that permitted by the RMS warrants for a shared zone. Accordingly conditions are proposed which provide that the shared zones are not approved (including the design and typical cross sections) and requiring the submission of additional information to show the three shared zones can meet the requirements of the RMS warrants prior to approval being granted.
51. It is noted that in some areas information submitted as part of the DA is inadequate or inconsistent. For these matters and other minor issues, technical advice has been provided that relevant matters can be addressed by conditions of consent which (1) provide that plans are not approved and requiring that revised plans should be submitted for approval, (2) require design amendments or (3) require the submission of additional information. In summary however the City Access and Transport team has indicated that the proposed works are acceptable subject to conditions of consent.
52. It is therefore considered that the proposed works are generally acceptable in terms of transport and access subject to recommended conditions.

Public Domain

53. The proposed works in the public domain works include landscape works, street tree planting, paving and footpaths, kerb and guttering, roadway works, street lighting and furniture (including seating, bollards, bike racks etc.).
54. In general the works are considered appropriate and will provide a high quality public domain for the proposed new GSTC. It is however noted that the level of information included in the application is variable and that in some circumstances the landscape plans are inconsistent with the engineering plans.
55. Council's Public Domain team has reviewed the proposed development in detail and has identified a number of critical issues which it recommends should be conditioned. These issues are outlined below:

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Public Domain Protection – need to ensure existing and future public domain protected from damage. Condition recommended re non-standard footpath damage bank guarantee and dilapidation report – public domain as security and as Council is not necessary constructing all works.

Remediation works – concern raised that the level of clean fill proposed (under the Voluntary Planning Agreement – currently 0.8m depth plus 0.5 over excavation of service trenches) will not allow the construction of, and ongoing maintenance of, public domain elements. Concerns specifically relate to street tree pits with structural soil and drainage, rain gardens, street furniture footings, light pole footings etc. In this regard it is considered appropriate that a condition of consent be included requiring a minimum clearance of clean fill to accommodate road capping, infrastructure etc.

Services – Location of services generally supported however it is noted that the typical alignment and depths of the proposed infrastructure / services may change as a result of the relevant utility provider's specifications or to accommodate changes in the public domain. Condition recommended that final infrastructure services design is to be approved by Council in conjunction with the public domain plan and road works designs.

Street Layout and Construction – Concern raised that the radius of kerbs at street intersections is large resulting in greater road widths for pedestrians to negotiate at intersections. Recommends kerb widths be reduced where possible noting that vehicle turning circles diagrams have not been submitted to justify the proposed widths. It is noted that a condition regarding this matter is recommended by the traffic team. Condition also proposed to ensure footway widths not be compromised to cater for vehicles. In addition the advice notes that some road construction details are not to City standards. To address these issues a further condition is recommended to require all final details of all essential infrastructure and public domain works to be approved by the City prior to construction of each stage.

Public Domain – The advice notes that the public domain is generally supported subject to design refinement which includes street tree, rain garden and verge planting extent, paving detail, lighting location and type, signage etc. It notes that the Green Square Town Centre Draft Public Domain Strategy (January 2013) is not an adopted Council document and should not be listed as an approved document in the approval but rather should be loosely referred to in the public domain plan condition. Other conditions recommended in relation to Ausgrid and City standards for lighting, further detail to be submitted for public domain lighting attached to adjoining private buildings in shared and pedestrian streets, and a Public Domain Plan condition requiring security for works proposed to existing City Streets.

Tweed Place and Barker Street Design – Consistent with the recommendation of the Traffic Team, a condition is recommended requiring further detailed design of 'shared zones' for these streets.

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Hinchcliff Street (North) design – the advice notes that this street is proposed as a temporary one way street which is to revert to a pedestrian only street in the future. The street is shown as a dead end at its interface with the Plaza. The advice recommends that the public domain design of the street be reviewed to ensure it meets the City's Traffic requirements and is an attractive and functional street. Having regard to these comments it is considered that a condition should be included requiring that further details of this road design be submitted for approval prior to the commencement of any relevant works.

Rain Gardens and Landscape Verges – further design refinement required to ensure proposed rain gardens meet City's construction and ongoing maintenance standards and specifications. In addition further soft landscaping required in the form of rain gardens or traditional soft landscaped verges in new streets including Geddes Avenue, Hinchcliffe Street and Tweed Place. Condition proposed to this effect.

Future Open Space Drying Green – The advice notes that there is a lack of information on works proposed within the Drying Green. In particular the stormwater report notes it will be used for stormwater detention but no details provided on volumes, impact of works on final park design etc. Condition proposed that no works within the Drying Green area be approved until additional information submitted and approved by the City that demonstrates that the work will not have an unacceptable impact on the final park design.

Construction Staging – While the PD Team has provided advice that it supports the proposed staging of construction it has raised the issue of the need for evidence to be provided that each stage can function in isolation prior to a stage being approved for construction. In addition it notes the possible need for temporary works and easements over adjoining land etc. to allow for staged development. The main concern in this regard is the servicing of adjacent development sites within each stage. This issue is discussed under transport and access above and a condition of consent proposed.

Subdivision – The advice notes that approval is not sought as part of the proposed works for subdivision but that the proposed new roads are to be dedicated to Council. It is further noted that the EP&A Act requires the Council to be the PCA for works on land to be dedicated to Council. A condition of consent is proposed in this regard.

Underground Services and Structural Soil – The PD advice notes that underground services are not to be located within the structural soil zone associated with street planting where possible. A condition is proposed in this respect.

56. Portman Street Extent of Works – Concern has been raised by the Public Domain and Urban Design teams that approval has been sought for the removal of existing street trees, augmentation of services (including undergrounding power south of Zetland Avenue) and a new cycleway on the western site of Portman Street however the scope of public domain work proposed in the submission excludes Portman Street. The Public Domain team have recommended that the Public Domain scope be extended to include as a minimum Portman Street between Portman Lane and Hansard Street. This is considered appropriate given the extent of works proposed to the existing street and the fact that the street will form part of the greater GSTC. A condition of consent is therefore recommended in this regard.

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Flood Management and Stormwater Drainage

57. Proposed works include both trunk drainage and local drainage works for the entire development site. To support the application a Flood Mitigation Options Report and Floodplain Risk Management Plan have been prepared by Cardno and a Water Sensitive Urban Design Strategy has been prepared by AECOM. These reports have been reviewed by Council's engineers who have indicated that they have no objection to approval of the proposed works subject to conditions.
58. It is however noted that works are proposed to raise the level of Joynton Ave by up to a maximum of approximately 2.2m to remove a low point which currently floods. The displaced detention function is noted within the relevant report to be taken up 'by others' within the Epsom park precinct east of the site however the construction of the detention area does not form part of the subject application. Further the flood report notes that the water volumes associated with this are not designed for in the GSTC. A condition is therefore recommended that the detention / retention of stormwater currently stored in Joynton Avenue be design for and an alternate storage area constructed before any works associated with the removal of the Joynton Avenue storage capacity, or changes to the associated overland flow paths be approved for construction.
59. Further the Flood Mitigation Options Report prepared by Cardno states that there will be an increased Peak Flood level on Joynton Avenue due to the change in grade of Zetland Avenue. It further states that any increases in flood levels will be managed as part of the Epsom Park and Joynton Avenue modifications which do not form part of the application. As above it is therefore considered appropriate that the Joynton Avenue works should not commence until alternative arrangements are in place to cater to stormwater displaced by the works.
60. The proposal provides for works to the existing culvert under the Zetland Avenue road reserve which is owned and managed by Sydney Water. Sydney Water's approval will be required for these works and a condition of consent is therefore included to this effect.
61. The proposed overland flow path proposes to use the Drying Green as a detention basis which then connects to the existing Botany Road culverts however the Drying Green does not form part of the subject application. A condition is therefore proposed to ensure that the proposed overland flow path is appropriate for each stage prior to commencement.
62. Other proposed flood management stormwater drainage works are considered acceptable subject to relevant conditions of consent.

Heritage

63. As noted above the existing wall along the former South Sydney Hospital Joynton Road frontage (refer Figure 14 above) is listed as a heritage items under SSLEP 1998. It is noted that the proposed works including raising the level of Joynton Ave by up to a maximum of approximately 2.2m to remove a low point which currently floods. As noted above a condition of consent is recommended requiring that the wall be raised to the final level of the road as part of the subject works.
64. The proposed works do not give rise to any other heritage issues.

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Landscaping and Tree Removal

65. Proposed trees to be removed are shown on the demolition plans and the new landscaping proposed is illustrated on the landscape concept plans. Council's tree management team has advised that it has been consulted in relation to the new tree plantings and considers this generally appropriate subject to recommended conditions of consent particularly in relation to further landscaping details to be provided, species selection, street tree planting pit design etc.
66. In relation to tree removal the advice notes that the majority of the significant groups of trees within the GSTC are proposed for retention however some specified trees in these groups will be removed. It also notes that no detail has been provided on trees to be removed and why removal is necessary (including proposed soil level changes and construction methods). Accordingly a condition is recommended requiring further information and approval prior to the removal of any street trees.
67. The tree management team's advice notes the significance of a group of large mature Poplar trees along the western side of Portman Street and that three of these trees are proposed for removal to provide for a new cross street. Conditions are proposed requiring further information to be submitted to Council for approval of tree protection measures to be implemented in regard to the remaining trees during construction.
68. The removal of trees will result in adverse amenity impacts however it is considered that removal for the proposed infrastructure provision is necessary. However a condition has been recommended requiring that trees on private development sites are to be retained until construction activities require their removal to lessen the overall impact on the amenity of the area.
69. Having regard to the above it is considered that subject to recommended conditions of consent the proposed tree removal and landscape treatment is appropriate.

Contamination and Site Remediation

70. The remediation of the site has been addressed in detail above. In summary it is considered that subject to conditions of consent, including a deferred commencement condition which required the submission and approval of an overarching Remediation Action Plan, for the entire site the subject of the DA, the site can be made appropriate for the future uses proposed. Conditions of consent are proposed to ensure that the subject land is made good for the proposed use.

Strategy for a Sustainable City of South Sydney

71. One of the principal objectives of the LEP as stated in Clause 7 is to implement the goals and objectives contained in the Strategy for a Sustainable City of South Sydney. Clause 8 also provides that in assessing any development application that the Council must take into consideration the goals and objectives of the Strategy as they relate to the proposed development.

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72. In order to realise the main goal of the strategy, a number of detailed strategies were developed and are grouped under sub-goals of Environment, Land Use and Transport, Character and Identity, Community Well-Being and City Management. An assessment of the development application reveals that it meets the goals of the above strategies.

Section 79C(1)(b) Other Impacts of the Development

73. The proposed development will not result in any significant additional impacts other than those already identified and discussed above.

BCA Matters

74. The BCA does not apply to the subject works.

Section 79C (1) (c) Suitability of the site for the development

75. The provision of essential infrastructure is key to the future development of the GSTC. It will enable adjacent development sites to be serviced and therefore develop for the planned commercial, residential, community, cultural and other uses which form the vision for the Centre. The proposed works are appropriately sized and located and can be constructed in a staged manner to allow the orderly development of the GSTC. Accordingly it is considered that the site is suitable for the proposed development subject to the imposition of recommended conditions of consent.

Section 79C (1) (e) Public Interest

76. The proposed development is generally consistent with the relevant controls. In this regard it is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed on any consent.

POLICY IMPLICATIONS

77. Not applicable to this report.

PUBLIC CONSULTATION

Section 79C(1)(d)

Advertising and notification

78. The application was advertised between 23/08/2012 and 30/11/2012 in accordance with the provisions of the City of Sydney Notification of Planning and Development Applications Development Control Plan 2005. Adjoining and nearby owners and occupiers of buildings were notified of the proposal and invited to comment. In addition, notices were placed on the site and the proposal was advertised in the daily press.

Two submissions were received in relation to the application. Issues raised are summarised as follows:-

- (a) A submission has been made on behalf of John Newell Pty Ltd in relation to the site at 301 Botany Road, Zetland (DA currently with Council for assessment and to be considered by the CSPC). Concerns have been raised regarding:

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- (i) staging of infrastructure works and that infrastructure adjacent to the John Newell site is scheduled to occur in Stage 2 between 2014-2016. The submission requests the early construction of Ebsworth and Sluice (now known as Tweed Place) Streets given that the site is the first development site within the GSTC.
- (ii) Limited length of roadway within Sluice Street (Tweed Place south of Ebsworth) . The submission notes that the subject design not allow appropriate access to the site given levels and proposed design. It is requested that greater flexibility be permitted for the driveway location.
- (iii) The submission request ongoing consultation with Council regarding the design and timing of delivery of the road and infrastructure works.

Comment: It is considered that the proposed staging of development works is to be determined by the applicant. Council's urban designer has provided advice that it is appropriate to allow an extension of Tweed Place to provide appropriate access to the John Newell site however the extension is to be no longer than 45m measured from the centreline of Ebsworth Street. It is noted that a condition of consent is proposed which provides that the design of Tweed Place (shared zone) is not approved and requires that further detail be provided to Council for approval. In addition it is recommended that the condition include provision for the proposed design of Tweed Place (south) to be extended not further than 45m measured from the centreline of Ebsworth Street.

- (b) A further submission has been lodged by residents of Hansard Street raising the following matters:
 - (i) Concern has been raised that the proposal does not clearly indicate that vehicular access into Emanuel / Tosh Lane from the development is not permissible.
 - (ii) The submission queries whether the existing brick wall between Site 10/11 and Tosh Lane is to be removed as part of development.
 - (iii) The submission requests that the existing electric light pole near the intersection of Tosh Lane and Emanuel Lane be retained, and
 - (iv) Concern is raised regarding the removal of mature trees in Site 10/11.

Comments: In response to the above matters is it noted that the plans do not show access between Emanuel / Tosh Lane and Hinchcliffe Street to the north. This is consistent with the DCP. The brick retaining wall in Tosh Lane is shown retained. In regard to the light pole it is considered appropriate that new lighting consistent with the lighting proposed throughout GSTC is installed. This will similarly ensure the safety and security of the surrounding area. In relation to tree removal within development sites it is noted that this matters is to be the subject of further information and assessment as per recommended conditions of consent.

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EXTERNAL REFERRALS

Roads and Maritime Services

79. Roads and Maritime Services (RMS) was notified of the proposed development. No response has been received in relation to the proposed works.

Ausgrid

80. Ausgrid has provided advice that it has existing infrastructure within the development area. It notes that although no load details of the development have been provided it is reasonable to assume that additional electricity substations within the site envelope will be required.

Integrated Development

81. The proposal is integrated development under S91 of the EP & A Act (roads connecting to classified road under s138 of the Roads Act) and hence the matter has been referred to the RMS. No response has been received to date. It is however understood that advice is being forwarded from RMS and that a separate memo on this matter will be prepared by Council officers and will accompany this report.

INTERNAL REFERRALS

82. The application was referred to Council's:

- (a) Specialist Health Surveyor;
- (b) Urban Designer;
- (c) Building Services Unit;
- (d) Health Unit
- (e) Tree Management Unit
- (f) Specialist Surveyor; and
- (g) Transport Management Unit.

83. Issues raised in relevant referrals have been discussed in this report. Whilst concerns have been raised regarding a number of issues, the referrals concluded that subject to the imposition of recommended conditions and in particular conditions which require the submission of revised plans / reports for approval the proposed works can be approved. Appropriate conditions have been included in the recommendation of this report.

RELEVANT LEGISLATION

84. The Environmental Planning and Assessment Act 1979 and Roads Act 1993.

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CONCLUSION

85. Green Square Town Centre and the broader redevelopment of the Green Square area has been the subject of extensive strategic planning over many years culminating in the implementation of the South Sydney LEP 1998 (Amendment 17) and the Green Square Town Centre DCP 2012. The Essential Infrastructure DA represents a further step in the development of the area with the provision of all relevant services to enable the development of the GSTC to proceed in stages over the next 15 years. The works will provide public roads with public areas and facilities for pedestrians, cyclists, vehicles and public transport in addition to necessary reticulated services including potable and recycled water, sewerage, stormwater, automated waste collection etc. to enable the development of the centre for the full range of commercial, residential, cultural and community uses. The provision of green infrastructure is central to the proposed works.
86. The design of the essential infrastructure is generally consistent with the strategic planning undertaken for the Town Centre however a number of matters require further consideration prior to final approval to ensure compliance with relevant Council policies and practices and to ensure consistency. Given the scale of the proposed works this is not considered unexpected.
87. It is therefore recommended that the subject works be granted approval subject to deferred commencement conditions in relation to: (1) the preparation and approval of an overarching Remediation Action Plan for the entire site of the proposed works; and (2) RailCorp requirements regarding additional information to assess impact of works on rail tunnel.
88. In addition detailed conditions are recommended requiring design amendment, submission of revised plans for approval and the submission of additional information. It is considered that these requirements are technical matters which can be addressed post development approval and which do not materially affect the acceptability of the proposed development.
89. Having regard to all relevant matters, including recommended conditions of consent, it is considered that the proposed Essential Infrastructure works are appropriate and should be granted approval subject to deferred commencement conditions as recommended.



HELENA MILLER

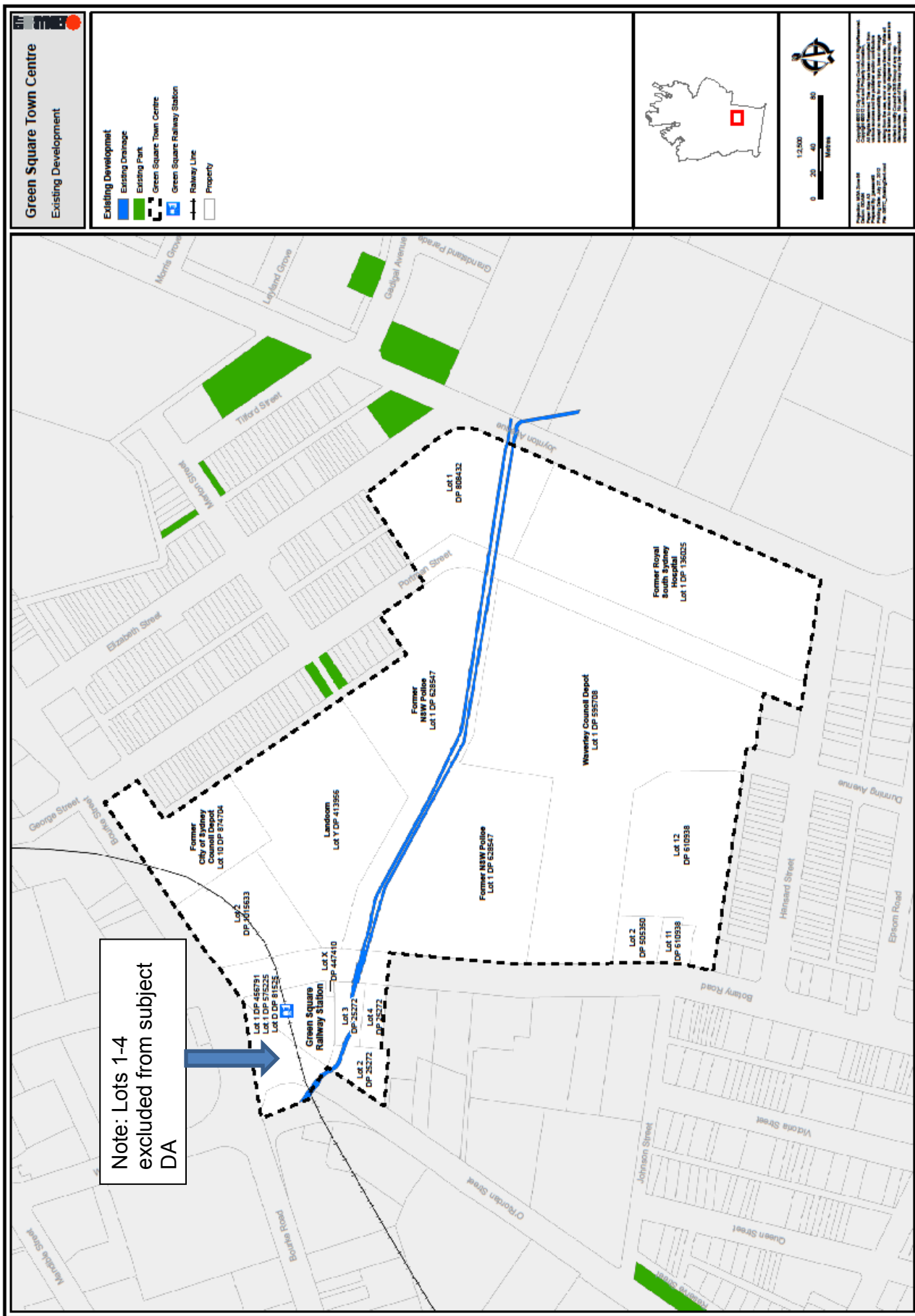
Director, MG Planning Pty Ltd (Consultant Planner)

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Site Location Plan

ATTACHMENT A

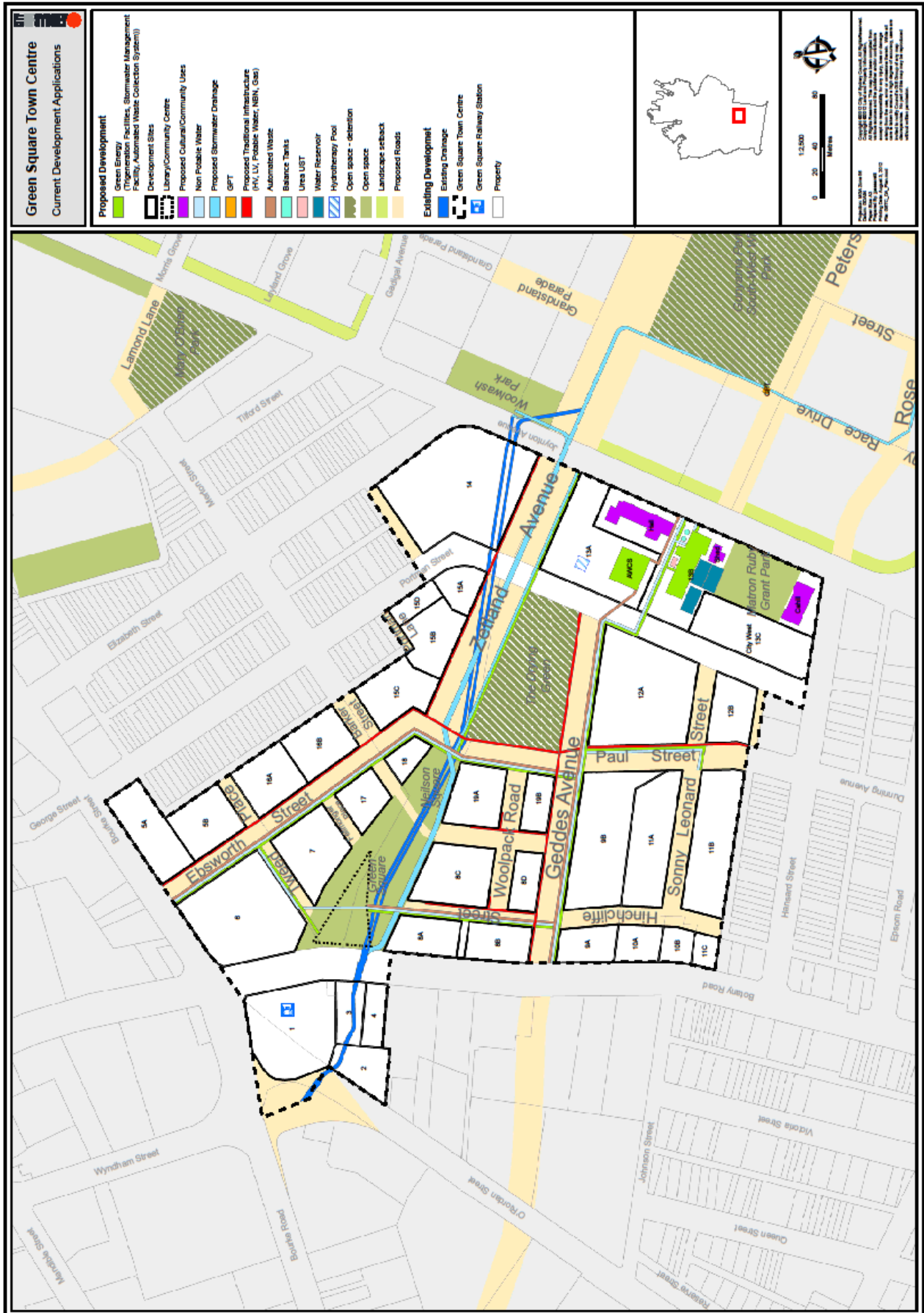


ATTACHMENT A

ATTACHMENT A2

Selected Drawings

ATTACHMENT A



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