

RANDWICK CITY COUNCIL

# PRINCE HENRY CENTRE

Plan of Management



May 2011



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*This Plan of Management for Prince Henry Centre was adopted by the Council on 19 April 2011.*

## EXECUTIVE SUMMARY

The Prince Henry Centre (the Centre) is a multi-purpose community centre, located at the eastern part of the Prince Henry site. The Centre was dedicated to Randwick City Council by Landcom in May 2009 as part of a major residential development undertaken on the former Prince Henry Hospital site. The Council owns and manages the Centre.

The Centre provides a benchmark in Australian excellence for community centre design. Design and construction of the Centre was based on the guiding principles of design excellence, flexibility of use and sustainability.

This Plan of Management (the Plan) has been prepared under the *Local Government Act 1993* (the LG Act) and comprises four major sections, including:

- Introduction
- Site Description and Building Details
- Management Objectives and Strategies
- Plan Monitoring

The Plan covers a comprehensive range of management issues and provides clear requirements, guidelines and strategies for each of the key issues to ensure that the Centre retains its importance as a vibrant and active space to facilitate a variety of cultural and community activities.

## 1 INTRODUCTION

### 1.1 Background of the Plan

The Centre has a community land classification under the LG Act. The LG Act requires that community land be used and managed in accordance with a Plan of Management prepared and adopted by a council.

This Plan was prepared to guide, monitor and assess the operation of the Centre. The Plan is strategic in its focus, and does not include the Centre's day to day management functions. This approach has been taken to allow for flexibility in the implementation of the Plan, to take advantage of opportunities in emerging leisure trends, and also to manage the fluctuations in usage levels throughout the year.

### 1.2 Objectives of the Plan

The Plan has the following objectives:

- to assist the community in understanding the role of the Centre, the facilities and amenities provided and the opportunities to use and enjoy the Centre over time;

- to meet the Council’s obligations under Chapter 6 of the LG Act in respect to Public Land management;
- to enable the Council to renegotiate or enter into contracts, leases, licences and hire agreements for the Centre in relation to the provision of services and utilities; and
- to provide for an effective program of asset management, maintenance and improvements to the Centre.

### 1.3 Relationship with other plans

The Plan provides the framework, objectives and strategies for the management of the Centre over the next ten years. The management objectives in the Plan have been developed in response to key priorities identified in the following council documents aimed at achieving ‘A Sense of Community’ outcomes (see Figure 1):

- The Randwick City Plan
- Management Plan
- A Cultural Randwick City
- Community Facilities Plan

The Plan is also informed by a number of the Council’s existing policies and procedures including the Council’s generic assets, infrastructure and landscaping maintenance programs, waste management policies and OH&S procedures.

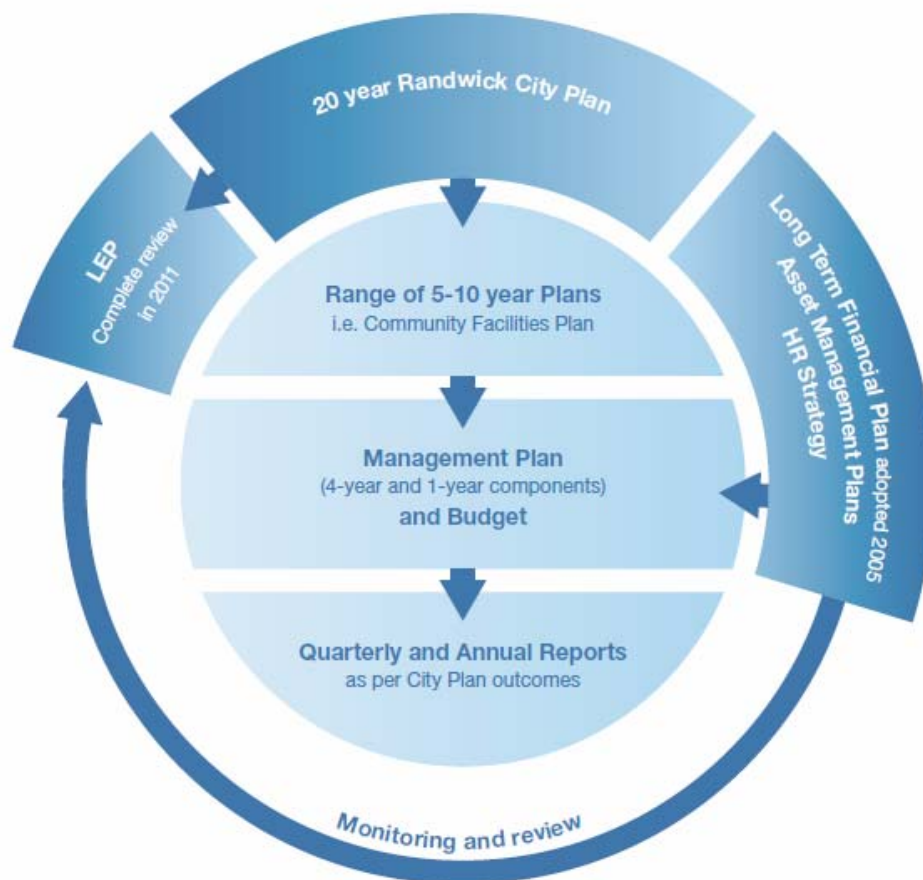


Figure 1 Planning framework at Randwick City Council

## 2 SITE DESCRIPTION AND BUILDING DETAILS

### 2.1 Vision statement

The Prince Henry Centre is a multi-purpose community centre, with a special focus on a range of cultural and community activities to serve the needs of residents across Randwick City.

Commercial uses such as corporate/private functions and conferences, and the Café will reinforce and support the cultural and community uses of the Centre.

### 2.2 Land covered by the Plan

This Plan applies to the land and building on Lot 73 of DP 270427, known as 2 Coast Hospital Road, Little Bay. The site, with an area of approximately 9,230 m<sup>2</sup>, is currently zoned 6A (Open Space) under the *Randwick Local Environmental Plan (RLEP) 1998 (consolidation)*, as shown in Figure 2.

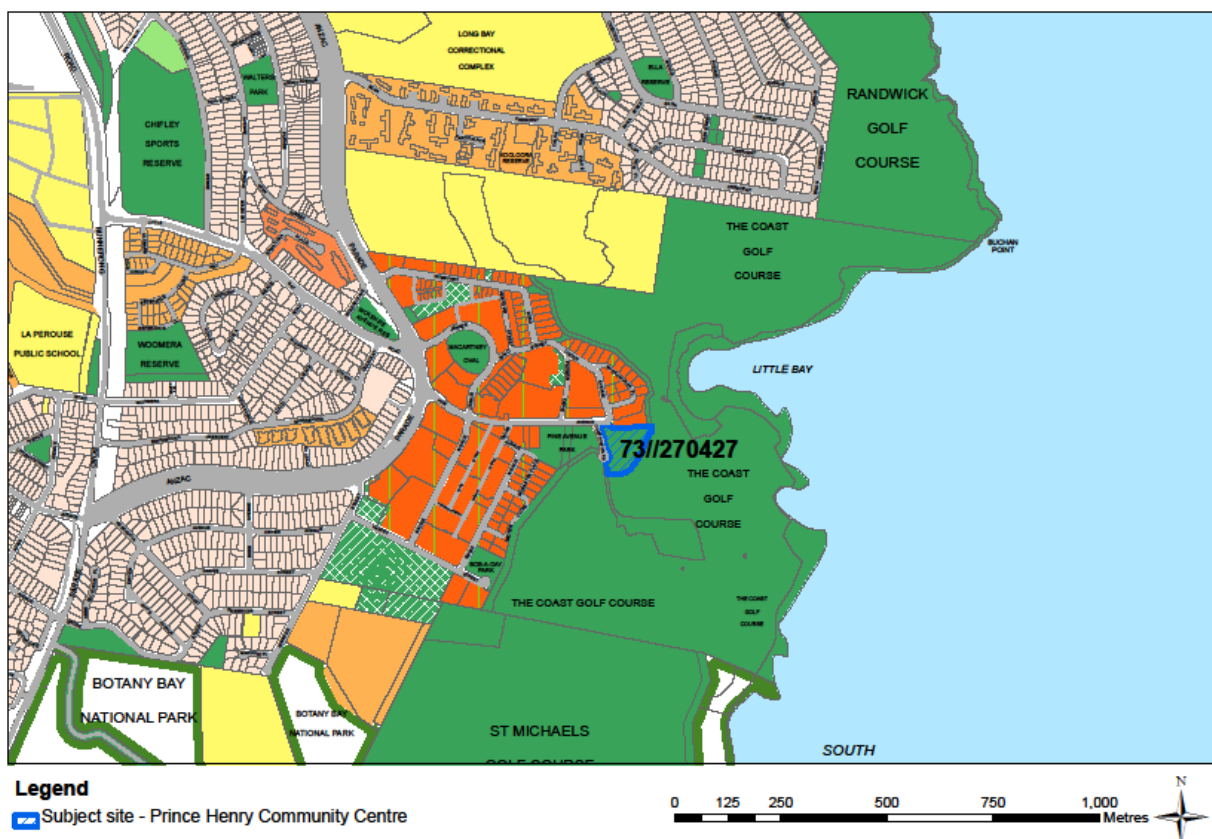


Figure 2 Land covered under the plan.

### 2.3 Site context

The Prince Henry site is located on Anzac Parade at Little Bay, towards the southern end of the Randwick Local Government Area. It is bounded by the eastern coastline of the South Pacific Ocean, private residential land to the north and east, the Coast Golf Course to the south, and Anzac Parade to the west.

The Prince Henry site has a rich Aboriginal and European history and is listed on the NSW State Heritage Register.

The Centre is located at the south eastern part of the Prince Henry site (See Figure 3).

## 2.4 Classification and categorisation

The land is classified as “**community land**” under the LG Act. The LG Act (Clause 4, Section 36) also requires Plans of Management for community land to identify the category of the land. This Plan categorises the land as “**general community use**”.

The core objectives for management of community land categorised as general community use, as articulated in the LG Act, are **to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public for the following uses:**

- public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- uses in relation to granting of a lease, licence or other estate in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

## 2.5 Owner of the land

The land is owned by the Council.

## 2.6 Land and building description

The Centre is a uniquely sited sustainable building with considerable architectural quality. The building has a flat grassed roof, with higher roof elements over the auditorium and multi-purposed rooms. External materials comprise prefinished steel roof and wall sheeting, precast and in-situ concrete, steel balustrades, aluminium framed windows and powder coated aluminium louvres.

The building has an overall floor area of approximately 1,500 m<sup>2</sup>, comprising of the following key elements:

- Auditorium

The auditorium (approx. 300 m<sup>2</sup>) is able to house performances, films and other activities such as leisure classes including martial arts, yoga, and table tennis. Access is provided to an exterior terrace and an adjacent foyer which can be utilised in conjunction with the Auditorium.

- Multi Purpose Areas

Two large meeting/training rooms (with a total area of approx. 215m<sup>2</sup>) and a smaller meeting room (approx. 20m<sup>2</sup>) are provided. The two larger rooms can be combined into a larger space for purposes such as public gatherings or exhibitions.



Figure 3 The location of the Centre in Randwick LGA.

- Foyer Area

With wide corridor and circulation space, the foyer has been designed to allow exhibition and display areas and for uses in conjunction with other parts of the building. The foyer walls have a built in gallery hanging system for art exhibitions.

- Centre administration

This comprises reception desk, manager's office, staff office and kitchenette.

- Café

This is located at the northern end of the building and is to have indoor and outdoor seating (with an internal space of approximately 61 m<sup>2</sup>). The café is a vital part of the Centre's operations because it can act as a community focal point in its own right and provide a convenient catering option for events and related functions held at the Centre.

- Outdoor amphitheatre

The raised retaining walls stepping down towards the forecourt creates a seating area for outdoor performances.

- Supportive facilities

A large kitchen is provided to enable on-site food preparation for community events and private/corporate functions. Other supportive facilities include a dressing room for performers, a first aid room, storage rooms and toilets for staff and visitors.

- Parking/Delivery space

Basement car parking is provided for 34 cars and an open car park is available for a further 45 cars<sup>1</sup>. A 43 m<sup>2</sup> loading and delivery area is located at the south side of the building besides the garbage room.

- Landscaping

The aesthetic qualities, together with the use of native and low-water use plant species is a central theme to the landscape design of the Centre. The green roof<sup>2</sup> as well as the bio retention swale<sup>3</sup> are important sustainability elements of the Centre.

Please refer to Figures 4, 5, 6 for the layout of the Centre.

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<sup>1</sup> The open car park is also available for beach visitors.

<sup>2</sup> Detailed description of the features of 'green roof' is to be provided in Section 3.5.

<sup>3</sup> All excess stormwater collected from the site will be drained into the bio retention swale in accordance with Council's requirements. The bio retention swale is an important design feature for stormwater treatment.



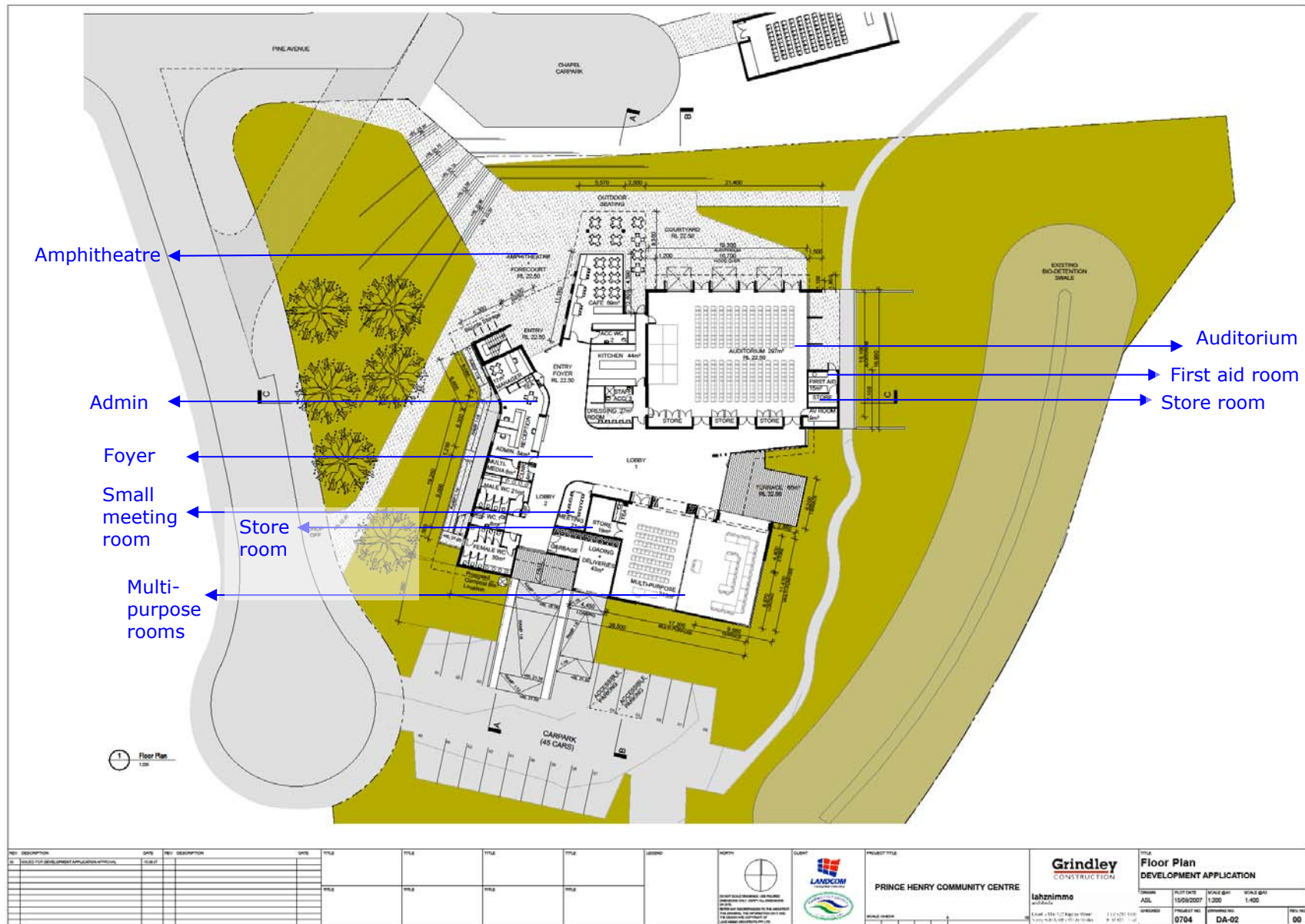


Figure 4 Floor plan of the Centre.

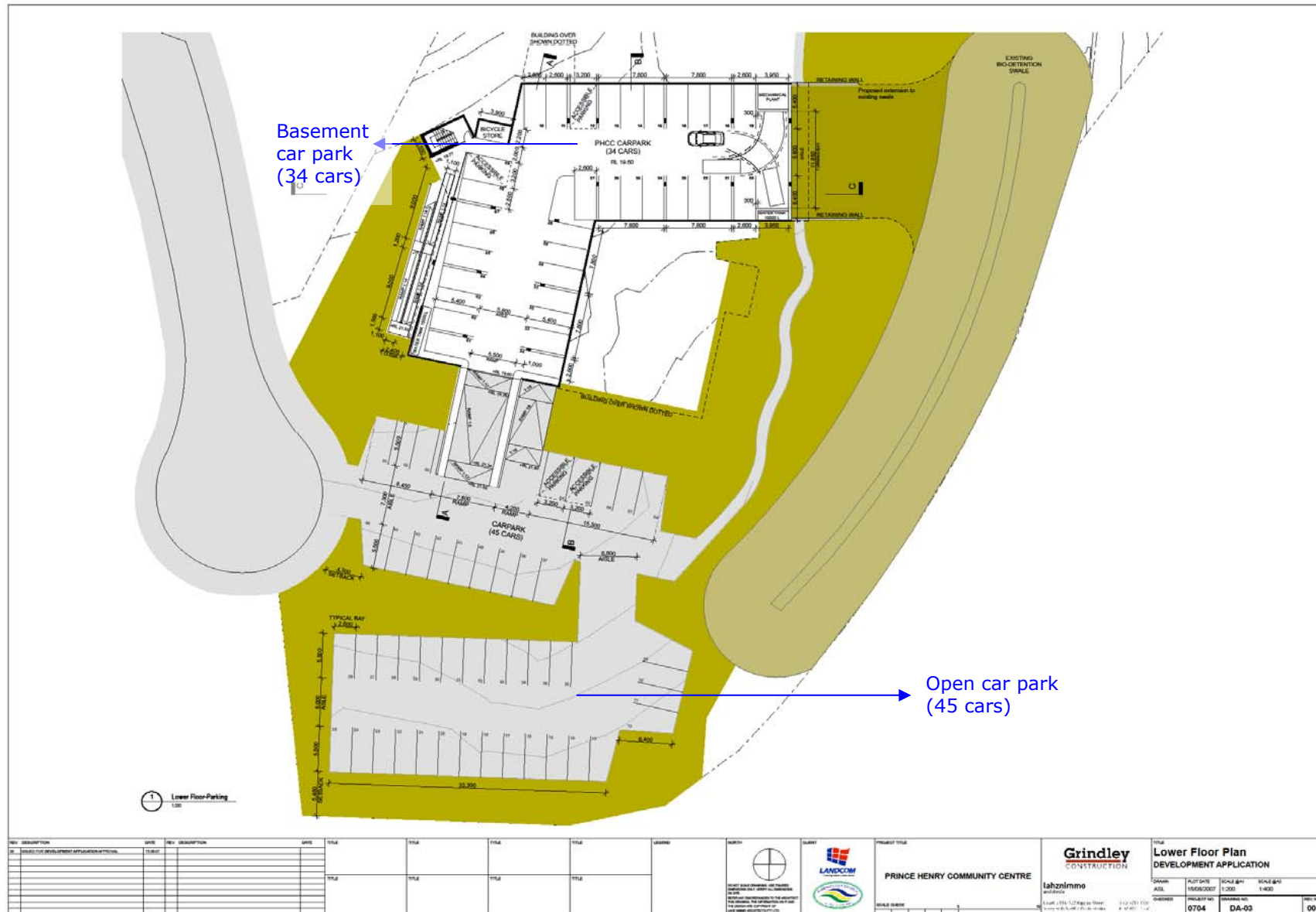


Figure 5 Lower floor – parking of the Centre.

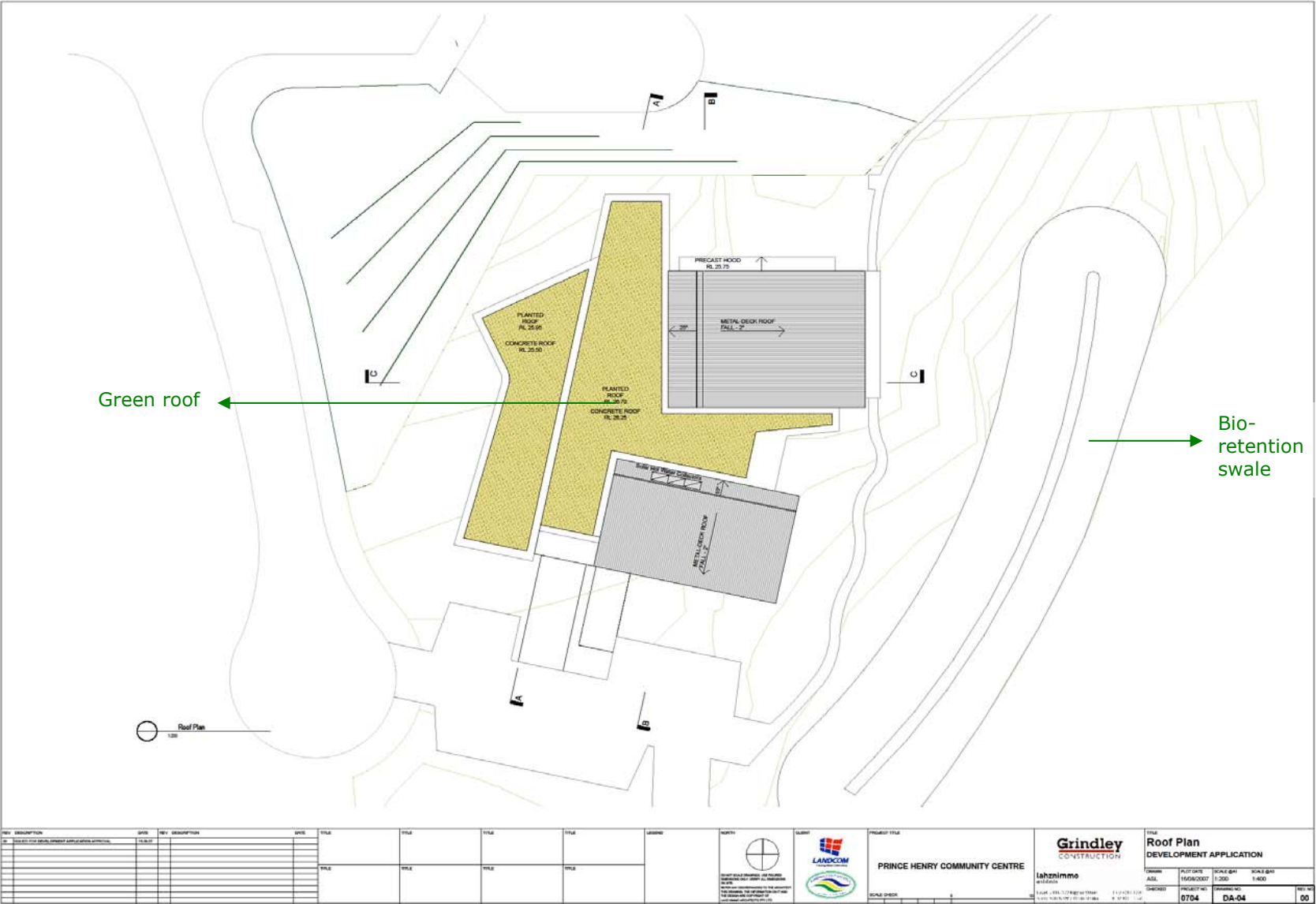


Figure 6 Roof of the Centre.

## **2.7 Leases and licences**

Leases and licences and the granting of other estates are primarily governed by sections 44 - 47 of the LG Act. Section 46A of the LG Act requires a lease for a term exceeding 5 years may be granted only by tender unless it is granted to a non-profit organisation.

This Plan expressly authorises the Council to grant leases or licences to organisations or individuals in relation to the Centre. The café, for example, can operate under a lease or licence, which should be undertaken through the Council's tendering policy. Other aspects (e.g. catering) may also be licensed.

## **2.8 Consents and approvals for activities on the land**

A development application (DA) was approved in 2007 for the construction of the Centre. As part of the completion requirements, a series of Operational Manuals were provided to the Council (see Attachment 2). DA consent has also been granted in 2009 to use the Centre as an Entertainment Venue (formerly known as a Place of Public Entertainment) including the fitout and operation of the associated Café (See attachment 1 – DA/677/2009).

## **2.9 Current and permitted uses**

This Plan authorises the use of the Centre for the following activities:

- Council business
- Cultural and community uses
- Performing and visual arts
- Corporate/private functions

Typical examples of events and functions are listed below to show the key opportunities likely for the use of the Centre.

- On-site staff management
- Community awareness display boards
- Rates payment and other core IT based council services
- Public exhibitions for DAs, policies and plans, etc.
- Council's functions and events
- Council funded community activities, events and festivals



- Meeting rooms for community groups
- Café related uses for public
- Dance, yoga and similar classes
- Council funded children and family events/festivals
- Art exhibitions, launches and talks
- School vacation activities
- Art and Craft markets
- Special events functions such as fashion parades, wine tasting events
- Educational workshops, seminar, lectures, etc.
- Holiday programs venue eg movies, puppet shows, children science workshops, etc.
- Organic market stalls
- School speech day
- Movie screenings or film festival
- Adult education



- School performances
- Rehearsal space for performing arts
- Professional level music performances eg classical jazz contemporary (not rock, pop or brass band)
- Dancing
- Drama, plays etc.



- Training room hire for corporate sector
- Corporate functions
- Private functions –birthday parties, weddings and special occasions



## 2.10 Scale and intensity of permitted uses

The scale and intensity of the various activities held at the Centre is limited by the:

- space and seating capacity and
- hours of operation  
(as prescribed in DA/677/2009, see Attachment 1)

The auditorium with a portable stage can hold up to 250 people, depending on seating arrangements. The large multi-purpose room can accommodate up to 150 people, which can be divided into two smaller multi-purpose rooms. These two smaller rooms can be hired separately and can each hold about 75 people. The small meeting room has a sitting capacity of up to 10 people. The Café allows for seating up to 24 people in the internal area and additional 30 people in the outdoor area.

The approved hours of operation for the Café, auditorium and meeting rooms are:

- 7am – 10pm, Mondays to Thursdays,
- 7am – midnight on Fridays and Saturdays, and
- 8am – 10pm on Sundays.

Deliveries for the auditorium and meetings rooms will vary depending on the events. No more than 6 deliveries are expected to occur on any given day. The delivery hours are restricted to the following period:

- 7am – 7pm, Mondays to Sundays.

Any changes to those hours of operation should be undertaken through a DA (if required) or via the Council's consideration and approval.

The scale and intensity of the uses will comply with all council policies, development consent and state legislation relating to matters such as noise transmission and controls. Since food and beverages, including alcohol, may be served in some of the events/functions held on the premises, relevant legislation and guidelines including the Food Standards Code and the Food Act 2003 (NSW), liquor licensing and Responsible Service Alcohol (RSA) work practices will be required to be met by the function/event organisers or their appointed caterers and agents.

## 2.11 Future uses and development of the land

This Plan authorises, within the requirements of Council policy and relevant legislation, the future uses and development of the Centre for the following:

- uses permitted in 6A (*open space zone*) under the RLEP 1998 (consolidation);
- alterations and additions to the existing building to improve facilities for the uses permitted by this Plan, and
- improvements to the landscape and car-parking and aesthetics elements of the land.

All future development or improvement of the land must meet any Council approval requirements.

### 3 MANAGEMENT OBJECTIVES AND STRATEGIES

Providing a well located and designed building does not in itself guarantee that a community centre will be successful in achieving the desired social outcomes. A variety of operational factors/issues are critical to ensuring that the Centre continues to serve the community well and supports our City Plan directions.

The management objectives and strategies applicable to the Centre are outlined below in terms of the following management issues:

- Access
- Architectural integrity
- Asset management
- Environmental sustainability
- Landscaping
- Operational management
- Safety and security
- Waste management

### 3.1 Issue: Access

The access to and within the Centre has been well designed. To maintain and enhance an accessible environment, the following shall be addressed.

#### Building legibility

It is necessary to have clear and visible signage on the building or street signage along the adjacent streets to help visitors and users easily find the Centre.

#### Vehicular access

Access to the Centre is provided via the cul de sac on Coast Hospital Road. Secure, naturally ventilated parking is provided below the building with stair and accessible ramp access to the building entry, and also in an open car park.

#### Pedestrian and cycle access

Access to the Centre for pedestrians is provided from the open paved area at the eastern end of Pine Avenue and via the drop-off area on Coast Hospital Road. Beachgoers and golfers also have access to the Centre via the path at the eastern end of the auditorium courtyard. External and internal bike racks are provided.

#### Disabled access

To ensure the accessibility to persons with disabilities, a total of four disabled parking spaces are provided with two basement parking and another two spaces in the open car park.

#### Emergency access

In the case of an emergency, visitors and staff of the Centre should be aware of the procedures to locate and access the exits of the building with the assistance of clear exit signs, emergency lighting and warning system.

Key Objectives	Means of achievement	Manner of assessment of performance
(1) Signage		Inspect these accessibility measures at least twice a year.
To provide adequate signage to ensure building and parking legibility.	<ul style="list-style-type: none"> <li>▪ Install and maintain clear signage of the Centre and car parking.</li> </ul>	
(2) Disabled access		
To provide convenient and sufficient access, facilities and car parking for people with disabilities.	<ul style="list-style-type: none"> <li>▪ Implement and maintain a drop-off zone at the street frontage to the Centre for people with disabilities.</li> </ul>	
(3) Emergency access		
To comply with emergency access needs/requirements.	<ul style="list-style-type: none"> <li>▪ Implement an evacuation plan and procedures in accordance with legislative requirements.</li> <li>▪ Inspect the emergency exits, the access for emergency vehicles and any emergency procedures that are in place.</li> </ul>	



### 3.2 Issue: Architectural integrity

The Centre is one of the Council's award winning and highly valued facilities. The Centre provides a benchmark in Australian excellence for community centre design in terms of environmental, social and economic sustainability. It is therefore important that appropriate strategies are in place to maintain the high standards of building design and interior decorating principles.

Key Objectives	Means of achievement	Manner of assessment of performance
(1) Building design		Annually assess the building's exterior and interior design requirements as part of the Council's Management Plan/Budget process.
To uphold and respect the building's interior and exterior design principles.	<ul style="list-style-type: none"> <li>▪ Where appropriate, consult with a registered architectural firm, consultants/specialists identified in the Builders Manual (see Attachment 2) and/or Council's planning officers prior to carrying out any major upgrading, refurbishment or alterations works to the building's interior and exterior layout.</li> <li>▪ Follow the original Design Principles in all upgrading/alteration works, contained in the original DA consent (DA/685/2007).</li> </ul>	
(2) Furnishings and fittings		
To maintain the styling characteristics of the building's interior as it applies to furniture and fittings.	<ul style="list-style-type: none"> <li>▪ Follow the Style Guide prepared by the building's architect when undertaking major refurbishment works.</li> <li>▪ The selection of the furnishings and fittings should take into consideration a number of factors, including OH&amp;S.</li> </ul>	

### 3.3 Issue: Asset management

Under the requirements of the *Australian Accounting Standard 27 (AAS27)*, the Council must identify assets under their control and establish a framework for the management of these assets. A number of key actions are outlined below to ensure the Centre assets are maintained and managed to acceptable standards.

Key Objectives	Means of achievement	Manner of assessment of performance
To effectively maintain the condition of the building to acceptable industry standards.	<ul style="list-style-type: none"> <li>▪ Undertake building condition audits, to identify building components requiring repair or replacement.</li> </ul>	Annually assess the condition of the building's assets in accordance with the Council's Asset Management Plan and relevant Australian Standards.
	<ul style="list-style-type: none"> <li>▪ Develop and implement maintenance and asset management programs according to the condition audit.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Damages and graffiti incidents to the building will be attended to by staff as soon as practicable.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Implement the business plan and operational plan of the Centre.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Ensure the Centre's assets are maintained and managed in accordance with the Council's Asset Management Plan for Buildings.</li> </ul>	

### 3.4 Issue: Environmental sustainability

The aim of the sustainability initiatives for the Centre is to exemplify environmental sustainability in design, construction and operation.

The sustainability goals of this development are to achieve:

- energy efficiency through design excellence,
- water conservation through water sensitive design, and
- ESD leadership with environmental and community responsive design features.

The following actions are to ensure the Centre operates in accordance with the concept design and in achieving the sustainability goals.

Key Objectives	Means of achievement	Manner of assessment of performance
<p>To optimise the environmentally sustainable operation of the Centre.</p>	<ul style="list-style-type: none"> <li>▪ Educate visitors about sustainable design with informative displays of environmental initiatives and examples of the sustainable design of the Centre itself.</li> </ul>	<p>Conduct quarterly/annual audit of the water and energy usage of the Centre as part of the Council's footprint audit.</p>
	<ul style="list-style-type: none"> <li>▪ Facilitate opportunities for more sustainable modes of travel through the provision and maintenance of dedicated parking spaces for small cars and cyclist facilities for staff and visitors.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Monitor water/energy usage of the Centre.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Maintain the Centre's water efficient features, including low water usage species, green roof, rainwater tanks, efficient landscape irrigation and a bio-retention swale contributing to the stormwater re-use system.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Maintain the Centre's energy and water efficient equipment, such as energy efficient lighting, 3-star or better tap fittings, showerheads and toilets, rainwater tanks and solar hot water system.</li> </ul>	
<ul style="list-style-type: none"> <li>▪ Implement the Council's green procurement policy (e.g. purchase of star rating equipment) and encourage a Green Events Checklist subject to the Council's events policy.</li> </ul>		

### 3.5 Issue: Landscaping

The aesthetic qualities, together with the use of native and low-water use plant species is a central theme to the landscape philosophy of the Centre. Native plant species have been selected on the basis that they require minimal watering once established, or species with water needs matching rainfall and drainage conditions. As such, any new or replacement plant material should be restricted to indigenous coastal species and/or the approved landscape design plans that formed part of the development consent.

The green roof is an important landscape and sustainability design feature of the Centre. It adds to the on-site landscaping, enhances ecological values through use of coastal heath and succulents, reduces and filters run-off water, and improves thermal performance by its insulation properties.

Key Objectives	Means of achievement	Manner of assessment of performance
(1) Planting design		The condition of the landscaped area is maintained in accordance with the Centre's Operational Manual - Landscaping Manual (see Attachment 2).
To continue to preserve the integrity of the landscape design and planting features.	<ul style="list-style-type: none"> <li>▪ Selection of new/replacement planting species should follow the approved planting schedule. Only local indigenous coastal species that require minimal watering once established or species with water needs that match rainfall and drainage conditions should be used.</li> <li>▪ New landscaping works must be approved by the Council's Landscape Architects.</li> </ul>	
(2) Regular maintenance		
To ensure the green roof, bio-retention swale and surrounding landscaped areas are maintained in an acceptable condition.	<ul style="list-style-type: none"> <li>▪ Implement the operational maintenance plan for the green roof, swale and surrounding landscaped area.</li> </ul>	

### 3.6 Issue: Operational management

The Council has developed a management structure to effectively manage, coordinate and market events and activities and enhance social interaction with the community. Key functions include:

- Initiating, planning and coordinating centre activities (Council and external);
- Marketing and promotion of the Centre for corporate functions (income stream);
- Maintaining bookings, including liaising with organisations and groups that can initiate activities and services; and
- Achieving governance, social and economic sustainability through cost-efficient operation and effective procedures to manage and balance community/cultural uses and commercial uses of the Centre.

Key Objectives	Means of achievement	Manner of assessment of performance
(1) A Vibrant Centre		
To activate and promote the Centre.	<ul style="list-style-type: none"> <li>▪ Maintain appropriate staffing arrangements, including a full time Centre manager and other support staff as required.</li> <li>▪ Develop and implement a program of a variety of cultural and community activities, commercial activities and Council business activities.</li> <li>▪ Develop long term business and budget plans for facilities and equipment required to support the uses of the Centre.</li> </ul>	<p>Annually report on operations and budgets.</p> <p>Ensure a range of the LG Activities and events held per year are community and cultural related.</p>
(2) Social, economic and governance sustainability		
To manage and balance the needs of various user groups based on the principle that community use shall be the predominant use of the centre, while supported by private function uses.	<ul style="list-style-type: none"> <li>▪ Implement clear and concise booking procedures for the hiring and use of the venue.</li> <li>▪ Implement the Council's Fee and Charges Policy for the bookings.</li> <li>▪ Work towards achieving self-sustaining operations in the long-term.</li> </ul>	<p>Achieve balanced operational budgets by the mid – long term (5-10 years).</p>
(3) Minimise impacts on adjacent land uses		
To minimise any adverse impact of the Centre on adjacent land uses.	<ul style="list-style-type: none"> <li>▪ Ensure activities, events and private functions held at the Centre comply with approved operation hours, noise control requirements and related use restrictions, as specified in the development consent and Terms and Conditions of Hire.</li> <li>▪ Make available contact details to local residents to enable public feedback or complaints regarding operational issues, and respond to complaints promptly.</li> </ul>	<p>Conduct regular surveys and collect feedback from local residents on any issues, such as noise, security and waste, etc.</p>

### 3.7 Issue: Safety and security

It is important to ensure a safe environment for visitors, users and staff of the Centre. This can be achieved via a number of methods such as clearly marked exits, limited entry points and sufficient lighting, etc.

There is only one key entry point provided, facilitating controlled access. The design of the communal public spaces provides opportunities for surveillance by building users and minimises the potential for loitering.

Key Objectives	Means of achievement	Manner of assessment of performance
To provide a safe environment for staff, visitors and users of the Centre.	<ul style="list-style-type: none"> <li>▪ Identify and implement surveillance opportunities.</li> </ul>	Follow up on incidents, antisocial behavior and complaints concerning safety and security issues as these arise.
	<ul style="list-style-type: none"> <li>▪ Ensure clear and adequate signage of emergency service information at all entry points, amenity buildings and car parks.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Ensure equipment/facilities do not pose any safety risks to visitors/users.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Maintain safety procedures and guidelines for visitors/users who may operate equipment/facilities within the building.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Maintain the illuminating system along circulation paths to the building perimeters, landscape and communal public space that provides after hours security and a sense of safety for community users.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Implement the Council's OH&amp;S Policy.</li> </ul>	

### 3.8 Issue: Waste management

The loading dock at the south side of the building provides for deliveries and the handling and separation of waste. Access is via the cul de sac on the Hospital Coast Road.

A Waste Management Plan, consistent with the Council's Waste Management Plan – Part A, has been prepared.

Key Objectives	Means of achievement	Manner of assessment of performance
<p>To ensure that waste is disposed of appropriately and encourage recycling.</p>	<ul style="list-style-type: none"> <li>▪ Provide informative instructions to encourage users to segregate waste streams and recycle.</li> </ul>	<p>Comply with the adopted Waste Management Plan at all times.</p>
	<ul style="list-style-type: none"> <li>▪ Ensure the location, storage and removal of waste does not cause a nuisance or pollution.</li> </ul>	
	<ul style="list-style-type: none"> <li>▪ Ensure any liquid trade waste materials are disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department, etc.</li> </ul>	

## 4 PLAN MONITORING

The Plan will be reviewed every ten years, or earlier, if significant changes are required to the Centre's management and operations in the intermittent period.

The review will include:

- an operational performance report of the Centre;
- recommendations for objectives and strategies in response to identified issues; and
- any other necessary changes due to new usage trends or management needs of the Centre.



## Attachments

### Attachment 1 Development Applications Notice of Determination

*Issued under the Environmental Planning and Assessment Act 1979  
Sections 80, 80A & 81 (1)(a)*

**Development Application No:** DA/677/2009

Randwick City Council  
30 Frances St  
RANDWICK NSW 2031

**Property Address:** 2 Coast Hospital Road, LITTLE BAY NSW 2036

**Description of Work:** To use the Community Centre as a Place of Public Entertainment including the fitout and operation of the associated cafe (Heritage Conservation Area)

**Determination:** **Approved**

**Determination Date:** **10 November 2009 (PCM)**

**Consent to operate from:** 18 November 2009

**Consent to lapse on:** 18 November 2014

**Prior to the commencement of any building, construction, 'fit-out' or subdivision works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with Section 81A (2) (a) of the Environmental Planning and Assessment Act 1979.**

Conditions of Consent:

1. The development must be implemented substantially in accordance with the plans number 0704 WO-02 dated 1/07/2009 and received by Council on 6 February 2009, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:

#### **Acoustic Amenity**

2. The requirements as detailed in section 4 and section 5 of the submitted acoustic report titled "Prince Henry Community centre PoPE Acoustic Assessment dated 23 October 2009, prepared by AECOM" form part of this consent and shall be complied with.
3. The use of the subject site shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

The project specific criteria for noise emissions shall be in accordance with the acoustical report dated 23 October 2009, prepared by AECOM, when measured at the nearest affected boundary:

	<b>Day (7am – 10pm)</b>	<b>Evening (6pm – 10pm)</b>	<b>Night (10pm – 7am)</b>
<b>Residential receiver</b>	45 L <sub>Aeq</sub> (15mins)	45 L <sub>Aeq</sub> (15mins)	40 L <sub>Aeq</sub> (15mins)
<b>The Chapel</b>	40 L <sub>Aeq</sub> (15mins)	40 L <sub>Aeq</sub> (15mins)	40 L <sub>Aeq</sub> (15mins)
<b>Golf Course</b>	55 L <sub>Aeq</sub> (15mins)	55 L <sub>Aeq</sub> (15mins)	55 L <sub>Aeq</sub> (15mins)

4. A plan of management shall be submitted to and approved by the Manager of Health, Building and Regulatory services prior to commencing the public entertainment, which details the measures to be implemented to:

- ensure compliance with the relevant conditions of approval,
- minimise the potential impact of the operation of the premises upon the surrounding environment,
- effectively minimise and manage anti-social behaviour,
- minimise noise emissions and associated nuisances,
- effectively manage and respond to resident complaints,
- ensure responsible service of alcohol and harm minimisation

#### **Operating Hours**

5. The Café hours of Operation are restricted to the following:

Monday through to Thursday inclusive, from: 7.00am to 10.00pm  
 Friday and Saturday, from: 7.00am - 12 midnight  
 Sunday from: 8.00am, - 10.00pm

The entertainment hours are restricted to the following:  
 Sunday through to Thursday inclusive, from: 6.00am to 10.00pm  
 Friday and Saturday, from: 6.00am - 12 midnight

#### **Delivery Hours**

6. The delivery hours are restricted to the following:

Monday through to Sunday inclusive, from: 7.00am to 7.00pm

#### **Food safety, environmental health & amenity**

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

8. **Prior to the issuing of an occupation certificate**, the premises must be inspected by Council's Environmental Health Officer to ascertain compliance with relevant Food Safety Standards and the written approval of Council (being the relevant Food Authority for this food business) must be obtained prior to the operation of the food business.

9. **Prior to commencement of any food business operations**, the food premises must be registered with Council's Health, Building & Regulatory

Services Department and the NSW Food Authority in accordance with the Food Safety Standards.

10. The Proprietor of the food business and all staff carrying out food handling and food storage activities must have appropriate skills and knowledge in food safety and food hygiene matters, as required by the Food Safety Standards.
11. Food safety practices and the operation of the food premises must be in accordance with the *Food Act 2003*, *Food Regulation 2004*, *Food Standards Code* and Food Safety Standards at all times, including the requirements and provisions relating to:
  - Food handling – skills, knowledge and controls.
  - Health and hygiene requirements.
  - Requirements for food handlers and businesses.
  - Cleaning, sanitising and maintenance.
  - Design and construction of food premises, fixtures, fitting and equipment.
  1. Failure to comply with the relevant food safety requirements is an offence and may result in legal proceedings, service of notices and/or the issuing of on-the-spot penalty infringement notices.
12. The food premises must be kept in a clean and sanitary condition at all times, including all walls, floors, ceilings, fixtures, fittings, appliances, equipment, fridges, freezers, cool rooms, shelving, cupboards, furniture, crockery, utensils, storage containers, waste bins, light fittings, mechanical ventilation & exhaust systems & ducting, storage areas, toilet facilities, basins and sinks.
13. The design, construction and operation of the food premises must comply with the following general requirements as applicable:-
  - a) The floors of kitchens, food preparation areas and the like are to be constructed of materials which are impervious, non slip and non abrasive. The floor is to be finished to a smooth even surface, graded and drained to a floor waste connected to the sewer.
  - b) The intersection of walls with floor and plinths is to be coved, to facilitate cleaning.
  - c) Walls of the kitchen preparation areas and the like are to be of suitable construction finished in a light colour with glazed tiles, stainless steel, laminated plastics or similar approved material adhered directly to the wall adjacent to cooking and food preparation facilities or areas, to provide a smooth even surface.
  - d) The glazed tiling or other approved material is to extend up to the underside of any mechanical exhaust ventilation hoods and a minimum of 450mm above bench tops or other facilities and equipment.
  - e) Walls where not tiled are to be cement rendered or be of rigid smooth faced non-absorbent material (i.e. fibrous cement sheeting, plasterboard or other approved material) and finished to a smooth

even surface, painted with a washable paint of a light colour or sealed with other approved materials.

- f) The ceilings of kitchens, food preparation areas, storerooms and the like are to be of rigid smooth-faced, non absorbent material i.e., fibrous plaster, plasterboard, fibre cement sheet, cement render or other approved material.
- g) All stoves, refrigerators, bain-maries, stock pots, washing machines, hot water heaters, large scales, food mixers, food warmers, cupboards, counters, bars etc.... to be supported on wheels, concrete plinths a minimum 75mm in height, metal legs minimum 150mm in height, brackets or approved metal framework of the like.
- h) Cupboards, cabinets, benches and shelving may be glass, metal, plastic, timber sheeting or other approved material. The use of particleboard or similar material is not permitted unless laminated on all surfaces.
- i) Adequate fly screens and doors with self-closing devices, (where applicable), are to be provided to all external door and window openings. An electronic insect control device must also be provided within the food premises.
- j) A mechanical ventilation exhaust system is to be installed where cooking or heating processes are carried out in the kitchen or in food preparation areas, in accordance with the relevant requirements of Clause F4.12 of the BCA and Australian Standard AS 1668 Parts 1 & 2.
- k) Emission control equipment shall be provided in the mechanical exhaust system serving the cooking appliances, to effectively minimise the emission of odours, vapours and oils.
- l) Wash hand basins must be provided in convenient positions located in the food preparation areas, with hot and cold water, together with a sufficient supply of soap and clean towels. The hot and cold water shall be supplied to the wash hand basins through a suitable mixing device.
- m) Ceramic tiles being provided to a height of 450mm above bench tops, wash hand basins and similar fittings.
- n) A numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius being provided to refrigerators, cool rooms, other cooling appliances and bain-maries or other heated food storage/display appliances. The thermometer is to be located so as to be read easily from the outside of the appliance.

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

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

hot, to a temperature of not more than 5°C and keep this food cold at or below that temperature.

- p) Cool rooms or freezers must have a smooth epoxy coated concrete floor, which is to be sloped to the door. A floor waste connected to the sewer is to be located outside the cool room/freezer. The floor waste should be provided with a removable basket within a fixed basket arrestor and must comply with Sydney Water requirements.
  - q) All cool rooms and freezers must be able to be opened from the inside without a key and fitted with an alarm (bell) that can only be operated from within the cool room/freezer.
  - r) Any space or gaps between the top of any cool room or freezer and the ceiling must be fully enclosed and kept insect and pest proof (e.g. plasterboard partition with gaps sealed).
14. There are to be no emissions or discharges from the premises which will give rise to a public nuisance, vibration, or result in an offence under the *Protection of the Environment Operations Act 1997 and Regulations*.

### **Waste Management**

15. Adequate provisions are to be made within the premises for the storage and removal of waste and recyclable materials, to the satisfaction of Council and the location, collection, storage and removal of wastes generated within the premises must not result in a nuisance or cause pollution.
16. Any liquid trade waste materials are to be disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department (i.e. via a grease trap) and details of compliance are to be submitted to the certifying authority **prior to the commencement of any works**.

**The following conditions are applied to ensure that the development satisfies the provisions of the *Environmental Planning and Assessment Act 1979 and Regulations* and to provide for reasonable levels of health, safety and amenity:**

### ***Regulatory***

17. The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000, must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council.

### ***Fire safety***

18. The existing levels of fire safety within the building are to be upgraded and carried out in accordance with the following requirements and relevant provisions of the Building Code of Australia (BCA), as applicable,:
- a. The sliding door to the meeting room is to be replaced with a swinging door to comply with Clause D2.19 NSW BCA;

- b. The eastern doors to the multi-purpose room are to be re-swung in the direction of egress from the room into the lobby to comply with Clause D2.21 NSW BCA;

**The following conditions have been applied to protect the amenity of patrons and neighbouring residents and to provide an harmonious environment in the locality:**

19. The maximum number of persons permitted in the premises is:-
- |                    |                              |
|--------------------|------------------------------|
| Auditorium         | - 250 persons                |
| Cafe               | - 30 persons (outdoor areas) |
|                    | - 24 persons (internal area) |
| Multi-purpose area | - 150 persons                |
20. Seating in the premises must allow for permanent, unobstructed access to exits from the premises at all times.
21. All paths of travel and stairways shall be maintained clear and unobstructed at all times so as not to impede the free flow or prejudice the safety of persons in the premises.
22. Egress doors shall not be locked or otherwise obstructed at anytime while the premises are occupied.
23. The number of persons permitted in the premises must not exceed the authorised capacity.

***Building & demolition works***

24. Demolition work and the removal, storage, handling and disposal of building materials must be carried out in accordance with the following requirements (as applicable):
- Australian Standard 2601 (2001) – Demolition of Structures
  - Occupational Health and Safety Act 2000
  - Occupational Health and Safety (Hazardous Substances) Regulation 2001
  - Occupational Health and Safety (Asbestos Removal Work) Regulation 2001
  - WorkCover NSW Codes of Practice and Guidelines
  - The Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 1996.
  - Randwick City Council Asbestos Policy (adopted 13 September 2005).
25. Except with the written approval of Council’s Manager of Health, Building & Regulatory Services, all building, demolition and associated site works (including site deliveries) must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive and (except as detailed below) between 8.00am to 5.00pm on Saturdays.

All building, demolition and associated site works are strictly prohibited on Sundays, Public Holidays and also on Saturdays adjacent to a Public Holiday.

In addition, the use of any rock excavation machinery or any mechanical pile drivers or the like is restricted to the hours of 8.00am to 5.00pm

(maximum) on Monday to Friday only, to minimise the noise levels during construction and loss of amenity to nearby residents.

26. Public health, safety and convenience must be maintained at all times during demolition, building and fit-out works.
- a) Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant provisions of the *Protection of the Environment Operations Act 1997* must be satisfied at all times.
  - b) The roadway, footpath and nature strip must be maintained in a good, safe condition and free from any obstructions, construction equipment, building or waste materials, soil, sand or debris at all times. Any damage caused to the road, footway or nature strip must be repaired immediately, to the satisfaction of Council.
  - c) A Road Opening Permit must be obtained from the Council and other relevant Authorities beforehand, if it is proposed to excavate or open-up the road or footway for services or the like.
  - d) Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council. Applications to place a waste container in a public place can be made to Council's Health, Building & Regulatory Services department.
  - e) Public safety must be maintained at all times and public access to demolition/building works, materials and equipment on the site is to be restricted. If required, a temporary 1.8m high safety fence or hoarding is to be provided to protect the public, located between the work site and the public place. An awning may also be required to prevent any substance from, or in connection with, the work from falling into the public place or adjoining premises.

Temporary fences or hoardings or the like are to be structurally adequate, safe and be constructed in a professional manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

If it is proposed to locate any hoardings, site fencing or amenities upon any part of the footpath, nature strip or any public place, the written consent from Council's Building Services section must be obtained beforehand and detailed plans are to be submitted to Council for consideration, together with payment of the weekly charge in accordance with Council's adopted fees and charges.

The public safety provisions and temporary fences or hoardings must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

**The following conditions are applied to satisfy the relevant pollution control criteria and to maintain reasonable levels of health, safety and amenity to the locality:**

27. The use and operation of the premises shall not give rise to an environmental health or public nuisance, vibration or, result in an offence under the *Protection of the Environment Operations Act 1997* and *Regulations*.
28. The use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and *Regulations*.

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background ( $L_{A90}, 15 \text{ min}$ ) noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A). The source noise level shall be assessed as an  $L_{Aeq, 15 \text{ min}}$  and adjusted in accordance with the NSW Environmental Protection Authority's Industrial Noise Policy 2000 and Environmental Noise Control Manual (sleep disturbance).

**The following conditions are applied to provide adequate provisions for waste management:**

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

Trade/commercial waste materials must not be disposed in or through Council's domestic garbage service. All trade/commercial waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed waste collection and disposal service are to be submitted to Council **prior to commencing operation of the business**.

The operator of the business must also arrange for the recycling of appropriate materials and make the necessary arrangements with an authorised waste services contractor accordingly.

**ADVISORY MATTERS:**

- A1 The design and construction of food premises must satisfy the requirements of the Food Act 2003, Food Standards Code and AS 4674 (2004). Prior to finalising the design and fit-out for the development and prior to a *construction certificate* being obtained, advice should be obtained from an accredited Food Safety Consultant (or Council's Environmental Health Officer).
- A2. The applicant is advised that the Construction Certificate plans and specification must comply with the provisions of the Building Code of Australia (BCA).

In this regard, the development consent plans do not show compliance with the deemed-to-satisfy provisions of the BCA. Details of compliance with the relevant provisions of the Building Code of Australia and conditions of development consent are to be provided in the plans and specifications for the construction certificate.

You are also advised to ensure that the development is not inconsistent with Council's consent and if necessary consult with Council's Building Certification Services or your accredited certifier prior to submitting your



construction certificate application to enable these matters to be addressed accordingly.

- A3. The applicant/owner is advised that this approval does not guarantee compliance with the provisions of the Disability Discrimination Act 1992 and the applicant should therefore consider their liability under the LG Act. In this regard, the applicant is advised that compliance with the requirements of the Building Code of Australia and Australian Standard 1428.1 - Design for Access and Mobility does not necessarily satisfy the objectives of the Disability Discrimination Act 1992.

The applicant/owner is requested to give consideration to providing access and facilities for people with disabilities in accordance with Australian Standard 1428 Parts 1, 2, 3 and 4 - Design for Access and Mobility, which may be necessary to satisfy the objectives of the Disability Discrimination Act 1992.

Yours faithfully,

.....  
Mr Kerry Kyriacou  
**Manager Development Assessment**

**Rights of Appeal and Review of Determination:**

- If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.
- Section 82A of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to Review the determination. The request must be made in writing (or on the review application form) within twelve (12) months after the 10 November 2009, as specified in this notice of determination, together with payment of the appropriate fee.

**General Advisory Notes & Requirements:**

***Legal requirements prior to commencing any building or subdivision works:***

*Prior to commencing any building, subdivision or associated works (including any shop or office 'fit-out' work), the following provisions of the Environmental Planning and Assessment Act 1979 (the 'Act') and the Environmental Planning & Assessment Regulation 2000 (the 'Regulation') are to be complied with:*

- (i) *A Construction Certificate is to be obtained in accordance with Section 81A (2) (a) of the LG Act.*
- (ii) *A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A of the LG Act and clause 103 of the Regulation.*

- (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 81A of the LG Act and clause 104 of the Regulation.

The applicant may apply to the Council or an Accredited Certifier to issue a Construction Certificate and to be the Principal Certifying Authority to monitor compliance with the approval and to issue the occupation certificate.

Council's Building Certification Services Business Unit can provide these services and further information, including a copy of the service agreement and details of certification and inspection fees can be obtained by telephoning Council's Building Certification Services Business Unit on 9399 0944.

### **Building Code of Australia**

The Construction Certificate plans and associated specifications must comply with the relevant provisions of the Building Code of Australia (BCA) and the building work must be carried out in accordance with development consent and Construction Certificate.

The assessment of this development application does not include an assessment under the BCA and details of compliance with the relevant provisions of the BCA and conditions of development consent are to be provided in the plans, specifications and documentation for the Construction Certificate.

### **Compliance with development consent**

Please note that the development and all building work must be carried out fully in accordance with the development consent and conditions of consent.

It is an offence to carry out any unauthorised development or building work or to carry out any development or building work that is not in accordance with Council's development consent.

An offence under Environmental Planning and Assessment Act 1979 and Regulations is subject to a penalty up to \$1,100,000 and \$110,000 respectively. Alternatively, Council may issue a penalty infringement notice (for up to \$3000) for each offence.

Council may also serve a notice and an order to require the demolition/removal of unauthorised building work or to require full compliance with Council's development consent.

Prior to commencement of any variations from the approved plans and conditions of approval, an amended development application must be submitted to and approved by Council. Also, a (new or amended) Construction Certificate must be obtained from the Council or an Accredited Certifier.

Failure to obtain the required prior written development consent from council for any variations to the consent (and failure to obtain a new/amended construction certificate) is an offence, which may result in the above penalties or infringements.

### **Construction certificate applications**

Applications for a Construction Certificate are to be made in the standard form and in relation to an application made to Council's Building Certification Services, submission requirements include:

- a completed Construction Certificate application form and payment of the appropriate fee.
- 4 copies of detailed architectural building plans and building specifications.
- 4 copies of structural engineering plans, detailing; all reinforced concrete floor slabs, footings, beams, columns and other structures; retaining walls; piers; underpinning; shoring systems; structural steelwork and framing details (as applicable).
- 4 copies of other technical details (i.e. details of mechanical ventilation systems, stormwater drainage, timber framing and roof trusses, termite protection, sediment control, boundary/party wall construction, masonry construction, acoustic and sound transmission, glazing, wet areas, smoke alarm systems and other fire safety provisions), where applicable.
- full details of compliance with the provisions of the Building Code of Australia, including details of the standards of construction that are to be complied with (i.e. Australian Standards).
- a list of existing and proposed fire safety measures (ie. fire doors, hose reels, fire hydrants, fire extinguishers, sprinkler systems, fire and smoke detection systems, smoke hazard management systems, exit signs and emergency lighting etc), except in relation to dwellings and associated structures.
- any compliance certificates relied upon.
- details of payment of the Building Industry Long Service Levy, in relation to building work which costs \$25,000 or more
- details of compliance with the Home Building Act Insurance Provisions, in relation to residential building work.
- details of existing and proposed swimming pool fencing and barriers showing compliance with the Swimming Pools Act 1992 and AS1926 and details of acoustic enclosures for pool equipment.

### **Inspection of building works**

The Principal Certifying Authority is required to specify the stages of construction which are to be inspected (including relevant 'critical stage' inspections), to ensure that the development complies with the relevant requirements of the development consent, Building Code of Australia and Australian Standards.

Critical stage inspections may include the following stages of construction (as specified by the appointed principal certifying authority):-

- Footings, after placement of steel reinforcement and before pouring concrete.
- Reinforced concrete floor slabs, columns and beams, after placement of steel reinforcement and before pouring concrete.
- Timber or metal floor, wall and roof framing (including columns and beams), before installing floor, wall or roof cladding.
- Waterproofing of 'wet areas', after installation, before tiling or covering over.
- Fire resisting construction (e.g. party / separating walls, fire resisting coverings / plasterboard).
- Sound transmission work including separating walls or ceilings.
- Immediately after the building (or alterations and additions to a building) have been completed and before an Occupation Certificate is issued.

Reference should be made to clause 162A of the Environmental Planning & Assessment Regulation 2000 for details relating to the critical stage inspections.

### **Occupation Certificate requirements**

*An occupation certificate must be obtained from the principal certifying authority, prior to occupation of the new building work or part of a building (including alterations and additions) or, a change of building use, as required by sections 109M and 109N of the Environmental Planning & Assessment Act 1979.*

*Failure to obtain the required occupation certificate is an offence and is subject to a maximum penalty of up to \$110,000 or the issue of a penalty infringement notice.*

### **Fire safety requirements**

*Under the provisions of Part 9 of the Environmental Planning and Assessment Regulation 2000 (except in relation to class 1a dwellings and class 10 non-habitable buildings or structures):*

- A 'Fire Safety Certificate' is required to be submitted to the Council and the New South Wales Fire Brigades prior to occupation of the building and a fire safety statement is to be provided on an annual basis thereafter, in relation to all of the essential fire safety measures within the building premises.*
- All of the Fire Safety measures within the premises must be included in a single and complete Fire Safety Certificate, which must be the same measures as those contained in the relevant 'Fire Safety Schedule' for the development. Any variations or amendments to the Fire Safety Schedule must be approved by the Principal Certifying Authority and written details must be provided to Council accordingly.*
- Following the issue of a Fire Safety Certificate, a Fire Safety Statement must be submitted to Council on an annual basis, which certifies that all of the essential fire safety measures are present and operational in accordance with the relevant standards of performance.*
- A copy of the current Fire Safety Schedule and Fire Safety Certificate/Statement must also be displayed in a conspicuous position within the building at all times.*
- Failure to submit a Fire Safety Statement by the due date annually is an offence which may result in the issuing of a penalty infringement notice of up to \$2000.*

### **Sydney Water Requirements**

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

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

*If suitable, the plans will be appropriately stamped. For Quick Check agent details please refer to Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) and go to the Building, Developing and Plumbing, then Quick Check or Building and Renovating or telephone 13 20 92.*

*The principal certifying authority is required to ensure that a Quick Check Agent/Sydney Water has appropriately stamped the plans before commencing works.*

### **WorkCover requirements**

*The applicant, owner and builder is advised to ensure that the relevant requirements of WorkCover New South Wales are complied with, in relation to occupational health and safety, including the handling of hazardous materials (i.e. materials containing asbestos). Further information can be obtained from the WorkCover New South Wales 400 Kent Street, Sydney, NSW, 2000 or telephone 9370 5000 or 13 10 50.*

### **Disability Discrimination Act**

*The applicant/owner is advised that this approval does not guarantee compliance with the provisions of the Disability Discrimination Act 1992 and the applicant should therefore consider their liability under the LG Act. In this regard, the applicant is advised that compliance with the requirements of the Building Code of Australia and Australian Standard 1428.1 - Design for Access and Mobility does not necessarily satisfy the objectives of the Disability Discrimination Act 1992.*

*The applicant/owner is requested to give consideration to providing access and facilities for people with disabilities in accordance with Australian Standard 1428 Parts 1, 2, 3 and 4 - Design for Access and Mobility, which may be necessary to satisfy the objectives of the Disability Discrimination Act 1992.*

### **Dividing Fences**

*Any approval for fences on side boundaries common to other private properties is independent of any consent or agreement which may be required of any adjoining owner under the provisions of the Dividing Fences Act and if applicable, you are advised to consult with the owners of the adjoining premises in this regard.*

### **Access to adjoining land, encroachments and work affecting other premises**

*This consent does not authorise any trespass, encroachment or carrying out of any works upon any adjoining land or building whether private or public. Where any access, underpinning, shoring or any other works are proposed to be carried out upon any adjoining land (including work affecting party walls, common roof construction or any other building works on or adjacent to the site boundaries), the owner/builder must obtain:*

- a) the consent of the owners of the adjoining land to access, carry out works or encroach upon their land, or otherwise affect an easement, right-of-way or other restriction on the certificate of title, or*
- b) an access order under the Access to Neighbouring Land Act 2000, or*
- c) an easement under section 88K of the Conveyancing Act 1919, or*
- d) an easement under section 40 of the Land & Environment Court Act 1979 as appropriate.*

*Section 177 of the Conveyancing Act 1919 creates a statutory duty of care in relation to support of land. Accordingly, a person has a duty of care not to do anything on or in relation to land being developed (the supporting land) that removes the support provided by the supporting land to any other adjoining land (the supported land).*

***Local Government Act requirements***

*A separate Local Approval application is required to be submitted to and approved by Council if it is proposed to place any articles, site fencing, hoardings, materials or waste containers in a public place and to hoist or use a crane over a footway, in accordance with Section 68 of the Local Government Act 1993.*

***Further Information***

*Should you require further information on the determination of this development application, please contact Gerard Turrusi on **9399 0894** between 9.00am to 12 noon Monday to Friday or by appointment.*

## **Attachment 2 List of Operational Manuals for the Centre**

- 1 Builders Manual (including builders and consultants' details)
- 2 'Style Guide' prepared by Lahznimmo Architects, 2009
- 3 Electrical Services Manual
- 4 Hydraulic Manual
- 5 Landscaping Manual
- 6 Mechanical Services Manual
- 7 Maintenance Manual for Operable Walls and Glazed Stackable Walls
- 8 Maintenance Manual for Floor Finish
- 9 Maintenance Manual for Roofing and Rainwater Goods
- 10 Guide to Height Safety Systems