



City of Parramatta	
File No:	DA/84/2018/A

SECTION 4.15 ASSESSMENT REPORT
Environmental Planning & Assessment Act 1979

DA No:	DA/84/2018/A
Subject Property:	Lot 10 DP 1130429, 9-15 Elder Road, DUNDAS NSW 2117
Proposal:	Section 4.55(1A) Modification to the approved DA/84/2018 for the approved change in operational hours of the Dundas Sports and Recreation Club. The modification seeks to amend the conditions of consent, including hours of operation, removal of trial period and set trading hours for New Year's Eve. The application is being re-notified to ensure the correct description is provided.
Date of receipt:	19 September 2022
Applicant:	Dundas Sports & Recreation Club Ltd
Owner:	Dundas Sports & Recreation Club Ltd
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	<ul style="list-style-type: none">• 14 Submissions
Recommendation:	Approval – subject to conditions of consent
Assessment Officer:	Albert Dzang

Legislative Requirements

Relevant provisions considered under section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979	<ul style="list-style-type: none">• SEPP (Resilience and Hazards) 2021• SEPP (Transport and Infrastructure) 2021• SEPP (Vegetation in Non-Rural Areas) 2021• SEPP (Biodiversity and Conservation) 2021• Parramatta Local Environmental Plan (LEP) 2011• Parramatta Development Control Plan (DCP) 2011• Parramatta Local Environmental Plan (LEP) 2023
Zoning	RE2 – Private Recreation
Bushfire Prone Land	No
Heritage	Yes – I38
Heritage Conservation Area	No
Designated Development	No
Integrated Development	No
Clause 4.6 variation	No
Delegation	Parramatta Local Planning Panel (PLPP) due to more than 10 submissions

Section 4.15 Assessment

1. Site Description and Conditions

The subject site is legally described as Lot 10 DP 1130429, 9-15 Elder Road, DUNDAS NSW 2117.

The subject site is an irregular allotment with access fronting Elder Road and Albion Street. The site is zoned RE2 – Private Recreation under the Parramatta Local Environmental Plan 2011 and is surrounded by R2 – Low Density Residential, and Williams Reserve.



Figure 1: 2023 Aerial photo

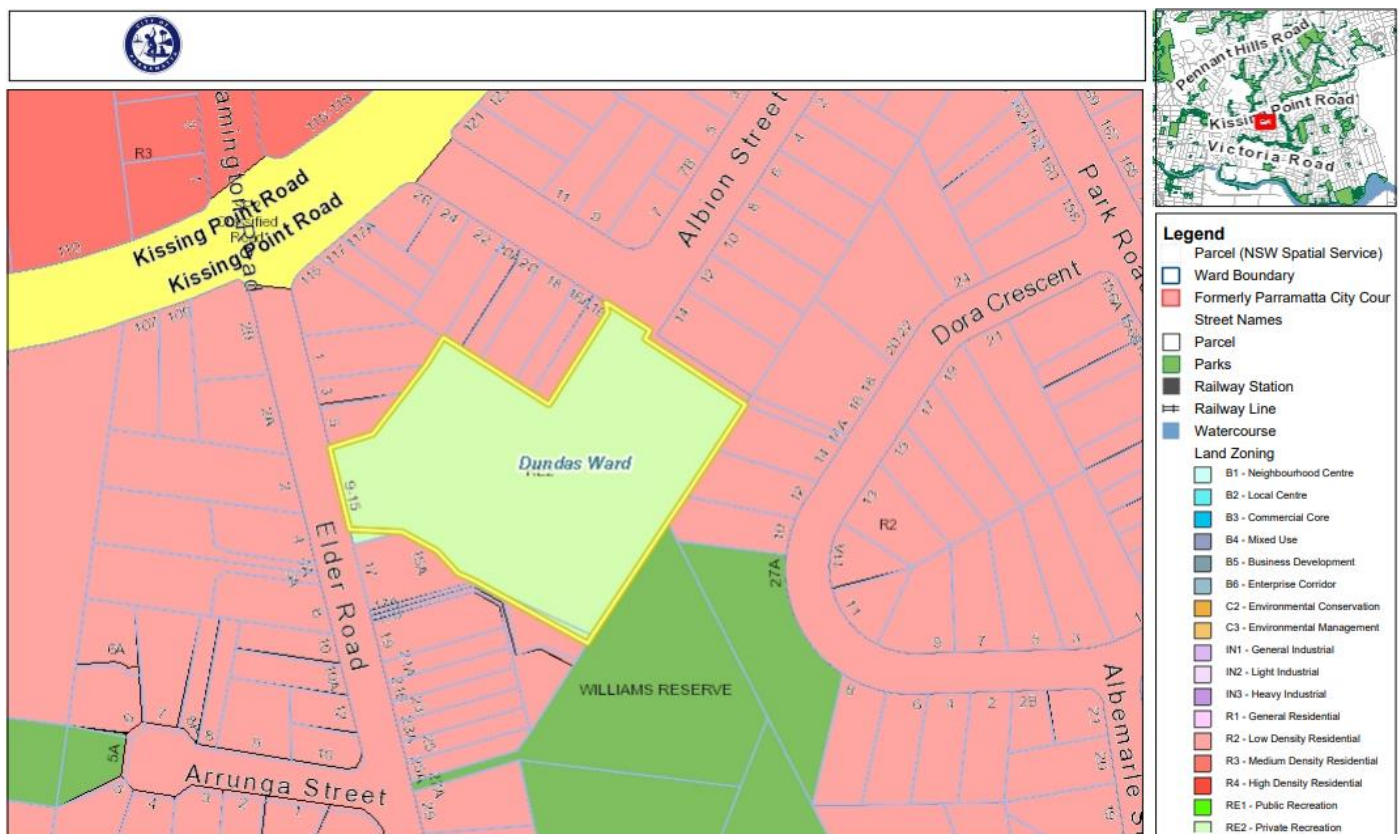


Figure 2: Zoning Map (PLEP 2011)



Figure 3. 1961 Aerial Photo showing bowling green at 9-15 Elder Road.

2. Relevant Site History

Development Application	Description
DA/288/2012	Alterations to the heritage listed Dundas Sports and Recreation Club. Approved 13.08.2012.
DA/288/2012/A	Section 96(1A) modification to an approval for alterations to the heritage listed Dundas Sports and Recreation Club. The modification includes changes to the wall openings. Approved 21.05.2013.
DA/787/2017	Alterations and additions to the Dundas Sports & Recreation Club. Approved 27.10.2017.
DA/84/2018	Change in operational hours of the Dundas Sports and Recreation Club. Approved 6.07.2018.
DA/787/2017/A	Section 4.55(1A) modification of DA/787/2017 for alterations and additions to the Dundas Sports & Recreation Club. The modification includes the relocation of the new pedestrian access from Elder Road. The site is identified as a local heritage item I38 pursuant to Clause 5.10 of the Parramatta Local Environmental Plan 2011. Approved 11.06.2021.
DA/84/2018/A	Section 4.55(1A) Modification to the approved DA/84/2018 for the approved change in operational hours of the Dundas Sports and Recreation Club. The modification seeks to amend the conditions of consent, including hours of operation, removal of trial period and set trading hours for New Year's Eve. The application is being re-notified to ensure the correct description is provided. Lodged 29.09.2022.

3. The Proposal

Development Application DA/84/2018/A was lodged on 29 September 2022 for a change in hours of operation. Specifically, the following is proposed:

Consent is sought to modify the approved works as follows:

1. Change to hours of operation

2. Removal of trial period
3. New trading hours for New Year's Eve

The changes to the hours of operation are as follows:

Existing –

Monday	10am – 11pm
Tuesday	10am – 11pm
Wednesday	10am – 11pm
Thursday	10am – midnight
Friday	10am – 1am
Saturday	10am – 1am
Sunday	10am – 11pm
Public Holidays	As per day/time in this table.

- a) No internal live music to occur after 11.30pm
- b) No external amplified music within the terrace arrears after 12:00 midnight
- c) Monitor patrons utilising the terraces areas after 12:00 midnight and encourage the minimization of patron noise

(Note: These hours of operation are approved for a 12-month period only from the date of the occupation Certificate for DA/787/2017).

Proposed –

Use	Day	Time
Bowling Greens	Every day (Mon-Sun)	10:00am – 10:00pm
Outdoor Deck	Sunday – Wednesday	10:00am – 11:30pm
	Thursday – Saturday	10:00am – 1:00am
Outdoor Gaming	Sunday – Wednesday	10:00am – 12:00am
	Thursday – Saturday	10:00am – 1:30am
Function Terrace	Sunday – Wednesday	10:00am – 11:00pm
	Thursday – Saturday	10:00am – 12:00am
Live Music	Every day (Mon-Sun)	10:00am – 11:30pm
Car Park	Sunday – Wednesday	10:00am – 12:00am
	Thursday – Saturday	10:00am – 1:30am

Note: This proposal will not include the deletion of the trial period set under DA/84/2018. It is noted that the trial period shall be extended for an additional twelve (12) months to ensure that the acoustic measures and applicant's controls are sufficient for the site. A new application will be required to be submitted should the hours of operation and acoustic measures prove effective.

Note II: Should the 12-month period not be extended, the days and operation will be restricted to the following:

Use	Day	Time
Bowling Greens	Every day (Mon-Sun)	10:00am – 10:00pm
Outdoor Deck	Every day (Mon-Sun)	10:00am – 11:30pm
Outdoor Gaming	Every day (Mon-Sun)	10:00am – 12:00am
Function Terrace	Sunday – Wednesday	10:00am – 11:00pm
	Thursday – Saturday	10:00am – 12:00am
Live Music	Every day (Mon-Sun)	10:00am – 11:30pm
Car Park	Every day (Mon-Sun)	10:00am – 12:00am

3. Relevant Application History

Date	Comment
29.09.2022	Development Application lodged
13.10.22 – 27.10.22	Advertising period
24.10.22 – 7.11.22	Advertising period – re-notified to correct description

25.11.2022	Request for withdrawal
5.01.2023	Request for additional information
25.01.2023	Additional information received
2.03.2023	Request for additional information
10.04.2023	Additional information received
8.05.2023	Request for additional information
20.06.2023	Parramatta Local Planning Panel

PLANNING ASSESSMENT

4. Environmental Planning Instruments

7.1 Overview

The instruments applicable to this application are:

- SEPP (Resilience and Hazards) 2021
- SEPP (Transport and Infrastructure) 2021
- SEPP (Vegetation in Non-Rural Areas) 2021
- SEPP (Biodiversity and Conservation) 2021
- Parramatta Local Environmental Plan (LEP) 2011
- Parramatta Development Control Plan (DCP) 2011
- Parramatta Local Environmental Plan (LEP) 2023

Compliance with these instruments is addressed below.

SEPP	COMMENTS
State Environmental Planning Policy (Resilience And Hazards) 2021 – Chapter 4: Remediation Of Land	The provisions of the SEPP were considered in the assessment of the original application. The modification does not include any works; relates only to hours of operation.
State Environmental Planning Policy (Biodiversity And Conservation) 2021 – Chapter 10: Sydney Harbour Catchment	The provisions of the SEPP were considered in the assessment of the original application. The modification does not include any works; relates only to hours of operation.
State Environmental Planning Policy (Transport And Infrastructure) 2021 – Chapter 2: Infrastructure	The provisions of the SEPP were considered in the assessment of the original application. The modification does not include any works; relates only to hours of operation.
State Environmental Planning Policy (Biodiversity And Conservation) 2021 – Chapter 2: Vegetation In Non-Rural Areas	The provisions of the SEPP were considered in the assessment of the original application. The modification does not include any works; relates only to hours of operation.

5. Parramatta Local Environmental Plan 2023

Parramatta LEP 2023 was gazetted on 2 March 2023. Clause 1.8 of the LEP now repeals the following planning instrument which applies to the land:

- Parramatta Local Environmental Plan 2011

Clause 1.8A Savings provision relating to development applications states:

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

The current DA was lodged prior to 2 March 2022 and therefore shall be assessed under Parramatta LEP 2011.

Whilst the application has been assessed under Parramatta LEP 2011, it is noted that there were no changes made to the zoning, FSR and height of building controls for the subject site and surrounding area under Parramatta LEP 2023.

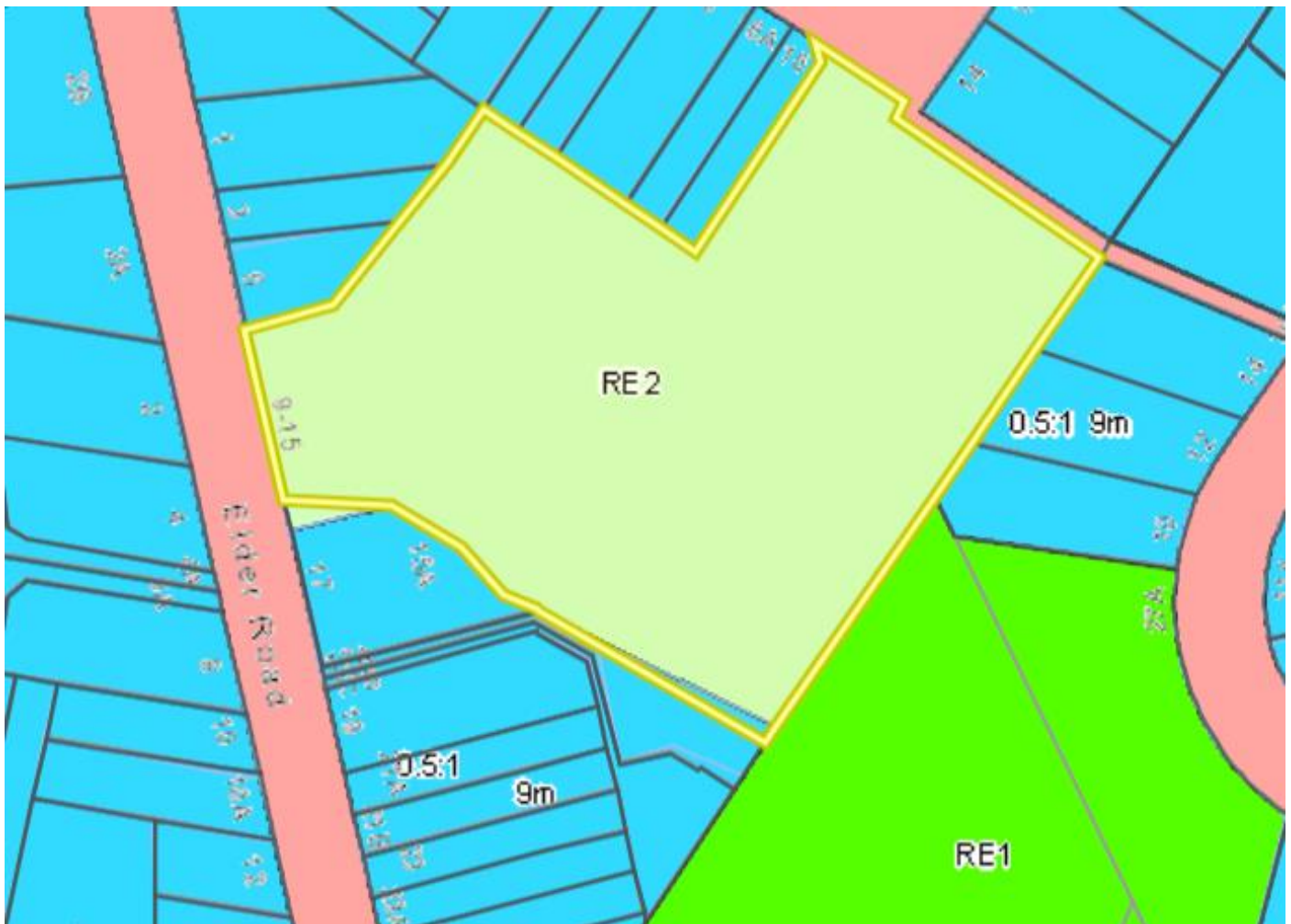


Figure 4. Parramatta LEP 2023 – Zoning, FSR and Height map.

6. The Parramatta Local Environmental Plan 2011

CLAUSE	ORIGINAL DA	MODIFICATION	COMPLIANCE
Height of Buildings	Consistent with existing	No change is proposed	Yes
Floor Space Ratio	N/A	No change is proposed	Yes
Architectural roof features	An architectural roof feature is not proposed.	No change is proposed	Yes
Development below mean high water mark	The proposal is not for the development of land that is covered by tidal waters.		N/A
Heritage Conservation	This application does not propose any additional works. Council's Heritage Advisor has noted that no referral would be required.		Yes
Aboriginal Places of Heritage significance	The site is developed, and no extensive excavation works are proposed.		N/A
Acid sulphate soils	The site is identified as containing Class 5 Acid Sulphate Soil. An Acid Sulphate Soils Management Plan is not required to be prepared.		N/A
Earthworks	The proposed earthworks were satisfactory.	No change proposed with regards to earthworks	Yes
Flood planning	The site is not identified by council as being flood prone.		N/A
Biodiversity protection	The site is not identified on this map		N/A
Water protection	The site is not identified on this map		N/A

Development on landslide risk land	The site is not identified on this map.	N/A
Affected by a Foreshore Building Line	The site is not located in the foreshore area.	N/A
Bushfire Prone Land	The site is not identified on this map.	N/A

7. The Parramatta Development Control Plan 2011

Development Control	Original	Modified	Compliance
Site Considerations			
2.4			
2.4.1 Views and Vistas	Not within an area identified as containing significant views.	N/A	Yes
2.4.2 Water management -flooding -waterways -groundwater	The site is not impacted by flooding. Disposal of stormwater to existing services is proposed. No site works are proposed in the application.	N/A	N/A
2.4.3. Soil Management Are there adequate erosion control measures?	An erosion and sediment control plan is not required.	N/A	N/A
2.4.3.2 Acid sulphate soils	Refer to LEP table above	N/A	Yes
2.4.3.3 Salinity	The site is of low salinity potential and accordingly salinity is unlikely to impact on the development.	N/A	Yes
2.4.4 Land Contamination	Refer to the discussion under "SEPP"	N/A	Yes
2.4.5 Air Quality	N/A	N/A	N/A
2.4.6 Development on sloping land	N/A	N/A	N/A
2.4.7 Biodiversity	The proximity of the site to the public reserve has been assessed under DA/787/2017 which includes alterations and additions to the existing buildings. This application will not impact on the reserve as it does not propose any additional works.	N/A	Yes
Clause 2.4.7.2 (Development on Land Abutting the E2 Environmental Protection Zone)	N/A	N/A	N/A
3. Preliminary Building Envelope			
3.2. Building Elements			
3.2.1 Building Form and Massing	No additional works are proposed.	N/A	N/A
3.2.2 Building Façade and Articulation	No additional works are proposed.	N/A	N/A
3.2.3 Roof design	No additional works are proposed.	N/A	N/A
3.2.4 Energy efficient design	N/A	N/A	N/A
3.2.5 Streetscape	No additional works are proposed.	N/A	N/A
3.3 Environmental Amenity			
3.3.1 Landscaping	No additional works are proposed.	N/A	N/A

3.3.3 Visual privacy	<p>The residential development to the west is most likely to be affected by the proposed additions.</p> <p>The proposal contains suitable building setbacks.</p>	No changes proposed.	Yes
3.3.4 Acoustic amenity	<p>An acoustic report has been submitted in relation to the proposed operating hours and City of Parramatta's Environmental Health (Acoustic) Officer has identified the development is suitable as proposed subject to imposition of conditions of consent.</p> <p>The hours of operation were removed from DA/787/2017 to be assessed under a separate application.</p> <p>The proposed hours of operation have been assessed by Council's Health Officer for acoustic impact. (Refer to Environmental Health Officers comments in the referral section for further information).</p>	<p>Council's Acoustic Officer has reviewed the application and has no objection to the proposed hours subject to a trial period of twelve (12) months to ensure all acoustical measures are satisfied. Refer to Note II following the 12 month trial period.</p>	Yes
3.3.6 Water sensitive urban design	N/A	N/A	N/A
3.3.7 Waste Management	No Waste Management Plan is required for this application.	N/A	Yes
3.4 Social Amenity			
3.4.2 Access for People with Disabilities	The proposal will be required to comply with the provisions of the BCA, and Access Standards. Upgrading of car parking is proposed as part of the application. Refer to determination DA/787/2017 for details.	N/A	Yes
3.4.4 Safety and Security	<p>The acoustic report proposes additional measures to be included in conditions of consent that assist in mitigating any adverse impacts that may be caused by patrons gathering in the carpark after hours.</p> <p>The Sports Club will be required to maintain a log of all complaints and include measures to exit people quickly and quietly as patrons leave the site and at closing hours.</p> <p>Notwithstanding the above, the proposal does not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur.</p>	The sports club will be required to continue to maintain a log of complaints and measures for people to exit quickly and quietly during closing hours.	Yes
3.5 Heritage & Part 4 Special Precincts			
3.5.1. – 3.5.2.	<p>The site contains a listed Heritage Item 'Cumberland Builders Bowling Club'.</p> <p>The site is identified as being of high significance by Council's Aboriginal Heritage Sensitivity Database.</p>	Yes	Yes

	Council's Heritage Officer assessed the development proposed under DA/787/2017 and raised no objection. The changes in operating hours are not anticipated to have any negative impact on the heritage item.		
3.6 Movement & Circulation			
3.6.2 <u>Parking and Vehicular Access</u>	Mitigation measures such as staff supervision of patrons leaving the site will be included as part of the conditions on consent in the form of a 'Plan of Management' to be provided to Council and by the DSRC ad must address specific matters as per the conditions of consent.	N/A	Yes
5. Other Provisions			
5.5 Signage	N/A	N/A	N/A

8. Referrals

The following section outlines the response and conditions recommended from each of the internal and external referrals in relation to the subject application.

Referral	Comment
Heritage	Supported, subject to conditions of consent.
Acoustic	Supported, subject to conditions of consent.
Crime prevention	Supported, subject to conditions of consent.
Police	Supported, subject to conditions of consent.

9. Other matters

Hours of operation (refer to Note II)

Should the 12-month period not be extended, the days and operation will be restricted to the following:

Use	Day	Time
Bowling Greens	Every day (Mon-Sun)	10:00am – 10:00pm
Outdoor Deck	Every day (Mon-Sun)	10:00am – 11:30pm
Outdoor Gaming	Every day (Mon-Sun)	10:00am – 12:00am
Function Terrace	Sunday – Wednesday	10:00am – 11:00pm
	Thursday – Saturday	10:00am – 12:00am
Live Music	Every day (Mon-Sun)	10:00am – 11:30pm
Car Park	Every day (Mon-Sun)	10:00am – 12:00am

10. Development Contributions and Bonds

N/A

11. EP&A Regulation 2021

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions, refer to Appendix 1.

12. The likely impacts of the development

The assessment demonstrates that the proposal will not have any significant adverse impacts upon adjoining properties or the environment through compliance with the applicable planning instruments and controls. This is further subject to assessment with compliance with Council's Acoustic Officer and Crime Prevention Team. In the context of the site and the assessments provided by Council's experts, the development is considered satisfactory in terms of environmental impacts.

13. Suitability of the Site

The subjects site currently accommodating Dundas Sports Recreation Club would result in not physical changes to the existing development. Suitable investigations and documentation have been provided to demonstrate that the proposed changes to the hours of operation can be made suitable for the site and the development is consistent with the land use planning framework for the locality.

No natural hazards or site constraints exist that are likely to have an unacceptably adverse impact on the proposed development.

Subject to the conditions provided within the recommendation to this report, the site is considered to be suitable for the proposed development.

14. Public Consultation

In accordance with the Council's consolidated notification procedures, the Development Application was notified and advertised from the 24th October 2022 to 7th November 2022. Upon the completion of the notification period, a total of thirteen (14) submissions were received within the notification period. The key issues raised in the submissions received are listed as follows:

Issue	Response
Amenity (Noise) Amenity concerns for neighbouring properties (Noise from patients)	The proposal has been reviewed by Council's Acoustic Officer. It is noted that the proposed hours of operation will be subject to a twelve (12) month trial period. In this period the applicant is to log and maintain all complaints. Upon completion of the trial period, complaints, records and acoustic reports are to be updated and provided to Council for further review.
Privacy	The proposal does not result in any physical changes to the building.
Increase in hours of operation	The proposal has been reviewed by Council's Acoustic Officer. It is noted that the proposed hours of operation will be subject to a twelve (12) month trial period. In this period the applicant is to log and maintain all complaints. Upon completion of the trial period, complaints, records and acoustic reports are to be updated and provided to Council for further review.
Amenity (Quality of life) Amenity concerns for neighbouring properties (Negative impact on quality of life as a result of excessive noise)	This matter is not considered determinative to the assessment of this Application. However, as stated above, it has been demonstrated that any noise emissions as a result of the proposed development are adequately mitigated.
Lighting/glare	The proposal does not result in any physical changes to the site.
Traffic Movements and Congestion/Parking Unacceptable increase in traffic movements and congestion and parking.	No changes are proposed to traffic movements, congestion and parking. It is noted that noise mitigation measures are to be addressed appropriately under the Acoustic report and conditions of consent.
Waste	Conditions are imposed to ensure that waste management is addressed appropriately.
Suitability of the Site The site is not suitable for the proposed development.	The proposed site is for a change in hours of operation subject to a twelve (12) month trial period. No further changes are proposed.

Safety of residents Concerns regarding Covid-19 and the impacts this will have on the health of future residents.	Council's Crime Prevention Team have no objection to the proposal subject to conditions of consent and mitigation measures for Acoustic purposes.
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15. Public interest

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

16. Conclusion

After consideration of the development against Section 4.15 of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal *is* suitable for the site and *is* in the public interest. Therefore, it is recommended that the application be approved subject to the imposition of appropriate conditions.

17. Recommendation

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

- (a) That the Local Planning Panel, exercising the function of the consent authority, approve the modification to DA/84/2018/A with a trial period of twelve (12) months for the amended hours of operation and establishing New Year's Eve trading hours.
- (b) That, conditions of consent be included to recommend that the trial period be extended for a further twelve (12) months to establish whether the acoustic measures and the applicants' controls are sufficient.
- (c) **That** Council advise those who made a submission of the determination.

DRAFT CONDITIONS OF CONSENT

Upon the signature of the applicable delegate, the conditions in this Appendix will form the conditions of development consent.

Development Consent No.: DA/84/2018/A
Property Address: Lot 10 DP 1130429
9-15 Elder Road, DUNDAS NSW 2117

General Matters

1. The development is to be carried out in accordance with the following plans endorsed with Council’s Stamp as well as the documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:

Document(s)	Prepared By	Dated
Acoustic Report, Project No. S16749 Ref. No. S16749RP2, Revision B.	Resonate Acoustics	21 December 2017
Plan of Management	Dundas Sports Club	2021

Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

Reason: To ensure the work is carried out in accordance with the approved plans.

2. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

3. The consent operates in conjunction with approved consent DA/787/2017 and does not replace consent DA/787/2017. Refer to DA/787/2017 for specific conditions relating to building works.

Reason: To comply with approved consent.

4. The days and hours of operation are restricted to the following for the 12 month trial period:

Use	Day	Time
Bowling Greens	Every day (Mon-Sun)	10:00am – 10:00pm
Outdoor Deck	Sunday – Wednesday	10:00am – 11:30pm
	Thursday – Saturday	10:00am – 1:00am
Outdoor Gaming	Sunday – Wednesday	10:00am – 12:00am
	Thursday – Saturday	10:00am – 1:30am
Function Terrace	Sunday – Wednesday	10:00am – 11:00pm
	Thursday – Saturday	10:00am – 12:00am
Live Music	Every day (Mon-Sun)	10:00am – 11:30pm
Car Park	Sunday – Wednesday	10:00am – 12:00am
	Thursday – Saturday	10:00am – 1:30am

The days and hours of operation are restricted following the 12 month trial period to:

<i>Use</i>	<i>Day</i>	<i>Time</i>
<i>Bowling Greens</i>	<i>Every day (Mon-Sun)</i>	<i>10:00am – 10:00pm</i>
<i>Outdoor Deck</i>	<i>Every day (Mon-Sun)</i>	<i>10:00am – 11:30pm</i>
<i>Outdoor Gaming</i>	<i>Every day (Mon-Sun)</i>	<i>10:00am – 12:00am</i>
<i>Function Terrace</i>	<i>Sunday – Wednesday</i>	<i>10:00am – 11:00pm</i>
	<i>Thursday – Saturday</i>	<i>10:00am – 12:00am</i>
<i>Live Music</i>	<i>Every day (Mon-Sun)</i>	<i>10:00am – 11:30pm</i>
<i>Car Park</i>	<i>Every day (Mon-Sun)</i>	<i>10:00am – 12:00am</i>

- a) Notwithstanding the operational hours above, the Dundas Sports and Recreation Club may operate in line with the nominated operational hours for a **trial period of 12 months** from the date of consent.
- b) A further application may be lodged to seek consent to continue the operating hours outlined in (a) above not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions and any substantiated complaints received.

Reason: To minimise the impact on the amenity of the area.

5. A 1.8-meter noise barrier is to be installed along the eastern boundary of 16 Albion Street separating the residential receiver and the adjacent car park at the Club. This should be constructed of either colorbond or other imperforated material.

Reason: To protect the amenity of neighboring properties.

5A. The Plan of Management be redrafted to include:

- a) *Specifications of the CCTV system and how it is managed and maintained including the minimum resolution, frame rates and how long the footage is retained (as per paragraph 5);*
- b) *That during operating hours a staff member who is capable of operating the system be on site;*
- c) *That footage will be made available to police upon request;*
- d) *That security staff mentioned in section 11 are appropriately licensed;*
- e) *Other measures relating to the operation of the club as may be thought fit;*

5B. That the venue operates in accordance with the Plan of Management, and any future modifications to the plan must only be done with the consent of the local police area command, and any such modification must be notified to Council;

5C. The club CCTV system is to be registered with the NSW Police CCTV register at https://www.police.nsw.gov.au/online_services/register_my_business_cctv_details;

5D. The licensee shall be an active member of the local (Cumberland) Liquor Accord. Active membership is defined as being a financial member and attending at least 75% of accord meetings annually;

5E. Music or announcements must not be made on outdoor loud speakers after 10pm (including the balcony area);

5F. Any noise emanating from the premises must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

5F. An amended and updated Acoustic report for the purposes of this trial is to be submitted to Council upon completion of the trial period. Should no Acoustic report be submitted for the purposes of this trial, the operation will revert to the original hours.

Prior to the issue of a Construction Certificate

Note: Some conditions contained in other sections of this consent (including prior to occupation/use commencing) may need to be considered when preparing detailed drawings/specifications for the Construction Certificate.)

6. Prior to issuing of a Construction Certificate, the applicant/owner must prepare a 'Operational Plan of Management' to be incorporated into the 'Dundas Sports and Recreational Club Staff Handbook'. The Operational Plan must be submitted to Council to the satisfaction of the Certifying Authority and must include the following:

a) The implementation of a 'Complaints Management Handling Registry'.

b) The implementation of a noise management protocols for the use of the car park and should include:

i. Noise Signage and no loitering signage; and

ii. Staff procedures for ushering patrons from the car park.

c) Measures for staff to supervise and manage the conduct of patrons leaving the venue after 10:00pm to minimise the potential disturbance to nearby residential receivers.

d) How and when the operator will remove general litter associated with premises from any public places immediately adjoining or adjacent to the site.

Reason: To protect the amenity of neighbouring properties.

7. An Environmental Enforcement Service Charge must be paid to Council prior to the issue of a Construction Certificate. The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

8. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate.

The fee will be in accordance with Councils adopted 'Fees and Charges' at the time of payment.

Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

Prior to Work Commencing

9. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:
 - (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
 - (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

During Work

10. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

Reason: To ensure compliance with this consent.

11. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made;
- (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
- (d) Nature of the complaints;
- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the Principal Certifying Authority upon request.

Reason: To allow the Principal Certifying Authority/Council to respond to concerns raised by the public.

12. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To ensure proper management of Council assets.

13. No service, structure, conduit or the like is permitted to be fixed or attached to any tree.

Reason: To ensure the protection of the tree(s).

Prior to the issue of an Occupation Certificate/Subdivision Certificate

14. Prior to the issue of an occupation certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and

City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report have been completed:

- (a) Acoustic Report No. (S16749RP2), dated (21 December 2017), prepared by (Resonate Acoustics).

Reason: To demonstrate compliance with submitted reports.

15. An Acoustic Report, prepared by a suitably qualified persons(s) is to be submitted to the City of Parramatta Council within 3 months of issuing an occupational certificate (interim or final), assessing the noise impacts due to the extension of operation hours.

Reason: To demonstrate compliance with submitted reports.

16. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 109H of the Environmental Planning and Assessment Act 1979.

Reason: To comply with legislative requirements of the Environmental Planning and Assessment Act 1979.

The Use of the Site

17. The days and hours of operation are restricted to the following for the 12-month trial period:

Use	Day	Time
Bowling Greens	Every day (Mon-Sun)	10:00am – 10:00pm
Outdoor Deck	Sunday – Wednesday	10:00am – 11:30pm
	Thursday – Saturday	10:00am – 1:00am
Outdoor Gaming	Sunday – Wednesday	10:00am – 12:00am
	Thursday – Saturday	10:00am – 1:30am
Function Terrace	Sunday – Wednesday	10:00am – 11:00pm
	Thursday – Saturday	10:00am – 12:00am
Live Music	Every day (Mon-Sun)	10:00am – 11:30pm
Car Park	Sunday – Wednesday	10:00am – 12:00am
	Thursday – Saturday	10:00am – 1:30am

The days and hours of operation are restricted following the 12-month trial period to:

Use	Day	Time
Bowling Greens	Every day (Mon-Sun)	10:00am – 10:00pm
Outdoor Deck	Every day (Mon-Sun)	10:00am – 11:30pm
Outdoor Gaming	Every day (Mon-Sun)	10:00am – 12:00am
Function Terrace	Sunday – Wednesday	10:00am – 11:00pm
	Thursday – Saturday	10:00am – 12:00am
Live Music	Every day (Mon-Sun)	10:00am – 11:30pm
Car Park	Every day (Mon-Sun)	10:00am – 12:00am

- a) No internal live music to occur after 11:30 pm
- b) No external amplified music within the terrace areas / decks after 12:00 midnight.
- c) Monitor patrons utilising the terraces areas / decks after 12:00 midnight and encourage the minimisation of patron noise.

Reason: To minimise the impact on the amenity of the area.

(Note: These hours of operation are approved for a 12-month period only from the date of the Occupation Certificate for DA/787/2017).

18. The signage and/or lighting associated with this consent are not permitted to be flashing and/or moving.
Reason: To maintain amenity for adjoining properties.
19. All deliveries must take place between the hours of 7:00am and 10:00pm, Monday to Friday. No deliveries are to take place on weekends and public holidays.
Reason: To protect the amenity of the neighbourhood.
20. All loading and unloading must:
 - (a) take place within the designated loading areas on the subject property, or
 - (b) take place within the approved loading dock to minimise disruption of public spaces, and
 - (c) is to be carried out wholly within the site**Reason:** To protect the amenity of the neighbourhood.
21. No goods are to be stored/displayed outside the walls of the building.
Reason: To ensure visual amenity.
22. The proprietors of the venue shall be responsible at all times for the orderly dispersal of patrons from the venue.
Reason: To protect the amenity of the surrounding neighbourhood.
23. There are to be no external speakers at the premises.
Reason: To prevent loss of amenity to the area.
24. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined by the Protection of the Environment Operations Act 1997.
Reason: To reduce noise levels.
25. Signs must be placed in clearly visible positions within the hotel requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.

The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management/licensee must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management/licensee is to employ private security staff to ensure that this condition is complied with.

Reason: To prevent loss of amenity to the area.

ADVISORY NOTES

The following information is provided for your assistance and this information does not form part of the conditions of development consent pursuant to Section 80A of the EP&A Act 1979.

Other legislative requirements for approvals, licences, permits and authorities may apply including but not limited to relevant provisions of the *Smoke-free Environment Act 2000* and *Smoke-free Environment Regulation 2016* and *Gaming Machines Act 2001*.

Please Note: This consent is subject to trial period for the trading hours. Further information is required at the completion of the trial period as highlighted in this consent.

Date: 23 May 2023
Responsible Officer: Albert Dzang