

**ASSESSMENT REPORT – COMMERCIAL DEVELOPMENT
S79C – Environmental Planning & Assessment Act 1979**

SUMMARY

Application details

DA No:	DA/455/2011
Assessment Officer:	Kate Lafferty
Property:	40-70 Church Street, Parramatta Lot 1 DP734700 & Lot 2 DP734955, Lot 3 DP827013, Lot 1 DP1025899
Proposal:	Demolition and construction of a 4 storey motor showroom over a basement service centre
Cost of works:	\$33,607,046
Date of receipt:	4 July 2011
Applicant:	Manson Group
Owner:	TC Properties Pty Ltd & Parramatta 101 Pty Limited
Submissions received:	No submissions received
Property owned by a Council employee or Councillor:	No
Council application:	No
Issues:	Flooding
Recommendation:	Approval subject to conditions
Determination:	The development will be determined by the Western Sydney Joint Regional Planning Panel as the cost of development exceeded \$10 million at the time of lodgement on 4 July 2011

Legislative Requirements

Zoning:	Business Development B5
Permissible under:	Parramatta City Centre LEP 2007
Relevant legislation/policies:	Urban Renewal SEPP, SEPP Infrastructure, Parramatta City Centre LEP 2007, Parramatta City Centre DCP 2007
Variations:	Nil
Integrated development:	No
Crown development:	No
Designated development:	No

The site

Site Area:	5320m ²
Easements/rights of way:	Drainage easement 1.525 wide through Lot 2 734955. This easement will be relocated to the southern portion of the subject site
Heritage item:	No
In the vicinity of a heritage item:	No
Site History:	Various applications have been received in the past for the automotive use of these sites. None are of particular relevance to this application.

DA history

4 July 2011	DA lodged
12 July 2011	<p>Additional information requested</p> <ul style="list-style-type: none">➤ Building Height (exceedance)➤ Floor Space Ratio (exceedance)➤ Possible Integrated Development➤ Additional Sections➤ Public Alignment Plan Required➤ Internal Layout Plans➤ On-site Detention➤ Details of On-site Manoeuvrability

	<ul style="list-style-type: none"> ➤ Drainage Easements ➤ Arborist Report
13 July 2011 to 3 August 2011	DA notified
21 July 2011	RTA comments received
3 August 2011	Amended plans received – mark-up of areas & sections
4 August 2011	Correspondence from NSW Office of Water
4 August 2012	Additional information submitted – arborist report, swept paths
5 August 2011	Advise applicant of flooding issues
12 August 2011	Additional information submitted – Public Alignment Plan
6 September 2011	Additional information submitted – Revised Flood Impact Study
27 September 2011	Amended plans received – reduction in height
29 September 2011	JRPP Briefing
22 November 2011	Additional information submitted – Revised Flood Impact Study
5 December 2011	Applicant requested to clarify parking/storage areas
13 December 2011	Advise applicant of flooding issues
25 January 2012	Amended architecturals submitted (showing all areas to be used)
9 February 2012	Stormwater concept plan & flooding information submitted
13 February 2012	Additional information submitted <ul style="list-style-type: none"> ➤ additional flooding information ➤ signage details ➤ acid sulphate soils management report
12 March 2012	Additional information submitted <ul style="list-style-type: none"> ➤ additional flooding information

(It should be noted that the above does not list the complete correspondence received and sent by Council officers during the assessment of this application)

SECTION 79C EVALUATION

SITE & SURROUNDS

The subject site is located on the southern periphery of the Parramatta CBD which has traditionally been known as "Auto Alley" due to the proliferation of caryards within this strip.

The site is located on the eastern side of Church Street between Parkes Street and Marion Street, Parramatta. The site has a 94.525m frontage to Church Street, a 92.685m frontage to Anderson Street and a site area of 5320m².

Immediately adjacent to the southern boundary of the site is the Trivett Classic (BMW and Mini) dealership located within a modern showroom (approved by Council in 2003) that extends the full width of the block between Church and Anderson Streets.

To the north of the site is the 2 storey PJ Gallagher's Irish Pub (formerly known as the General Bourke Hotel). Displayed upon the roof of the hotel is a large advertising billboard that faces west towards oncoming vehicle traffic. At the rear of the hotel is a small paved carpark with a stand of large trees near the corner of Anderson Street and Parkes Street.

Opposite the subject site on the western side of Church Street is a Holden car dealership for both new and used vehicles that occupies several allotments located between the Great Western Highway and Lansdowne Street.

Behind the subject site on the eastern side of Anderson Street there is a 7-storey hotel (Clarion Hotel) and a multi-level carparking structure spanning the drainage culvert containing Clay Cliff Creek. There is also a 3-storey car service facility for Trivett BMW at the southern end of Anderson Street.



View of the subject site from Church Street



View of the subject site from Anderson Street

BACKGROUND

A prelodgement meeting for this proposal was held on 28 April 2011 (PL/29/2011). The applicant was informed of key issues that would be considered in the assessment of the development application, including flooding, compliance with the LEP 2007 height and FSR controls, parking and the relationship of the building to the public domain.

THE PROPOSAL

The proposed development involves the construction of a new motor showroom over 4 levels, including showroom floor for display of new vehicles, a vehicle service centre, used car showroom and ancillary office space.

The facility accommodates the Trivett Group dealership comprising Porsche, Volvo, Jaguar, Land Rover/Range Rover, Peugeot and Honda within the one building. The building will have frontage to both Church Street and to Anderson Street with the principal point of vehicle access being confined to Anderson Street. Limited vehicle access solely for car delivery trucks will be available from Church Street.

The vehicle service facility is located within the 2 basement levels of the building (RL 4.5m & RL 9.55m). The new car showroom is located on the ground floor (RL 12.6m). Used car sales will be carried out from the first floor (RL 16.6m) and the second floor (RL20.1m) will comprise customer parking and ancillary office space. The roof of the building (RL23.1m) is to be provided as a parking level solely for car storage. The building will present as a 3 storey building to the street.

The hours of operation of the facility being sought are:

- Motor Showroom 8.30am to 6pm Monday to Friday
 8am to 6pm Saturday
 9am to 5.30pm Sunday
- Vehicle Service Area: 7am to 6pm Monday to Saturday.

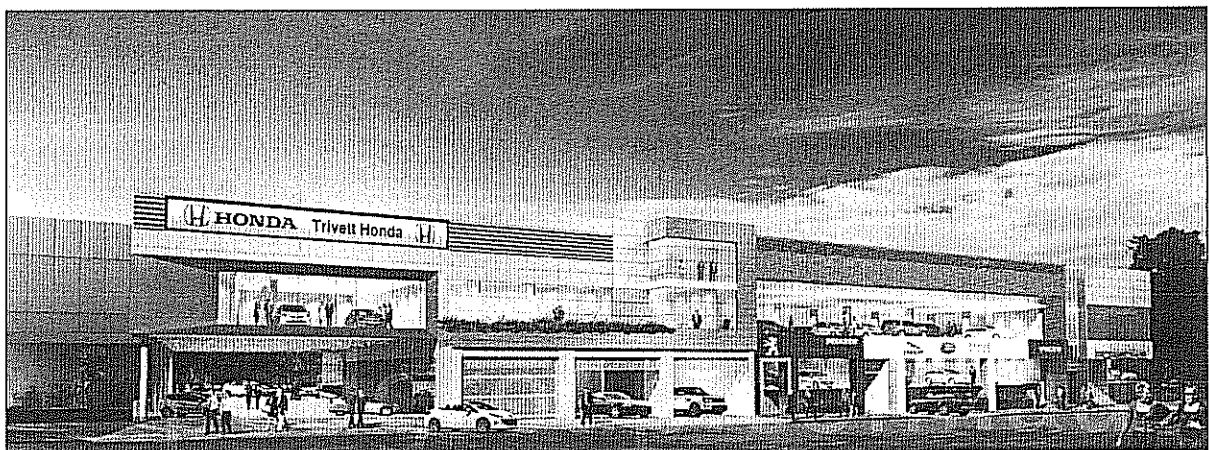
The maximum staff and patrons at any one time are:

- Staff 120 persons
- Patrons 30 persons

There are no significant trees located on site.



Photomontage of proposed development – Church Street elevation



Photomontage of proposed development – Anderson Street elevation

PERMISSIBILITY

The site is zoned Business Development B5 under the provisions of Parramatta City Centre LEP 2007. The proposed development is defined as follows:

vehicle repair station means a building or place used for the purpose of carrying out repairs or the selling of, and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop

vehicle showroom means a building or place used for the display or sale of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

The proposal satisfies the definition of a “vehicle repair station” and “vehicle showroom” and is permissible under the B5 Business Development zoning applying to the land.

EXTERNAL REFERRALS

Roads & Maritime Services (formerly the Roads & Traffic Authority of NSW)

The application was referred to the RTA for comment in accordance with Clause 104 and Schedule 3 of the SEPP (Infrastructure) 2007.

The RTA responded via correspondence dated 20 July 2011 which raised no objection to the proposed development. The correspondence states that the RTA has reviewed the development application and notes that modifications to existing vehicular crossings along Church Street, which is a classified road, are proposed as part of this development application. Council requires RTA concurrence under Section 138(2) of the Roads Act for the proposed modifications to the vehicular crossings along Church Street. The correspondence states that the RTA would grant its concurrence to the proposed vehicular crossings on Church Street under Section 138(2) of the Roads Act subject to Council's approval of the development application and the incorporation of certain requirements being within the development consent. These conditions are discussed below:

1. *The design and construction of the widened exit gutter crossing on Church Street shall be in accordance with RTA requirements. Details of these requirements should be obtained from the RTA's Project Services Manager, Traffic Projects Section, Parramatta (Ph: 8849 2114 or Fax: 8849 2766).*

Any redundant driveways on Church Street shall be removed and replaced with kerb and gutter to match the existing.

Detailed design plans of the proposed gutter crossing are to be submitted to the RTA for approval prior to the commencement of any roadworks.

It should be noted that a plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant - release of the approved road design plans by the RTA.

The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

Planning Comment: This matter has been incorporated as a condition of consent in the Recommendation section of the report.

2. *The developer is to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to the RTA for assessment. The developer is to meet the full cost of the assessment by the RTA.*

This report would need to address the following key issues:

- a) *The impact of excavation/rock anchors on the stability of Church Street and detailing how the carriageway would be monitored for settlement.*
- b) *The impact of the excavation on the structural stability of Church Street.*
- c) *Any other issues that may need to be addressed. (Contact: RTA's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766).*

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owners of the roadway are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

Planning Comment: This matter has been incorporated as a condition of consent in the Recommendation section of the report.

- 3. *All vehicles are to enter and leave the site in a forward direction.*

Planning Comment: This matter has been incorporated as a condition of consent in the Recommendation section of the report.

- 4. *The loading and unloading of vehicles is to be carried out within the site. No loading or unloading of vehicles is to be carried out on Church Street or the adjoining local road network.*

Planning Comment: This matter has been incorporated as a condition of consent in the Recommendation section of the report.

- 5. *The required sight lines to pedestrians or other vehicles in or around the entrance and car park are not to be compromised by landscaping or other vegetation.*

Planning Comment: This matter has been specifically raised by Council's Traffic and Transportation Investigations Engineer and has been incorporated as a condition of consent in the Recommendation section of the report.

- 6. *[sic] – numbering error.*

- 7. *Council should ensure that the post development storm water discharge from the subject site into the RTA drainage system does not exceed the pre-development discharge.*

Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RTA for approval, prior to the commencement of any works.

*Details should be forwarded to:
The Sydney Asset Management
Roads and Traffic Authority
PO Box 973 Parramatta CBD 2124.*

A plan checking fee will be payable and a performance bond may be required before the RTA's approval is issued. With regard to the Civil Works requirement please contact the RTA's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

Planning Comment: This matter has been considered and satisfied within the assessment of the application. Council's Development Engineer has reviewed the application and is satisfied that all stormwater will be collected by an on site detention system and discharged to a Council stormwater system. Notwithstanding this, as there are proposed changes to the drainage system on Church Street, the condition has been incorporated within the Recommendation section of this report.

8. *The existing parking restrictions are to be maintained across the full Church Street frontage of the subject site.*

Planning Comment: This matter has been incorporated as a condition of consent in the Recommendation section of the report.

9. *All works/regulatory sign posting associated with the proposed development are to be at no cost to the RTA.*

Planning Comment: This matter has been incorporated as a condition of consent in the Recommendation section of the report.

Many of the matters raised by the RTA are in respect to the proposed driveway, which is a matter to be considered under Section 138 of the Roads Act when a new driveway application is applied for. This typically occurs at the post development consent stage. Notwithstanding this, it should be noted that the RTA have raised matters that are relevant to both the development application and the driveway approval, and as such they have been incorporated within the assessment and Recommendation section of this report.

The RTA correspondence also provides advisory comments to Council for its consideration in the determination of the development application. These matters are listed below.

10. *The swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to*

Council for approval, which shows that the proposed development complies with this requirement.

Planning Comment: This matter has been considered and satisfied within the assessment of the application. Council's Traffic and Transportation Engineer has reviewed the application and is satisfied that adequate manoeuvrability is provided on site.

11. *The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004 (Parking Facilities, Part 1: Off-street car parking) and AS 2890.2 - 2002 (Parking Facilities, Part 2: Off-street commercial vehicle facilities).*

It is noted that the proposal does not provide a separator or median on circular ramp as per the requirements of AS 2890.1.

Planning Comment: This matter has been considered and satisfied within the assessment of the application. Council's Traffic and Transportation Engineer has recommended the imposition of a condition of consent to ensure this compliance.

12. *All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site from Church Street before stopping. A construction zone will not be permitted on Church Street.*

Planning Comment: This matter has been incorporated as a condition of consent in the Recommendation section of the report.

13. *A Road Occupancy Licence should be obtained from the RTA for any works that may impact on traffic flows on Church Street during construction activities.*

Planning Comment: This matter has been incorporated as a condition of consent in the Recommendation section of the report.

14. *A Demolition Traffic Management Plan detailing demolition vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the determination of the application.*

15. *A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of any Construction Certificate by the Principal Certifying Authority.*

Planning Comment:

The above matters have been incorporated as a condition of consent in the Recommendation section of the report. This is typically a standard condition of consent to be satisfied before the issue of a Construction Certificate.

INTERNAL REFERRALS

Heritage Advisor

The application was referred to Council's Heritage Advisor who reports as follows:

The site is not heritage listed, nor in any conservation area. The adjoining pub building on the corner of Church and Parkes Streets is of some heritage interest, but not a listed item either. The site has moderate archaeological potential, and any items potentially encountered are not likely to exceed local level of significance. The buildings to be demolished are not of heritage interest, and the nearest heritage item is about 100m away, in Marion Street.

I therefore have no objection to the proposal from the heritage perspective.

Traffic & Transport Investigations Engineer

The application was referred to Council's Traffic & Transport Investigations Engineer who reports as follows:

I refer to the above proposal and wish to advise of the following comments:

Existing Development

1. *The site currently contains 4 separate buildings (attached and freestanding) occupied by Trivett car dealership accommodating display areas, carparking and car storage for Volvo, Peugeot, Jaguar/Land Rover, Porsche and Honda. The existing site has vehicles access driveways off Church Street and Anderson Street, Parramatta.*

Proposed Development

2. *The proposed development seeks approval for the demolition and construction of a four storey motor showroom over a basement service centre with a roof top carpark.*
3. *The details of the proposed development as indicated in the submitted Traffic and Parking Report are summarised as follows:*
 - *ground floor - showrooms and offices, guest lounges etc = 3,520m² GFA*
 - *first floor - new and used car showrooms = 3,440m² and offices 385m²*
 - *second floor – staff parking and storage = 500m² GFA*
 - *roof top floor carparking and storage*

- basement 1 – reception, offices, drop-off/pick-up and customer parking = 575m² GFA (as stated on the plan)
- basement 2 – servicing area = 57 hoists (with ability to increase to a maximum of 75 hoists) - 2,370m² GFA (as stated on the plan)

Parking Requirements

4. Council's City Centre LEP 2007 does not specify parking rates for a motor showroom. However, the parking rates for this type of development in accordance with the RTA Guide to Traffic Generating Developments indicate "0.75 spaces per 100m² of site. Where vehicle servicing facilities are provided, additional off-street parking must be provided. As a guide, 6 spaces per work are suggested". Accordingly, based on the above gross floor area, the proposed development should provide a maximum of 405 parking spaces on-site.

Traffic Generation

5. The traffic generation data as indicated in the Traffic Report is noted.

Parking Provision and Layout

6. The proposed development provides the following:
 - 79 parking spaces – basement level 1 for customer vehicles with tandem spaces subject to 'valet' parking
 - 140 parking spaces – level 2 for staff, customers and storage
 - 157 parking spaces – roof level for car storage

Total = 376 parking spaces (including 2 disabled parking spaces)
7. The layout of the parking spaces is considered acceptable although the majority of the spaces are in tandem layout particularly on level 2. The last parking space on level 2 parking area located on the north-western most end should be deleted due to poor accessibility. Also on the level 2 parking area, turning and manoeuvring into the last 2 tandem parking spaces on the southern end (middle row) is difficult. On the roof level parking area, turning and manoeuvring into the last 2 tandem parking spaces located on the north-western most end is difficult. Note that the applicant has been required to submit a detailed plan showing the turning path of vehicles within the carparking area (Council's letter dated 12 July 2011, TRIM Doc D02021744).
8. Accordingly the number of parking spaces provided on site complies with the maximum parking requirements in accordance with Parramatta City Centre LEP 2007 (Amendment 4).

Access Arrangement

9. The proposed development provides 3 combined entry and exit driveways in Anderson Street, an entry driveway for car transporter trucks via Anderson Street and exit driveway off Church Street:

- *the northern and central northern driveways will be used for access to the showrooms*
- *the central southern driveway will be used as entry and exit access to the basement level 1*
- *the southern driveway will be used as entry only access for car transporter trucks*
- *the driveway off Church Street will be used as exit only for car transporter trucks.*

10. *The driveway gradients to the basement level comply with AS 2890.1-2004.*

Conclusion

Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on Anderson Street and Church Street and the surrounding road network. The proposal can be supported on traffic and parking grounds provided that the last parking space on the level 2 parking area located on the north-western most end be deleted due to poor accessibility and subject to the following traffic related conditions.

Planning Comment:

It is noted that the parking rates and provision of parking within the referral comments have been incorrectly calculated. The rates have been calculated based upon the provision of 57 hoists. The applicant has confirmed that there are only 33 hoists, which changes the car parking demand for the proposed development. It is also noted that the referral comments have considered the warehousing of vehicles as representing car parking spaces. The storage of vehicles is a warehousing usage component of the proposed development, and should not constitute car parking.

Amended plans were also submitted that re-arranged the parking and storage areas. The amended plans also deleted car spaces that were inaccessible.

In consideration of the above comments, and based upon the amended plans, the rates and provision of car parking is calculated as follows:

RTA Guide to Traffic Generating Developments

0.75 spaces per 100m² of site = 40 spaces

6 spaces per workbay = 198 spaces (based on 33 hoists)

Total Required = 238 spaces (maximum)

Proposed = 208 spaces

This complies with the maximum provisions of LEP 2007. The car parking provided is considered satisfactory and although a further 30 spaces could be provided under the planning controls, the development adequately provides

for the needs of the future staff and visitors to the site. The site is located where it has excellent access to public transport. The shortfall in parking provision is similar to that supported by Council's Traffic Engineer.

Notwithstanding the above comments, the recommended conditions of Council's Traffic & Transport Investigations Engineer are generally incorporated within the Recommendation section of this report.

Tree Management & Landscape Officer

The application was referred to Council's Tree Management & Landscape Officer who reports as follows:

Issues

Impact on Site Trees

Nil

Impact on adjoining trees

*Four (4) trees will be affected by the development proposal. Refer to Arboricultural Impact Assessment Report & Tree Protection Specification by Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011 for descriptions and locations. One (1) Cinnamomum camphora (Camphor Laurel) tree is proposed to be removed due to the poor structural condition of the tree. There is no objection to the removal of the tree, however agreement with the adjoining property owner for the removal of the tree is required **prior** to the determination of the development.*

Landscape

The Landscape Plan by Outdoor Interests Pty Ltd (Drawing No – L01/Issue 'B') dated 25 May 2011 submitted to Council has been completed in accordance with Council's relevant DCP and shall be incorporated into the development consent.

Earthworks (cut and fill)

Nil

Retaining Walls

Nil

DISCUSSION

Nil

REASONS SUPPORTED

To allow Demolition and construction of a four storey motor showroom over a basement service centre with a roof top car park. The application will be determined by the Western Sydney Joint Regional Planning Panel.

CONCLUSION

*The proposal does satisfy the requirements of Council's controls and can be supported – **subject to tree owner's agreement.***

Planning Comment:

The referral comments make reference to 4 trees that will be affected by the proposed development. All of these trees are located on the adjoining property at 74 Church Street. The arborist report submitted recommends that the Camphor Laurel be removed due to poor health and the 2 x Casurinas and 1 x Jacaranda be retained. Although these trees are located near the proposed excavation works, the arborist report suggests that there will be little impact upon the root system given the presence of existing structures on the development site.

The applicant submitted a tree permit for the removal of the Camphor Laurel tree at 74 Church Street (TA/152/2012) This permit was reviewed and approved by Council on 20 March 2012. A condition requiring the removal of this tree before the issue of a Construction Certificate is contained within the Recommendation section of this report.

The recommended conditions of Council's Tree Management & Landscape Officer are incorporated within the Recommendation section of this report.

Environmental Health Officer

The application was referred to Council's Environmental Health Officer to review the Phase 2 Contamination Assessment submitted with the application. Council's Environmental Health Officer raises no concerns with the proposed development subject to the imposition of appropriate conditions.

Planning Comment:

The recommended conditions of Council's Environmental Health Officer are incorporated within the Recommendation section of this report.

Development & Certification Officer

The application was referred to Council's Development & Certification Officer to review the BCA report submitted with the application. Council's Development & Certification Officer reports as follows:

A review has been undertaken on the BCA assessment report accompanying the application for the construction of a new vehicle showroom and associated facilities. The report has been prepared by Mr James Dominguez of Exova Warringtonfire Aus Pty Ltd with the report numbered 2472200 - RPT01-3 dated 16 May 2011.

This report has undertaken an assessment of the proposal in accordance with the requirements of the Deemed to Satisfy provisions of the BCA.

It is acknowledged in this report the applicants are seeking considerable concessions with respect to the deemed to satisfy provisions, which will require the engagement of an appropriately qualified Fire Engineer who will need to liaise with the NSW Fire Brigades with respect to some of the variations.

I am a little concerned with the assessment not taking into consideration the use of the roof as part of the development.

Confirmation of the use of this area should be sourced so it is clear of the nature of the use of the roof. At this stage it is considered the useable roof should be considered as part of the BCA assessment given it is an area where egress will be required and should also form part of the alternate solution assessment.

It is further acknowledged if a Fire Engineer and or the NSW Fire Brigades are unable to support alternate solution it is considered the development in its current form would be unable to be constructed, therefore a Section 96 application or alternative a new DA maybe necessary.

The report is considered comprehensive with regard to the development, it is acknowledged the detailed design specifications have not been prepared/submitted therefore Council is unable to review the nature of the plant required to service the development, namely sprinkler boosters, hydrant boosters, substations etc which will more than not form part of an elevation of the development, and cannot aesthetically be assessed at DA stage.

I think it is worthwhile to bring to the applicants attention if a fire engineer/ NSW Fire Brigades is unable to support the development significant design changes will be necessary which will necessitate changes to the approved plan should Council support this Development Application.

In addition the following conditions are recommended:

- *The standard condition for compliance with the BCA.*
- *The Level 1 fire safety requirements prior to the issue of an Occupation Certificate.*
- *The BCA report should be listed as a document relied upon in order to determine the application.*

Planning Comment:

The above issues were discussed with the applicant who advised that these matters would be considered at the Construction Certificate stage. The recommended conditions of Council's Development & Certification Officer are incorporated within the Recommendation section of this report.

Development Engineer

The application was referred to Council's Development Engineer who reports as follows:

Flood Prone: Yes

Grey Area: N/A

Stormwater Disposal:

The site survey plan indicates that the site slopes towards the eastern direction with the natural depression (gully) at the middle across the site (from Church Street to Anderson Street). The ground levels along the depression at the middle of the site vary from RL12.4mAHD at the middle along the eastern boundary (facing Anderson Street) to approx. RL12.2mAHD at around the both corners (north western and south western corner) along Church Street.

As the development consist of construction of commercial building to be used as car show room, On-Site stormwater detention (OSD) system is required as part of the site stormwater management plan. The site falls under the catchment of Clay Cliff Creek. The On site detention requirements:

- i) based on the 3rd edition of UPRCT's handbook are the Site Storage Requirement (SSR) of 215m³/ha and Permissible Site discharge (PSD) of 235l/s/ha and/ or*
- ii) based on the 4th edition of Upper Parramatta River Catchment Trust's (UPRCT's) handbook as adopted by the applicant, the Site Reference Discharge (Lower Storage), SRD_L of 40 l/s/ha with Site Storage Requirement (Lower Storage) SSR_L of 246 m³/ha and Site Reference Discharge (Upper Storage), SRD_U of 150 l/s/ha with Site Storage Requirement (Total) SSR_T of 396m³/ha for undrowned orifice condition.*

The proposed stormwater management plan consists of two On-Site Detention (OSD) systems, one on the roof top with the storage on the roof top (Level 3) car park covering the whole roof area and another one on the second floor (Level 2) car park covering the open space (exposed area) of the car park and storage on car park. The outflow from the OSD system is proposed to be discharged into 200KL rainwater tank at the ground floor which will overflow into the proposed new drainage system (box culvert) along the southern property boundary.

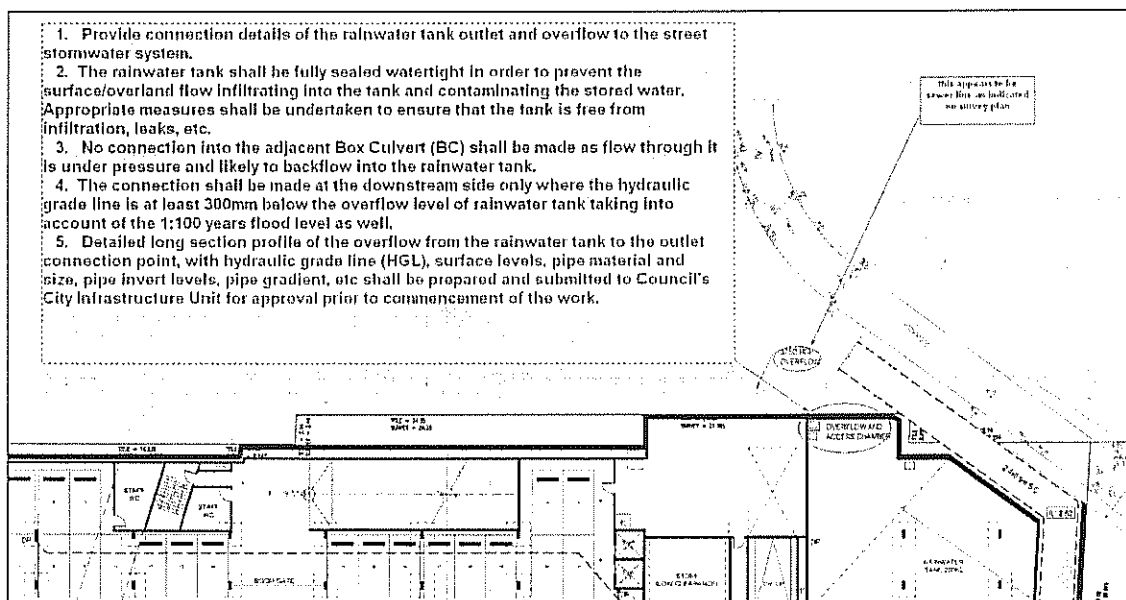
The stormwater plan/proposal was assessed for its acceptability by Council. The stormwater proposal had a few issues which were communicated to the applicant. Following this, an amended stormwater plan was submitted. However, the amended plan still has a few issues. The relevant issues are marked on the stormwater plan together with comments, notes and rectification requirements which need to be addressed. In general the OSD proposal appears to be satisfactory with minor issues which are marked on the plan with the rectification requirements.

One of the main issues of the proposal is the location of the rainwater tank which is under the overland flow path. The connection from the rainwater tank to the

street stormwater system is of major concern as the tank is located under the overland flow path and hence the overflow level of the rainwater tank is well below the 1:100 year flood level. Further, the adjacent proposed box culvert will have flow under pressure. Any connection to the box culvert will only result in backflow for street water into the rainwater tank contaminating the stored water. The tank also needs to be sealed watertight to prevent any infiltration of overland runoff which flows over the tank. The overflow discharge point downstream should be only at a location where the hydraulic grade line is at least 300mm below the overflow level of rainwater tank taking into account of the 1:100 years flood level as well.

A detailed long section profile of the overflow from the rainwater tank to the outlet connection point, with hydraulic grade line (HGL), surface levels, pipe material and size, pipe invert levels, pipe gradient, etc shall be prepared with the supporting documents (calculation and/or model used etc.) and submitted to Council's City Infrastructure Unit for approval prior to commencement of the work.

In relation to flood related issues please refer to comments from the Council's City Infrastructure Unit - Catchment Management.



Access to & from the Development site (including Basement car parking/access/driveway gradients/vehicle manoeuvring etc.)

The comments and recommendations for manoeuvring and traffic related issues are provided by the Traffic & Transport section.

Earthworks (cut and fill)

Excavation work for basements is required.

Retaining Walls: Around the basement

Easements: Existing drainage easement through the middle of the property. The applicant wants to relocate the easement

CONCLUSION

The stormwater plan has issues and is not acceptable as such. However, if the plans are rectified addressing all the issues and incorporating all the notes, comments and rectification recruitments as marked on the plans, and then the rectified plans, then the plans can be made acceptable in terms of OSD proposal. If this DA proposal is to be approved the following conditions should be imposed:

- i) rectification of the stormwater plan, incorporating all issues, notes and comments marked on the approved revised stormwater plan prior to lodgement of application for the Construction Certificate, and*
- ii) imposition of the conditions listed below:*

Further, in relation to i) access and vehicle manoeuvring related issues please refer to comments from the Traffic and Transport Section and ii) flood related issue please refer to comments from the council's City Infrastructure Unit - Catchment Management.

Planning Comment: The recommended conditions of Council's Development Engineer are incorporated within the Recommendation section of this report.

Catchment Management

The application was referred to Council's Catchment Management Unit as the site is affected by the 1:20 year, 1:100 year and Probable Maximum Flood (PMF). Council's Catchment Management Unit are satisfied that the proposed development will achieve the design requirements for the 1:20 year, 1:100 year and probable maximum flood events. Concerns are still raised with respect to the detailed provisions of the final stormwater and roadwork plans, and as such, conditions requiring the submission of further details to Council's satisfaction have been incorporated within the Recommendation section of this report.

Urban Design

The application was referred to Council's Urban Design Team who report as follows:

COMMENT

I have visited the site, viewed the plans in TRIM, and make the following comments.

Auto Alley, in the south of Parramatta City has a long history of car yards. Whilst these previously were open yards with small buildings, there is a gradual move now to build larger multi storey showrooms, in big box buildings, such as the Audi show room across the road. The same progression of building forms for these uses has already occurred in similar city fringe locations in William Street and Alexandria in Sydney City.

Auto Alley is a special area in the 2007 DCP.

There are no specific street frontage heights, street alignments or restrictions on vehicular entries for this site. Awnings are not required. Active Street frontages are required along Anderson Street.

The proposal does not currently meet the height and FSR under the LEP, but I understand that the applicant has undertaken to review these to ensure they comply.

Generally this proposal will be welcomed in this part of Parramatta. It continues the existing car show room uses in a building type that will provide much better street definition to the 2 main streets it addresses. It will significantly upgrade the appearance of the area. It also consolidates a number of uses onto a single site, and will improve employment and activity in the area.

From an urban design perspective the building is not ideal in that it has a consistent floor height along its full length and across the site which slopes both north to south and east to west. This results in some entrances being nearly 2m above footpath level in Anderson Street which is not ideal and doesn't follow the DCP requirements for active frontages that encourage ground floors to be the same height as the footpath level. These height differences are exacerbated by the requirement for ground floors to be 500mm above the 1 in 100 flood heights. (e.g. if the floor was level with Church then it would be about 800mm lower at Anderson Street, but it has been raised to the freeboard level).

Another issue is that of the length of the block. This part of Church Street is heavily trafficked, and not currently that desirable to pedestrians as there is no fine grain uses or buildings. However Anderson Street is very quiet and close to both Jubilee Park and the southern Station entrance. It would be ideal if a through site link from Church to Anderson could be incorporated into the scheme. Ideally this would align with streets across the road in Church, but even if public pedestrian access was allowed along the very generous drive/flood way in the Honda part of the scheme it would assist with pedestrian connectivity in this area. The photomontage suggests this might already be envisaged but it is not noted on the plans.

It is suggested that the building incorporates some kind of small café at street level. This would increase amenity for customers and the staff, especially on weekends. It would also help to enliven the area and would ideally be located with the pedestrian through site link.

The architecture of the building is a big shed, clad in natural and coloured aluminium panels. Glazing and entrances all have a giant order to them as the main focus is displaying cars to passing traffic and for brand recognition. The proposed edge of the parapet aligns with the corner pub and the 3 storey height is in keeping with the general scale of the vicinity.

The north elevation will be quite prominent as it is adjacent to the at grade car park. From Church Street there will be good visibility into and out of the building. The ground floor is maximum 1m above street level providing good passive surveillance and active frontages.

Along Anderson Street, it is less ideal as there are more blank walls/garage door entrances and the raised ground floor necessitates the pedestrian entrances to be deeply recessed.

RECOMMENDATION

Overall the proposal is recommended. It would be good if public pedestrian access could be formalised along the drive/floodway. A café would benefit the vicinity but is not mandatory.

A spilt in the floor levels allowing the street entrances facing Anderson Street to be closer to ground level would be preferred, but is unlikely to be acceptable to the client for internal planning reasons and should not be used to refuse the scheme.

Public domain works will be required as will street trees to both footpaths

Planning Comment: The proposed development does not incorporate a pedestrian site through link. Although a wide unobstructed area along the southern boundary is provided (for overland flow), this area is to remain privately used and security measures to control access to this area are currently being investigated by the applicant. It should be noted that the site has not been identified within the Parramatta Lanes Strategy as requiring a through site link.

As the proposed development has been custom designed to meet manufacturer's requirements for the display of vehicles, a café cannot be easily incorporated within the design.

A condition requiring the submission of a Public Domain Plan is incorporated within the Recommendation section of this report.

Civil Assets

The application was referred to Council's Civil Assets Unit who considered the Alignment Plan submitted with the application and comment as follows:

As it is presented, I am unable to sign-off on the Alignment Plan for the following reasons:

- *The levels shown on the drawings have potential to change when a fully detailed drainage design is submitted. On this basis the levels provided are incomplete.*
- *The crossfall on the footpath must satisfy the requirements of the Disability Discrimination Act 1992.*
- *Council's Public Domain Guide requires a cross fall of 2.5% from property boundary to top of kerb.*
- *The top of kerb levels will be determined by the detailed drainage design, therefore a new alignment plan will need to be submitted once those levels are known.*
- *A fully detailed Public Domain Plan must be submitted to Council's Civil Infrastructure team for approval prior to issue of a CC. This plan must comply with Council's Public Domain Guide.*

As it stands, Drawing No. 09115-CPO1 as shown in Document # D02062428, does not comply with Council's Public Domain Guide as there are a number of cross sections that exceed 2.5% cross fall.

We will need the applicant to resubmit when they have the drainage design finalised to ensure compliance with the required footpath levels.

Planning Comment: Given that changes may be made to the kerb or footpath levels as a result of the drainage design on Council land, a condition requiring the submission of a revised Public Alignment Plan in accordance with Council's Public Domain Guide is incorporated within the Recommendation section of this report.

PUBLIC CONSULTATION

In accordance with Council's Notification DCP, the proposal was advertised with owners and occupiers of surrounding properties given notice of the application for a 21 day period between 13 July 2011 to 3 August 2011. In response, no submissions were received.

Amended Plans Yes

Summary of amendments

The plans were amended to reduce the height at the rear along the Anderson Street elevation. The plans were also amended to re-arrange the parking and storage on site. The amendments were of a minor nature only and did not result in any significant changes to the external appearance.

Amended Plans re-advertised or re notified No

Reason amendments not renotified

In accordance with clause M entitled "*Notifications of Amended Development Applications Where The Development Is Substantially Unchanged*" of Council's Notification Development Control Plan the application did not require re-notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.

ENVIRONMENTAL PLANNING INSTRUMENTS

WATER MANAGEMENT ACT 2000

The site involves construction works within 40m of Clay Cliff Creek, which is a tributary of the Parramatta River. The creek is contained within a stormwater culvert (2.1m wide) that passes underneath the SE corner of the site and then underneath Anderson Street before emerging on the eastern side of Anderson Street as an open channel (4.5m wide) for a distance of about 10m before re-entering an enclosed culvert (2.1m wide) under a carpark and re-emerging as a open channel through Jubilee Park.

Council officers contacted the NSW Office of Water to determine whether the application is integrated development as a controlled activity approval under the Water Management Act 2000 may be required due to works being located on waterfront land. The NSW Office of Water provided comments vide correspondence dated 4 August 2011 which advises that the application is not Integrated Development as the works are within 40m of a piped channel. Development within the vicinity of a piped channel is listed as an exemption under the Water Management (General) Regulations 2011.

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

The provisions of SEPP No. 55 have been considered in the assessment of the development application. The site is not identified in Council's records as being contaminated. Further, the site does not have a history of a previous land use that may have caused any significant contamination however the site has been used to store motor vehicles for a number of years. There is no specific evidence that indicates that the site is contaminated.

A Phase 2 Contamination Assessment prepared by Aargus was submitted with the application. This assessment identifies the following:

- According to the site history, the site has been predominantly used for commercial (motor garage proprietors, engineering & car yard dealership) purposes. These industries may have stored minor amounts of oils, lubricants, paints and other chemicals which would have been used in day-to-day operations.
- The areas of environmental concern were found to be:
 - Whole site due to previous uses
 - Whole site where uncontrolled fill may have been imported to level the site prior to the construction of the buildings and the filling of previous low lying areas
 - Where pesticides were potentially utilised
 - Carpark areas where leaks and spills from cars may have occurred
 - Vicinity of metal features
 - Asbestos / Fibro features within the warehouses.
- Laboratory results for the soil samples analysed were lower than the relevant regulatory guideline criteria adopted, those being HIL "F" and EPA Service Station guidelines.
- Based on the results of the investigation it is considered that the risks to human health and the environment associated with soil contamination at the site are low in the context of the proposed use of the site as commercial and industrial development. The site is therefore considered to be suitable for the proposed use.
- Any soils requiring removal from the site should be classified in accordance with the "Waste Classification Guidelines, Part 1: Classifying Waste" NSWDEC (2009).
- If during any potential site works, significant odours and / or evidence of gross contamination not previously detected are encountered, or any other significant

unexpected occurrence, site works should cease in that area, at least temporarily, and the environmental consultant should be notified immediately to set up a response to this unexpected occurrence.

The application was reviewed by Council's Environmental Health Officer who raised no objection to the proposed development subject to the imposition of appropriate conditions.

Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under SEPP 55.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.

Development with frontage to classified road

Church Street is a Classified Road. Accordingly, Clause 101 of the SEPP applies to the proposed development, requiring the consent authority to ensure that:

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - (i) the design of the vehicular access to the land, or
 - (ii) the emission of smoke or dust from the development, or
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

In response, the following comments are made:

- (a) The primary vehicular access to the site is to be provided off Anderson Street to the rear, which is not a classified road;
- (b) the safety, efficiency and ongoing operation of Church Street will not be adversely affected by the development having regard to the criteria outlined by Clause 101(2)(b);
- (c) The development is for commercial purposes and is not a sensitive land use.

Traffic-generating development

The proposed development is deemed to be traffic generating development under Schedule 3 of the SEPP as it involves a motor showroom with 50 or more vehicles with access to a classified road. The application was referred to the RTA (now the Roads & Maritime Services) who raised no objection to the proposed development and provided their concurrence to the new driveway along Church Street, subject to the imposition of appropriate conditions. This has been discussed in detail within the 'External Referrals' section of this report.

In addition to taking into consideration the comments made by the RTA, Clause 104(3)(b) requires the following matters be taken into consideration before the determination of the application:

- The accessibility of the site concerned, including:
 - the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
 - the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and
- Any potential traffic safety, road congestion or parking implications of the development.

This matter has been considered and satisfied within the assessment of the application. The site is adequately serviced by bus and rail transport options and car parking has been provided at a maximum rate to encourage the use of public transport. Council's Traffic & Transport Investigations Officer has reviewed the application and is satisfied that the traffic safety, traffic generation and parking implications of the development are acceptable.

URBAN RENEWAL STATE ENVIRONMENTAL PLANNING POLICY (SEPP)

On 15 December 2010, the NSW Government published the Urban Renewal State Environmental Planning Policy (SEPP). The Urban Renewal SEPP outlines the necessary criteria and steps for identifying an existing urban precinct as a potential candidate for renewal and revitalisation. The first three precincts identified under the SEPP are Redfern-Waterloo, Granville town centre and the Newcastle CBD.

The key principle of the SEPP is to integrate land use planning with existing or planned infrastructure to create revitalised local communities, greater access to public transport and a broader range of housing and employment options. This is also sometimes referred to as transit oriented development.

The subject site falls under the Granville Potential Precinct Map. In accordance with Clause 10 of the SEPP, the proposed development is consistent with the objective of developing the potential precinct for the purposes of urban renewal as the proposed development is unlikely to restrict or prevent the following:

- (a) development of the potential precinct for higher density housing or commercial or mixed development,
- (b) the future amalgamation of sites for the purpose of any such development within the potential precinct,
- (c) access to, or development of, infrastructure, other facilities and public domain areas associated with existing and future public transport in the potential precinct.

The Auto Alley Urban Design Study Dec 2012

Council's Urban Design Unit, in consultation with Land Use Planning and other City Strategy Units has recently prepared an Urban Design Analysis and potential Options for Land Uses, Built Form and the Public Domain for Auto Alley. This work has coincided with recent interest in the area by the Sydney Metropolitan Development Authority, (SMDA) who engaged the Architects Cox Richardson to

assist with analysis and preparation of options. Officers from Holroyd Council also contributed in part to the project as the southern part of Auto Alley adjoins the Holroyd Local Government Area.

The following Vision has been prepared based on the findings of the Urban Design Analysis:

The vision for Auto Alley is to be a distinctive southern gateway for the Parramatta CBD. It will become a major employment area with improved transport connections and a high quality public domain including a linked network of new public spaces that will mitigate potential flooding and revitalise the area.

Four potential Options were developed for the future of Auto Alley under the Urban Design Analysis. All four options shared the following:

- A Proposed Public Domain Structure Plan. Including new streets and parks. This will help to mitigate flooding and improve amenity, walkability and connectivity and provide more street frontage for the lots and buildings.
- Continuation of a predominantly commercial use for the entire area. The form anticipated includes new large floor plate buildings to support continuation of automotive sales and services and other complimentary businesses. This can provide employment without competing with the commercial towers envisaged for the central CBD.

The Urban Design Unit's preferred option indicates that the subject site will predominantly remain as commercial/business development with a new street and a new park dissecting the site. The height ranges from 34m (8 storeys) to 40m (10 storeys).

A Vision and Draft Structure Plan for Auto Alley for the purposes of public consultation was forwarded to Council for endorsement on 27 February 2012. Council resolved at that meeting to defer the matter for a Councillor workshop. The workshop was held and the matter was forwarded to Council on 26 March 2012. Council at that meeting resolved to endorse the Vision for Auto Alley, and endorse an option retaining the predominant commercial activity along Church Street for the purposes of consultation with landowners and stakeholders. This consultation has not as yet commenced.

STATE ENVIRONMENTAL PLANNING POLICY 64 – ADVERTISING & SIGNAGE

The application proposes the display of the following business identification signage:

Church Street signage

Dealer	Item	Wording	Dimensions
1	Text & Logo	Honda Trivett Honda	20000 (L) x 1200 (H)
2	Text & Logo	Peugeot	6000 (L) x 1300 (H)
3	Text & Logo	Jaguar/Range Rover/ Land Rover	20700 (L) x 2300 (H)
4	Text	Volvo	4200 (L) x 460 (H)
5	Text	Porsche	6000 (L) x 800 (H)

Anderson Street signage

Dealer	Item	Wording	Dimensions
1	Text & Logo	Honda Trivett Honda	12700 (L) x 1200 (H)
2	Text & Logo	Peugeot	6000 (L) x 1300 (H)
3	Text & Logo	Jaguar/Range Rover/ Land Rover	12200 (L) x 1500 (H)
4	Text	Volvo	5900 (L) x 460 (H)
5	Text	Porshe	9000 (L) x 800 (H)

All signs are all flush wall design and internally illuminated. The proposed hours of illumination are between dusk and midnight.

SEPP 64 was gazetted on 16 March 2001 and aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

Clause 8 of SEPP64 states the following:

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

Aims and Objectives

The proposed signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations is of high quality design and finish, and is therefore consistent with the aims and objectives of Clause 3 of SEPP64.

Assessment Criteria

The following table outlines the manner in which the proposed signage satisfies the assessment criteria of SEPP64.

Consideration	Comment
1 Character of the area	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposal is compatible with the existing and desired future character of the area.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is a proliferation of car yard signage within the area in various display formats. The proposal will provide for a more harmonious approach to building signage than what currently exists
2 Special areas	
Does the proposal detract from the amenity or visual quality of any	The subject site is not within an environmentally sensitive area, heritage area,

environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	natural or other conservation area, open space area, waterways, rural landscape or residential area. The site is not in proximity to heritage items.
3 Views and vistas	
Does the proposal obscure or compromise important views?	The signage is located on the front façade of the building. No views will be compromised.
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage is located on the front façade of the building. The proposal does not affect the skyline or vistas.
Does the proposal respect the viewing rights of other advertisers?	The signage is located on the front façade of the building. The proposal does not affect the viewing rights of other advertisers.
4 Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage is appropriately located on the front facade and does not dominate the building or streetscape.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposal contributes to the visual interest of the building and streetscape without competing with the architectural merits of the building design.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	There is a proliferation of car yard signage on the subject site in various display forms (including flush wall, pylon signs, flags etc. The proposal will provide for a more harmonious approach to building signage than what currently exists
Does the proposal screen unsightliness?	There is no unsightliness to screen. The signage is proposed on a new building
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage is located completely within the front façade of the building.
Does the proposal require ongoing vegetation management?	Not applicable – no vegetation affected.
5 Site and building	
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposal is compatible with the proposed building without competing with the architectural merits of the building design.
Does the proposal respect important features of the site or building, or both?	The proposal is compatible with the architectural features of the site.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Satisfactory. Promotes a modern and clean design.
6 Associated devices and logos with advertisements and advertising structures	
Have any safety devices,	The proposal does incorporate logos as part

platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	of the signage.
7 Illumination	
Would illumination result in unacceptable glare?	Illumination of the proposed signage is internal and will not result in glare.
Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposed signage would not affect safety for pedestrians, vehicles or aircraft
Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed illumination will not detract from the amenity of any residence
Can the intensity of the illumination be adjusted, if necessary?	Unknown
Is the illumination subject to a curfew?	The illumination is proposed during dusk until midnight daily. The lighting is not considered offensive or intrusive to any nearby properties. There are no residential properties in the immediate vicinity of the subject site
8 Safety	
Would the proposal reduce the safety for any public road?	The safety for any public road will not be compromised
Would the proposal reduce the safety for pedestrians or bicyclists?	The safety for any pedestrian or bicyclist will not be compromised
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The safety for any pedestrians will not be compromised

STATE ENVIRONMENTAL PLANNING POLICY – BASIX

The application for the commercial development does not require the submission of a BASIX certificate.

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005 (DEEMED SEPP)

The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.

The Sydney Harbour Catchment Planning Principles must be considered and where possible achieved in the carrying out of development within the catchment. The key relevant principles include:

- protect and improve hydrological, ecological and geomorphologic processes;
- consider cumulative impacts of development within the catchment;
- improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
- protect and rehabilitate riparian corridors and remnant vegetation.

The site is within the Sydney Harbour Catchment and eventually drains into the Harbour. However, the site is not located on the foreshore or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained within the deemed SEPP.

PARRAMATTA CITY CENTRE LOCAL ENVIRONMENTAL PLAN 2007

Parramatta City Centre Local Environmental Plan 2007 was gazetted on 21 December 2007. The relevant sections as they relate to the proposed development are addressed as follows:

Aims and Objectives

The proposed development is consistent with the aims and objectives of the B5 Business Development zoning applying to the land. The proposal provides a mix of office, retail and warehouse uses in locations which are close to, and which support the viability of the city centre, provides for automotive businesses, trades and services to reinforce the existing functions of land within the zone, and is arranged and carried out in a way that does not detract from the function of commercial development in the commercial core.

Height of Buildings

Clause 21 restricts the height of the building to a maximum height limit of 12m. The building has a maximum height of 12m on the Church Street frontage and a maximum height of 11m on the Anderson Street frontage, which complies with this requirement.

Architectural Roof Features

Clause 21A allows architectural roof features to extend beyond the height limit prescribed by Clause 21. The architectural roof features do not extend beyond the permissible height limit.

Floor Space Ratio

Clause 22 restricts the floor space ratio on the site to a maximum of 2:1. The proposal has a floor space ratio of 1.96:1 (comprising 10,405m² of floor space), which complies with this requirement.

Minimum Building Street Frontage

Clause 22 requires a minimum street frontage of 20m to at least one street frontage. The subject site has a 94.525m frontage to Church Street and a 92.685m frontage to Anderson Street, which complies with this requirement.

Design Excellence

Clause 22B requires the consent authority to consider whether the proposal exhibits design excellence. In this regard, it is considered that the proposal presents a high standard of design, materials and detailing. The application was reviewed by Council's Urban Design Team who raise no significant issues with the design of the building. The development will improve the streetscape and quality of the public domain with new facade treatment, perimeter paving and landscaping.

Car Parking

Clause 22C restricts the maximum car parking permissible for developments within the City Centre.

The proposed development is to provide a maximum of 238 car parking spaces.

The application proposes 208 car parking spaces. This complies with the maximum provisions of LEP 2007. The car parking provided is considered satisfactory and although a further 30 spaces could be provided under the planning controls, the development adequately provides for the needs of the future occupants and visitors to the site. The site is located where it has excellent access to public transport. The shortfall in parking provision is also supported by Council's Traffic Engineer.

Building Separation

Clause 22D requires the development to have specific building separation to the side and rear boundaries. There are no specific requirements for this site.

Ecologically Sustainable Development

Clause 22E requires the consent authority have regard to the principles of ecologically sustainable development.

An Energy Management Strategy was submitted with the application. This strategy considers a range of sustainability initiatives that will provide overall resource efficiency including energy and water usage combined with a high level of internal comfort and maximised internal environment quality. Such measures include the utilisation of recycled water from car wash bays and low water usage fixtures.

The proposal provides an adequate waste management plan and complies with Council's maximum parking provision to reduce the need for car dependency. The large open floor plate enables future adaptive re-use of the building.

Special Areas

Clause 22G requires the consent authority to have regard to the objectives of the identified Special Areas within the City Centre precinct.

The subject site is located within the Auto Alley Special Area. The proposed use is consistent with the objectives and is compatible with the character and significance of the area. This issue is discussed later in this report under the controls contained within DCP2007.

Exceptions to development standards

Not applicable. The application is not subject to a Clause 24 variation in respect of any development standards.

Outdoor Advertising and Signage

Clause 29A requires the consent authority to be satisfied of certain matters before granting consent to signage. In this regard, the proposed business identification signage on the Church Street and Anderson Street frontages is considered to be compatible with the desired amenity and visual character of the area, provides effective communication in a suitable location, and is of high quality design and finish.

Classified Road

Clause 30 requires the consent authority to consider the impacts of the development on a classified road and whether the traffic noise and emissions will impact upon the sensitive land use. These issues have been discussed in detail within the SEPP (Infrastructure) 2009 section of this report. The proposed development is considered to satisfy this clause.

Development in Proximity to a Rail Corridor

Not applicable – the site is not within proximity to a rail corridor.

Development on Flood Prone Land

Clause 33A requires the consent authority to consider development on flood prone land. The subject site is identified as being affected by the 1:20 year, 1:100 year and probable maximum flood events. The site has both local (i.e. Council) and trunk (i.e. Sydney Water) stormwater assets passing through it and it lies within an overland flowpath of Clay Cliff Creek.

Council's flood inundation and hydraulic hazard maps are based on the Clay Cliff Creek floodplain modelling undertaken as part of the 2005 Lower Parramatta River Floodplain Risk Management Study. The modelling determined the extents of inundation which are along the Clay Cliff Creek flowpath that crosses Church Street and then passes through the site before then crossing Anderson Street. The associated mapping shows that almost all of the site would be inundated in the 100 year flood event and also almost the entire site lies within a High Hydraulic Hazard precinct. This locality also falls within the area which was flood modelled as part of the Clay Cliff Creek Catchment Master Drainage Plan study which was undertaken for Council in 2007.

For the purposes of this assessment, the 2007 model has been used.

The following tables outline the local area flood levels (in m AHD).

TUFLOW Location	CC1334 (in Church St)	CC1333 (in Anderson St)
10 year ARI	12.13	10.58
20 year ARI	12.17	10.65
100 year ARI	12.28	10.73

The proposal incorporates a 15m wide overland flow path to the southern end of the property as well as the relocation of the drainage easement to a box culvert within the overland flow path.

The application was referred to Council's Catchment Management Unit who are satisfied that the proposed development will achieve the design requirements for the 1:20 year, 1:100 year and probable maximum flood events. Concerns are still raised with respect to the detailed provisions of the final stormwater and roadwork plans, and as such, conditions requiring the submission of further details to Council's satisfaction have been incorporated within the Recommendation section of this report.

Acid Sulfate Soils

Clause 33B requires the consent authority ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The site is identified as containing class 4 Acid Sulfate Soil. In accordance with the LEP table, an Acid Sulfate Soils Management plan is required to be prepared (unless a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Guidelines indicates that an acid sulfate soils management plan need not be carried out for the works).

In this regard, the applicant has submitted an Acid Sulfate Soils Management Report and a Proposed Acid Sulphate Management Strategy which outlines the proposed measures to be undertaken for portions of the site likely to contain acid sulphate soils. A condition requiring compliance with the recommendations contained within this report and strategy are incorporated within the Recommendation section of this report.

Preservation of Trees

Clause 34 seeks to preserve the amenity of the area through the preservation of trees and other vegetation. The site does not contain any significant trees or vegetation worthy of retention.

There are 4 trees located on the adjoining property at 74 Church Street that may be affected by the proposed development. The arborist report submitted with the application recommends that the Camphor Laurel be removed due to poor health and the 2 x Casuarinas and 1 x Jacaranda be retained. Although these trees are located near the proposed excavation works, the arborist report suggests that there will be little impact upon the root system given the presence of existing structures on the development site.

The applicant submitted a tree permit for the removal of the Camphor Laurel tree at 74 Church Street (TA/152/2012) This permit was reviewed and approved by Council on 20 March 2012. A condition requiring the removal of this tree before the issue of a Construction Certificate is contained within the Recommendation section of this report.

Heritage Conservation

The subject site is not identified as a heritage item.

There are no heritage items located within close proximity to the subject site.

The subject site is not located within a conservation area.

Archaeological Sites

Clause 35(6) requires the consent authority before granting consent to the carrying out of development on an archaeological site, be satisfied that any necessary excavation permit required by the Heritage Act 1977 has been granted.

The site is listed as being of local significance with little/moderate archaeological research potential. Council's Heritage Advisor has also noted that the site has moderate archaeological potential, and any items potentially encountered are not likely to exceed local level of significance. Notwithstanding this, a condition requiring

exemption be obtained from the Office of Environment & Heritage be obtained before the commencement of works.

Places of Aboriginal Heritage Significance

Clause 35(6) requires the consent authority, before granting consent to the carrying out of development in a place of Aboriginal heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
- (b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 21 days after the notice is sent.

The site is identified as having low sensitivity under the Aboriginal Pleistocene Study.

As the site is only of low sensitivity, local Aboriginal communities were not notified.

Historic View Corridors

Clause 35A requires the consent authority to consider the impact that the development may have on any historic view corridor identified within the LEP2007.

The subject site is not located within an identified historic view corridor.

DEVELOPMENT CONTROL PLANS

Parramatta City Centre Plan Development Control Plan

The relevant sections of Parramatta City Centre DCP 2007 as they relate to the proposed development are addressed as follows:

Building Form

Street Alignment

There are no specific street alignment or street setback requirements for the subject site.

Street Frontage Type

There are no specific street frontage type requirements for the subject site.

Building Separation

There are no specific building separation requirements for the subject site.

Deep Soil, Landscape Design & Planting on Structures

There are no specific street deep soil zone requirements for the proposed development. It is noted that for non-residential development deep soil zones in atria, courtyards and boundary setbacks are encouraged.

The extent of landscaping proposed is considered acceptable for a commercial development within this section of the city. The landscaping provided has been

integrated into the design of the building and provides for suitable amenity for visitors.

Pedestrian Amenity

Permeability

The DCP indicates that no pedestrian link is required to be provided over this site.

Active Street Frontages and Address

The DCP indicates does not require an active street frontage to Church Street, however does require an active street frontage to Anderson Street. The proposed development does not provide an active street frontage at ground level given the elevated floor levels required to satisfy flooding requirements. Anderson Street is also the secondary street to the subject site and is utilised as the main vehicular access to the site, which restricts the activation of this street. Notwithstanding this, the design provides for clear glazing to promote passive surveillance and contribute to street activity.

Front Fences

No front fence is proposed.

Safety and Security

The development is considered acceptable from a CPTED perspective, as the proposed development provides for natural surveillance over the public domain, access control and guardianship of semi public areas.

Awnings

The DCP does not require an awning for development on the subject site. No awnings are proposed.

Building Exteriors

The building contributes positively to the streetscape by providing quality and robust materials and finishes, including aluminium composite panels, spandrel glazing and aluminium louvers. The building provides a richness in detail with differing design elements and use of colours and articulation to complement the existing and future streetscape.

Restrictions on Vehicular Entries

The DCP does not restrict vehicular entries on the subject site.

Advertising and Signage

The proposed signage assists to encourage corporate logos and colours in signs that achieve a high degree of compatibility with the architecture of the building. It is considered that the proposed signage have been designed and located to:

- relate to the use of the building
- be visually interesting and exhibit a high level of design quality
- be integrated and achieve a high degree of compatibility with the architectural design of the supporting building having regard to its composition, fenestration, materials, finishes, and colours, and ensure that architectural features of the building are not obscured

- have regard to the view of the sign and any supporting structure, cabling and conduit from all angles, including visibility from the street level and nearby higher buildings and against the skyline, and
- have only a minimal projection from the building.

Access, Parking & Servicing

Pedestrian Access and Mobility

An Access Report was submitted with the application that details the provision of equitable access. As the building is to be raised above the flood levels, access to the ground floor on both Church Street and Anderson Street is via a low rise lift. The Access Report concludes that all areas can provide equitable access to comply with relevant Australian Standards, BCA and DDA requirements.

The Access Report also states that details of various fixtures and fittings associated with stairs, lifts, accessible toilet installations, door schedule and tactile/Braille signs and the like shall be confirmed at construction certificate stage to reaffirm the accessibility outcomes.

Vehicular Driveways and Manoeuvring Areas

The development provides suitable access into the carparking area, of a suitable width and with sufficient space for vehicles to be able to enter the site appropriately.

Council's Traffic & Transportation Investigation Engineer has reviewed the proposed development and is satisfied with the proposed arrangement for parking, subject to the conditions included in the Recommendation.

On-site Parking

As noted above, the proposal provides sufficient carparking for the proposed development.

Site Facilities and Services

A detailed waste management plan was submitted with the application. The main bin storage area is located within Basement Level 1 with additional storage available within Basement Level 2. All waste (mobile garbage bins and liquid waste) will be transported to the new car delivery area on waste collection days.

Environmental Management

- The proposed materials used within the design will not cause excessive reflectivity.
- The proposal incorporates adequate natural lighting on the ground floor for thermal comfort.
- The proposal displays acceptable initiatives in terms of energy efficiency and water management (for example, toilet cisterns to be rated at least AAA water efficient and have a dual flush cistern and electrical appliances such as dishwashers, refrigerators and freezers will have a minimum Energy Star Rating of 3.5 Stars).
- A satisfactory waste management plan prepared by a specialist waste consultant was submitted with the application.

- An adequate erosion and sediment control plan was submitted with the application.
- The application provides for adequate stormwater management and will not significantly impact upon the flood liability of any nearby properties.

Special Areas

The subject site is located within the Auto Alley Special Area.

Auto Alley the area south of the city has been identified as a long term growth area for the City and it is proposed to retain the automotive uses currently there while providing an opportunity for redevelopment in the long term.

Objective

- To retain the open spatial character, of small scale detached buildings along Church Street south of Parkes Street.

Controls

- Reinforce the small scale built form and varied street set backs along Auto Alley.
- Consider planting trees in the front setback of buildings in the Enterprise Zone to improve the character and southern approaches to Parramatta. Trees are to be selected from the palette specified in "Parramatta Tree Planting Strategy".
- Design signage to suit the street character and enhance the car related vitality of the street.

Planning Comment:

The amalgamation of the various dealerships forming the Trivett Group into a single showroom is supported. The height of the building whilst not small-scale has been made within the framework of the planning controls applying to the site and allow for a significant improvement to the visual character of the location. There are other large 2 storey developments within the area, including the Audi Centre at 49-51 Church Street.

The application was reviewed by Council's Urban Design Unit who raise no significant concerns with the proposed development.

POLICIES

PUBLIC DOMAIN GUIDELINES

The Parramatta Public Domain Guidelines were adopted in August 2011. The objectives for the Parramatta Public Domain Guidelines are to define design principles and provide a standard palette of materials and elements to:

- Establish a clear and consistent public domain image for Parramatta
- Provide clarity in design requirements and construction standards for the public domain
- Facilitate asset management, maintenance and repairs by reducing the number of different elements and requirements

- Uphold required technical, engineering and environmental standards
- Provide equitable access
- Improve the sustainability of Parramatta
- Reinforce the streetscape hierarchy
- Promote pedestrian priority
- Build upon existing public domain treatments and experience.

The Guidelines require the submission of an Alignment Plan at the development stage and the submission of a Public Domain Plan before the construction stage.

Alignment Plan

The application was referred to Council's Civil Assets Unit who considered the Alignment Plan submitted with the application. Concerns were raised that there are a number of cross sections that exceed the 2.5% crossfall permitted on the footpath. Given that changes may be made to the kerb or footpath levels as a result of the drainage design on Council land, a condition requiring the submission of a revised Public Alignment Plan in accordance with Council's Public Domain Guide is incorporated within the Recommendation section of this report.

Public Domain Plan

The applicant has not submitted a Public Domain Plan with the application, however this documentation is typically required post development application stage. A Public Domain Plan is to be submitted to Council before the issue of a Construction Certificate.

Arts Plan

A formal arts plan was not submitted with the application. Notwithstanding this, the application has the ability to incorporate artwork as part of the proposed development. A condition requiring the submission of a Arts Plan is incorporated within the Recommendation section of this report.

PARRAMATTA CITY CENTRE – LANES STRATEGY

The Parramatta City Centre Lanes Strategy does not apply to the proposed development.

S94A DEVELOPMENT CONTRIBUTIONS PLAN – PARRAMATTA CITY CENTRE

When considering the exemptions for the purposes of calculating Section 94A contributions, the total cost results in \$28,712,000. The proposal requires the payment of S94A development contributions (3% levy) based upon the estimated cost of works.

PLANNING AGREEMENTS

The proposed development is not subject to a planning agreement entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

REGULATIONS

There are no specific regulations that apply to the land to which the development application relates.

LIKELY IMPACTS

Urban Design

Details of the architectural design and elements of the proposal, and compliance with Council's City Centre LEP and DCP have been discussed within this report. The proposal generally complies with the requirements of LEP 2007 and DCP2007 and it is considered that the proposal is suitable for the site and does not adversely impact upon the streetscape or public domain. The proposed development achieves the planning objectives of Parramatta City Centre LEP 2007 and achieves compliance with the numeric controls of the DCP.

Heritage Impacts

The subject site is not listed as a heritage item nor is it within the vicinity of a heritage item. The heritage impacts of the proposed development have been discussed within this report.

Landscaping, Tree Removal, Flora and Fauna

There are no significant trees located within the subject site. There are 4 trees located within the adjoining property at 74 Church Street which may be impacted by the proposed development. The arborist report submitted recommends certain tree protection measures be undertaken to protect 3 of these trees, whilst one tree be removed. The applicant has provided an in-principle approval from the owner of the site agreeing to the removal of this tree.

Access, Traffic & Parking

These matters have been discussed in detail within this report.

Disabled Access

The application provides for access and parking provision for people with disabilities. Sanitary facilities have also been provided. Details of compliance with AS1428 will need to be demonstrated prior to the issue of a Construction Certificate.

Utilities/Infrastructure

The proposed use will not adversely impact existing utilities or public infrastructure. Notwithstanding this, conditions will be imposed requiring the developer to consult with utility providers as to the requirements for this development.

Building Code of Australia

All building work associated with the proposal shall be carried out in accordance with the provisions of the Building Code of Australia. A condition will be imposed to ensure such compliance.

Impacts during Construction

Noise and vibration are expected during the construction of the development. A condition of consent restricts the working hours and noise levels during construction works to protect the amenity of the surrounding area, as well as a Traffic & Construction Management Plan.

Security by Design

The proposal does not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur. The retail and commercial components along Church Street and Anderson Street and location of windows facing the street assist in activating the street and providing natural surveillance.

Soil Management

The proposed development is not expected to have an adverse impact in regard to soil erosion or sedimentation subject to standard conditions of consent.

Social & Economic Impact

The proposed development is not expected to have an adverse social or economic impact.

ESD & The Cumulative Impact:

The development satisfactorily responds to ESD principals. The proposal is not expected to have any cumulative impacts. The proposal is not considered to inhibit the ability of future generations to use or further develop the subject site.

Subdivision

The application does not seek approval for subdivision.

SUITABILITY OF THE SITE

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development.

SUBMISSIONS & PUBLIC INTEREST

No submissions were received in response to the notification of the application.

Having regard to the assessment within this report, the proposal is considered to be in the public interest for the following reasons:

- The proposal is in accordance with the type of development envisaged for the site under Parramatta City Centre LEP 2007 and its DCP
- The proposal will contribute to the overall commercial viability of the Parramatta CBD
- The proposal does not result in any unreasonable environmental impacts and provides for a high quality architectural and urban design outcome.

The proposed development is not contrary to the public interest.

Conclusion

After consideration of the development against Section 79C 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.

Recommendation

APPROVAL SUBJECT TO CONDITIONS

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

- (a) That the Western Sydney Joint Regional Planning Panel as the consent authority grant development consent to Development Application No. DA/455/2011 for demolition and construction of a 4 storey motor showroom over a basement service centre on land at 40-72 Church Street, Parramatta for a period of five (5) years from the date on the Notice of Determination subject to the following conditions:

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:

Drawing N ^o	Dated
Cover Sheet Project No. 09102 Drawing DA000 – Issue B	20/09/2011
Site & Analysis Plan Project No. 09102 Drawing DA001 – Issue C	20/09/2011
Basement 2 Plan Project No. 09102 Drawing DA098 – Issue E	Undated revision
Basement 1 Project No. 09102 Drawing DA099 – Issue E	Undated revision
Ground Floor Plan Project No. 09102 Drawing DA100 – Issue E	Undated revision
Ground Floor Plan Project No. 09102 Drawing DA100 – Issue E	Undated revision
First Floor Plan Project No. 09102 Drawing DA101 – Issue E	Undated revision
Second Floor Plan Project No. 09102 Drawing DA102 – Issue E	14/12/2011
Roof Plan Project No. 09102 Drawing DA103 – Issue E	14/12/2011
West – Church Street Elevation Project No. 09102 Drawing DA200 – Issue C	20/09/2011
East – Anderson Street Elevation	20/09/2011

Drawing N^o	Dated
Project No. 09102 Drawing DA201 – Issue C	
North & South Elevation Project No. 09102 Drawing DA202 – Issue C	20/09/2011
Streetscape Elevation Project No. 09102 Drawing DA205 – Issue B	20/09/2011
Sections Project No. 09102 Drawing DA300 – Issue D	20/09/2011
Sections Project No. 09102 Drawing DA301 – Issue D	20/09/2011
Detail Section Project No. 09102 Drawing DA305 – Issue B	20/09/2011
Church Street Photomontage Project No. 09102 Drawing DA800 – Issue A	30/06/2011
Anderson Street Photomontage Project No. 09102 Drawing DA801 – Issue A	30/06/2011
Site Management & Erosion & Sedimentation Control Plan Job Ref: 09115-C06	24/05/2011
Landscape Plan Job No. 10005 Drawing No. L01 – Revision B	25/06/2011
Stormwater Plans Site Drainage Plan - Ground Floor, Job reference # 09115-C03-A, sheet 3 of 9, Revision "B" prepared by CPM Engineering (1 Sheet). Site Drainage Plan - Basement -1, Job reference # 09115-C04-A, sheet 4 of 9, Revision "B" prepared by CPM Engineering (1 Sheet). Site Drainage Plan - Basement -2, Job reference # 09115-C05-A, sheet 5 of 9, Revision "B" prepared by CPM Engineering (1 Sheet). Site Drainage Plan - Roof, Job reference # 09115-C06-A, sheet 6 of 9, Revision "B" prepared by CPM Engineering (1 Sheet).	13/02/2012

Document N^o	Dated
Access Report prepared by Accessibility Solutions (NSW) Pty Ltd	24 May 2011
Arboricultural Impact Assessment Report prepared by Tree IQ – Revision B	3 August 2011
Waste Management Plan prepared by Waste Audit & Consultancy Services	May 2011
Phase 2 Environmental Site Assessment prepared by Aargus Australia – Revision 0	10/03/2011
Schedule of Finishes	Undated
BCA Compliance Assessment Report – Report No. 2472200 RPT01-3	16/05/2011
Energy Management Strategy prepared by Vim	22/06/2011

Document N ^o	Dated
Sustainability	
Acid Sulfate Soil Management Plan prepared by Aargus Australia	February 2012

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. The development shall be constructed within the confines of the property boundary. No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

Reason: To ensure no injury is caused to persons.

3. No portion of the proposed structure including any fencing and/or gates shall encroach onto or over adjoining properties.

Reason: To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.

4. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans and documentation submitted with the Construction Certificate are to be amended to satisfy all relevant conditions of this development consent.

Reason: To ensure compliance with legislative requirements.

5. All building work must be carried out in accordance with the current provisions of the Building Code of Australia.

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

6. Demolition work shall be carried out in accordance with Australian Standard 2601-2001 - *Demolition of Structures* and the requirements of the NSW WorkCover Authority.

Reason: To ensure appropriate demolition practices occur.

7. All roof water and surface water is to be connected to an approved drainage system.

Reason: To ensure satisfactory stormwater disposal.

8. Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) 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 comply with Council requirements.

9. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.

Reason: To comply with Council requirements.

10. Trees to be retained. Refer to Arboricultural Impact Assessment Report & Tree Protection Specification by Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011:

Name	Common Name	Location	DBH Diameter at breast height (mm)	Tree Protection Zone (m)
<i>Jacaranda mimosifolia</i>	Jacaranda	Adjacent property	860	10.0
<i>Casuarina cunninghamiana</i>	River She-oak	Adjacent property	700	8.4
<i>Casuarina cunninghamiana</i>	River She-oak	Adjacent property	550	6.6

Reason: To protect significant trees which contribute to the landscape character of the area.

11. Trees to be pruned. Refer to Arboricultural Impact Assessment Report & Tree Protection Specification by Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011 – Section 3.2. **NOTE:** Notification and agreement with the tree owner is required for access to prune the trees.

Tree No	Name	Common Name	Location
1	<i>Jacaranda mimosifolia</i>	Jacaranda	Adjacent property
3	<i>Casuarina cunninghamiana</i>	River She-oak	Adjacent property

Reason: To allow appropriate development of the site.

12. All approved tree removals and pruning works shall be carried out by a qualified Arborist and conform to the provisions of AS4373-2007, Australian standards for Pruning Amenity Trees and Tree work draft code of practice 2007. The developer is responsible for all tree removal and stump grinding.

Reason: To ensure proposed works will not adversely affect the trees

13. A Tree Protection Zone (TPZ) is to be established prior to any works commencing around those trees that are to be retained as shown in the Arboricultural Impact Assessment Report & Tree Protection Specification by

Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011. The trees identified on the endorsed plans and identified within the submitted Tree Report as being retained shall be protected prior to and throughout the demolition/construction process in accordance with the Arboricultural Impact Assessment Report & Tree Protection Specification by Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011 and the relevant conditions of this consent.

Reason: To ensure the protection of the tree(s) to be retained on the site.

14. The stormwater system shall be constructed as per the approved Stormwater plan. The approved stormwater plan consist of the following drawings together with the comments, notes and rectification requirements as annotated on the drawing and approved with this consent:

- a. "Site Drainage Plan - Ground Floor", Job reference # 09115-C03-A, sheet 3 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
- b. "Site Drainage Plan - Basement -1", Job reference # 09115-C04-A, sheet 4 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
- c. "Site Drainage Plan - Basement -2", Job reference # 09115-C05-A, sheet 5 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
- d. "Site Drainage Plan - Roof", Job reference # 09115-C06-A, sheet 6 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).

Amendment to the plan shall be carried out incorporating those comments, notes and rectification equipments and the amended stormwater plan shall be submitted to the Principal Certifying Authority for approval with the application for the construction certificate.

Reason: To ensure satisfactory storm water disposal.

15. Retaining walls for excavation shall be constructed when cut or fill exceeds 600mm. Where necessary to prevent damage to the adjoining properties all approved retaining walls associated with the approved development are to be constructed to the construction of the ground floor.

Reason: To prevent damage to the adjoining properties.

16. No structure or objects shall be erected or placed permanently within the designated overland flow path, as shown on the stormwater plan which runs west to east along the southern boundary (of Lot 2 DP 734955), which will affect flood behaviour or obstruct the free flow of floodwater through the site. Erection of fencing, solid walls or structures are prohibited within the overland flow path which will affect the flood characteristics. The ground surface levels along the overland flow path shall be no higher than that shown on the approved plan.

Reason: To ensure obstruction-free flow of floodwater.

RTA Conditions

17. The design and construction of the widened exit gutter crossing on Church Street shall be in accordance with RTA requirements. Details of these requirements should be obtained from the RTA's Project Services Manager, Traffic Projects Section, Parramatta (Ph: 8849 2114 or Fax: 8849 2766).

Any redundant driveways on Church Street shall be removed and replaced with kerb and gutter to match the existing.

Detailed design plans of the proposed gutter crossing are to be submitted to the RTA for approval prior to the commencement of any roadworks.

It should be noted that a plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant - release of the approved road design plans by the RTA.

The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

Reason: To comply with RTA requirements.

18. The developer is to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to the RTA for assessment. The developer is to meet the full cost of the assessment by the RTA.

This report would need to address the following key issues:

- a) The impact of excavation/rock anchors on the stability of Church Street and detailing how the carriageway would be monitored for settlement.
- b) The impact of the excavation on the structural stability of Church Street.
- c) Any other issues that may need to be addressed. (Contact: RTA's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766).

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owners of the roadway are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

Reason: To comply with RTA requirements.

19. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RTA for approval, prior to the commencement of any works.

Details should be forwarded to:
The Sydney Asset Management
Roads and Traffic Authority
PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before the RTA's approval is issued. With regard to the Civil Works requirement please contact the RTA's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

Reason: To comply with RTA requirements.

20. The existing parking restrictions are to be maintained across the full Church Street frontage of the subject site.

Reason: To comply with RTA requirements.

21. All works/regulatory sign posting associated with the proposed development are to be at no cost to the RTA.

Reason: To comply with RTA requirements.

Prior to the issue of a Construction Certificate:

22. Revised plans indicating compliance with the following traffic related matters are to be submitted to the satisfaction of the PCA before the issue of the Construction Certificate:

- (a) 208 off-street parking spaces (including 2 disabled parking spaces) are to be provided, permanently marked on the pavement and used accordingly. The dimensions for parking spaces and aisle width to be in accordance with AS 2890.1-2004 (minimum of 2.4m wide x 5.4m long clear of columns plus 300mm clearance adjacent walls and 6.2m aisle width minimum. At blind aisle, the aisle is to be extended by 1.0m (minimum) beyond the last parking space).
- (b) The dimensions and configuration of the disabled parking spaces are to comply with AS 2890.6-2009 (a dedicated space plus a shared space - 2.4m wide x 5.4m long each with a bollard installed on the shared space).
- (c) 3 combined entry and exit driveways and 1 entry only driveway for car transporter trucks off Anderson Street and exit only driveway off Church Street to be provided and constructed according to AS 2890.1-2004 and Council's specification.
- (d) Driveway and ramp gradients are to comply with Clause 2.5, Clause 2.6 and Clause 3.3 of AS2890.1-2004.
- (e) The driveway width (w) at the concrete layback is to comply with Council's Standard Heavy Duty Vehicular Crossing plan (DS9).
- (f) Column locations are to be installed in accordance with Clause 5 and Figures 5.1 and 5.2 of AS 2890.1-2004.
- (g) Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, shall comply with AS2890.1-2004.
- (h) Ground Clearance Template as shown in Appendix C of AS 2890.1-2004 must be used to check that adequate ground clearance is provided on ramps, circulation roadways, access driveways or other vehicular paths where there is a grade change or an irregularity in the vertical alignment e.g. a hump, dip or gutter.
- (i) Sight distance to pedestrians exiting the property is to be provided by clear lines of sight in a splay extending 2m from the driveway edge

along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1. The required sight lines to pedestrians or other vehicles in or around the site should not be compromised by the landscaping, signage fences, walls or display materials.

- (j) The minimum available headroom clearance to be signposted at all entrances is to be 2.2m (for cars and light vans including all travel paths to and from parking spaces) and 2.5m (for parking spaces for people with disabilities) measured to the lowest projection of the roof (fire sprinkler, lighting, sign, and ventilation), according to AS 2890.1-2004 and 2890.6-2009.
- (k) A convex mirror is to be installed within the ramp access (one near the entry driveway & one at the bottom of the ramp access) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.

Reason: To ensure appropriate access is provided.

23. An *Environmental Enforcement Service Charge* is to be paid to Council prior to the issue of a construction certificate. The fee paid is to 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.

24. An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a construction certificate. The fee to be paid is to 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.

25. A monetary contribution comprising **\$86,1360.00** is payable to Parramatta City Council pursuant to Section 94A of the *Environmental Planning and Assessment Act, 1979* and the *Parramatta City Centre Civic Improvement Plan*. Payment must be by cash, EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

Reason: To comply with Parramatta Section 94A Contributions Plan.

26. The Construction Certificate is not to be released unless the Principle Certifying Authority is satisfied that the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

27. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at <http://www.sydneywater.com.au> then the "e-developer" icon or telephone 13 20 92.

Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Notice of requirements must be obtained and submitted to the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: Statutory requirement.

28. Documentary evidence confirming that satisfactory arrangements have been made with an energy provider for the provision of electricity supply to the development is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate. If a substation is a requirement of the energy provider, it is to be located internal to the building/s on site. Substations cannot be located within the front setback of a site or within the street elevation of the building, unless such a location has been indicated and approved on the Council stamped Development Application plans. Substations cannot be located in Council's road reserve.

Reason: To ensure adequate electricity supply to the development and to ensure appropriate streetscape amenity.

29. Should any proposed work be undertaken where it is likely to disturb or impact upon a public utility installation (e.g. power pole, Telstra pit sewer pipeline, water main etc) written confirmation from the affected utility provider (e.g. Integral Energy / Telstra) that they have agreed to the proposed works shall be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate or any works commencing, whichever comes first. The arrangements and costs associated with any adjustment to a public utility installation shall be borne in full by the applicant/developer.

Note: Details, such as utility type, exact location(s), size, and depths below the ground surface (or reduced level in m AHD) etc. shall be obtained from the respective authority or investigated in the field and confirmed by the authority.

Reason: To ensure no unauthorised work to public utility installations and to minimise costs to Council.

30. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required, prior to the release of the Construction Certificate.

Reason: To minimise costs to Council.

31. Prior to the commencement of any works on the site the applicant must submit, a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:

(a) Construction Management Plan for the Site

A plan view of the entire site and frontage roadways indicating:

- i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- i. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- ii. The locations of proposed Work Zones in the egress frontage roadways,
- iii. Location of any proposed crane standing areas,
- iv. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- v. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- vi. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.

(b) Traffic Control Plan(s) for the site:

- i. All traffic control devices installed in the road reserve shall be in accordance with the Roads and Traffic Authority, NSW (RTA) publication '*Traffic Control Worksite Manual*' and be designed by a person licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
- ii. Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.

(c) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided and a copy of this route is to be made available to all contractors.

Where applicable, the plan must address the following:

- i. Evidence of RTA concurrence where construction access is provided directly or within 20m of an Arterial Road,
- ii. A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
- iii. Minimising construction related traffic movements during school peak periods,

The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

32. Any exhaust ventilation from the car park is to be ventilated in accordance with the provisions of AS1668.1. Details demonstrating compliance are to be provided with the Construction Certificate.

Reason: To preserve community health and ensure compliance with acceptable standards.

33. The proponent shall submit to the Principal Certifying Authority and Council, a Construction Noise Management Plan prior to the issue of the construction certificate as described in the NSW Department of Environment, Climate Change and Water Interim Noise Construction Guidelines 2009. The Construction Noise Management Plan must describe in detail the methods that will be implemented during the construction phase of the project to minimise noise impacts on the community.

The Construction Noise Management Plan must include:

- Identification of nearby residences and other sensitive land uses
- Assessment of expected noise impacts
- Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts
- Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.

Reason: To prevent loss of amenity to the area.

34. The reflectivity index (expressed as a percentum of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%. Written confirmation of the reflectivity index of materials is to be submitted to the Principal Certifying Authority with the construction certificate.

Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement).

Reason: To ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development.

35. Prior to the issue of a Construction Certificate the applicant shall nominate an appropriately qualified civil engineer (at least NPER) to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's "Guidelines for Public Domain Works".

The engineer shall:

- (a) provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:
 - (i) all relevant statutory requirements,
 - (ii) all relevant conditions of development consent
 - (iii) construction requirements detailed in the above Specification, and
 - (iv) the requirements of all legislation relating to environmental protection,
- (b) On completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval and,
- (c) Certify that the Works as Executed plans are true and correct record of what has been built.

36. Driveways and vehicular access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standards 2890.1 – 2004 "Off street car parking". Details are to be provided to and approved by the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that parking spaces are in accordance with the approved development.

37. Electricity provision to the site is to be designed so that it can be connected underground when the street supply is relocated underground. Certification from Integral Energy addressing their requirements for this provision is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate.

Reason: To enable future upgrading of electricity services.

38. Where any shoring is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings certified as being adequate for their intended purpose prepared by an appropriately qualified and practising structural engineer, showing all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements, shall be submitted with the Construction Certificate. A copy of this documentation must be provided to the Council for record purposes. Any recommendations made by the qualified practising structural engineer shall be complied with.

Reason: To ensure the protection of existing public infrastructure and adjoining properties.

39. The applicant is required to submit a final Arts Plan to Parramatta City Council that details the provision of high quality artworks accessible by the public within the development prior to issue of the construction certificate. Documentation to be submitted includes design concepts, site plan for artworks, construction documentation and project management.

Reason: To ensure an appropriate Arts Plan is submitted.

40. A revised Alignment Plan in accordance with the Parramatta City Council's Public Domain Guidelines (in particular, Chapter 3) is to be submitted to the satisfaction of Council's Supervisor, Civil Assets before the issue of a Construction Certificate. This plan is to reflect any new kerb and footpath levels required as part of the detailed drainage design on Council/RTA land.
Note: It is noted that the submitted plan - Drawing No. 09115-CPO1 does not comply with Council's Public Domain Guide as there are a number of cross sections that exceed 2.5% cross fall.
Reason: To protect and enhance the public domain.
41. A Public Domain Plan in accordance with the Parramatta City Council's Public Domain Guidelines is to be submitted to the satisfaction of Council's Supervisor, Civil Assets before the issue of a Construction Certificate.
Reason: To improve the public domain.
42. Access for people with disabilities from the public domain and all car parking areas on site to all tenancies within the building are to be provided. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be prepared in consideration of, and construction completed to achieve compliance with the Building Code of Australia Part D3 "Access for People with Disabilities", provisions of the Disability Discrimination Act 1995, and the relevant provisions of AS1428.1 (2001) and AS1428.4.
Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.
43. Toilet facilities shall be provided for disabled persons in accordance with the design criteria in AS1428.1 (2001) - Design for Access and Mobility - General Requirements for Access - New Building Work. This requirement shall be reflected on the Construction Certificate plans.
Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.
44. Signs incorporating the international symbol of access for disabled persons must be provided to identify each accessible:
(a) entrance
(b) lift or bank of lifts; and
(c) sanitary facility

This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.
45. No construction works shall start on the stormwater system until the detailed final storm water plans have been approved by the Principal Certifying

Authority. Prior to the approval of storm water drainage plans, the person issuing the Construction Certificate shall ensure that:

- a. The final stormwater plans are consistent with, and address and incorporate all the notes/issues marked on the approved Stormwater Plans i.e. the plans with the stamp "Approved Stormwater Plan" on the following drawings, together with the comments, notes and rectification requirements as annotated thereon and approved with this Development Consent.
 - i. "Site Drainage Plan - Ground Floor", Job reference # 09115-C03-A, sheet 3 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
 - ii. "Site Drainage Plan - Basement -1", Job reference # 09115-C04-A, sheet 4 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
 - iii. "Site Drainage Plan - Basement -2", Job reference # 09115-C05-A, sheet 5 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
 - iv. "Site Drainage Plan - Roof", Job reference # 09115-C06-A, sheet 6 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).

Note: The approved Stormwater Plans are for DA approval only and shall not be used for construction purposes as the construction plan (drawing). Separate Rectified Plan addressing the issues and incorporating all notes marked on this plan shall be submitted for Construction Certificate Approval.

- b. The proposed On-Site Detention (OSD) System has been designed and certified by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust "On-Site Detention Handbook" and Council's Drainage Code E4 and stormwater Drainage Guidelines.
- c. The design achieves,
 - i) based on the 3rd edition of UPRCT's handbook are the Site Storage Requirement (SSR) of 215m³/ha and Permissible Site discharge (PSD) of 235 l/s/ha and/ or
 - ii) based on the 4th edition of Upper Parramatta River Catchment Trust's (UPRCT's) handbook as adopted by the applicant, the Site Reference Discharge (Lower Storage), SRD_L of 40 l/s/ha with Site Storage Requirement (Lower Storage) SSR_L of 246 m³/ha and Site Reference Discharge (Upper Storage), SRD_U of 150 l/s/ha with Site Storage Requirement (Total) SSR_T of 396m³/ha for undrowned orifice condition.
Each storage area shall have site Storage capacity as shown on the on the approved stormwater plan.
- d. Detailed Stormwater plans with cross sectional details of OSD storage areas; pits etc, OSD Detailed Design Submission (Form B9) and OSD Detailed Calculation Summary Sheets are submitted and are acceptable.
- e. A calculation table for available storage volume with incremental depth versus segmental area and volume has been provided.

Reason: To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding.

46. The proposed car park at the roof top (level 3) and second floor (level 2) shall be constructed with the surface grading directed to the surface drain inlet with 150mm high kerb around the ponding area to retain and contain the stormwater temporarily to facilitate as On-Site Detention storage area, as shown on the approved stormwater plan.

Reason: To ensure satisfactory storm water disposal.

47. The rainwater tank structures shall be designed by a Certified Practicing Structural Engineer. Upon completion of construction, the work shall be certified by a Certified Practicing Structural Engineer to the satisfaction of the principal certifying authority. The principal certifying authority shall ensure that the designer has taken account of the structural loads, overland flow /flooding water over the tank, infiltration, stability of the tank structures, etc. Detailed long section profile of the overflow from the rainwater tank to the outlet connection point, with hydraulic grade line (HGL), surface levels, pipe material and size, pipe invert levels, pipe gradient, etc shall be prepared with the supporting documents (calculation and/or model used etc.) and submitted to Council's City Infrastructure Unit for approval prior to commencement of the work. The construction works shall be duly certified by a practicing certified Structural Engineer upon completion of the works

Reason: To ensure that the structural stability of the underground OSD tank structure.

48. In order to make satisfactory arrangements for the operation of the stormwater pump-out system, the system shall be designed and constructed to ensure the following are provided:

- (a) A holding tank capable of storing the run-off from a 100 year ARI - 12 hour duration storm event allowing for pump failure.
- (b) Two pump system (on alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - i. The permissible site discharge (PSD) rate; or
 - ii. The rate of inflow for the one hour, 5 year ARI storm event.
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location facing the front street at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the designer indicating that the design complies with the above requirements are to be

submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: To ensure satisfactory storm water disposal.

49. Prior to the issue of a Construction Certificate, longitudinal driveway sections are to be prepared by a qualified civil/traffic engineer and be submitted to and approved by the Certifying Authority. These profiles are to be at 1:100 scale along both edges of the proposed driveway and access ramp to the basement car park, starting from the centreline of the frontage street carriageway to the proposed basement car park floor levels and the . The civil/traffic engineer shall provide specific written certification on the plans that

- Vehicular access can be obtained using grades of 20% (1 in 5) maximum and
- All changes in grade (transitions) comply with Australian Standard 2890.1 (2004) – "Off-street car parking" to prevent the scraping of the underside of the vehicles.
- The grade of the driveway NOT more than 5% at the nature strip from the kerb & gutter up to the property line. Grade Transitions with transition length of at least 2m are provided where the grade change is 12.5% or more for the Summit grade change and 15% or more for the Sag grade change.

Note: The driveway profile should have the surface level at the front property line higher than the top of the kerb to avoid the street runoff spilling into the property through the driveway.

Reason: To provide suitable vehicle access without disruption to pedestrian and vehicular traffic.

50. Heavy-duty vehicular crossings shall be constructed in accordance with Council's Standard Plan # DS9 & DS10. Details shall be submitted to the satisfaction of Principal Certifying Authority with the application for the Construction Certificate. A Vehicle Crossing application shall be submitted to Council together with the appropriate fee prior to any work commencing for construction of the vehicular crossing.

Reason: To ensure appropriate vehicular access is provided.

51. Prior to the issue of a Construction Certificate, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City Council. All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing; and DS10 (Vehicular Crossing Profiles).

In order to apply for a driveway crossing, the relevant application form needs to be completed with supporting plans, levels and specifications and pay the appropriate fee.

Note: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.

Reason: To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

52. To avoid chemicals, grease and other pollutants from discharging from the development and causing harm to the environment, all cleaning, washing and degreasing of motor vehicles shall be carried out in an area set aside for the purpose and shall be drained to a sump and cleansed via a coalescing plate separator prior to discharge into the sewer. The submission of documentary evidence is required from the Trade Waste Section of Sydney Water Corporation Ltd confirming that satisfactory arrangements have been made with the Corporation regarding the disposal of dirty water into the sewerage system, prior to the issue of the Construction Certificate.

Reason: To ensure appropriate disposal of waste.

53. The overflow invert of the rainwater tanks shall be at least 300mm above the 1:1000 years flood level at the overflow location. Further, no electrical works such as power outlet points, pumping system and associated equipment (unless it is submersible pump) shall be installed at a location lower than 500mm above 1:100 yrs Flood Level for the safety reason and to prevent damage to the plant and equipment by the flood water.

Reason: To prevent backflow into the tank and to prevent electrical hazard and damage to plant and equipments.

54. The *Cinnamomum camphora* (Camphor Laurel) tree located on the adjoining property at No. 74 Church Street, Parramatta is to be removed in accordance with Tree Permit TA/152/2012 issued 20 March 2012 to the satisfaction of the Principle Certifying Authority before the issue of the Construction Certificate.

Reason: To ensure approval is granted to remove the tree

55. Prior to the issue of a Construction Certificate, the applicant/developer is to approach the NSW Office of Environment & Heritage (formerly the Heritage Branch of the NSW Department of Planning) to satisfy any archaeological requirements for the site. This may include a further archaeological assessment or a request for an exemption permit.

A copy of the written correspondence from the NSW Office of Environment & Heritage confirming that their requirements have been satisfied shall be provided to Council and the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure that the requirements of the NSW Office of Environment & Heritage are satisfied.

56. Drawings showing the following details, relating to final stormwater/roadwork plans, shall be submitted to Council's City Infrastructure Unit for approval prior to issue of Construction Certificate. No works, which these documents relate to, shall commence prior to granting of approval. The following details are required:

- a. The design output information and an electronic copy of the hydraulic analysis of the drainage system.
- b. Design drawings including plan(s) and longitudinal drainage sections, kerb and gutter and footpath design plans and longitudinal sections of all proposed works in Church Street and Anderson Street.
- c. The box culvert system to be designed so that it can be removed and replaced in the future without impacting on the building structure.
- d. Certification is required stating that the box culvert system has been designed (and constructed) so that it is sealed to prevent leaks from occurring.
- e. Structural certification by an experienced structural engineer that the box culvert system has been designed with a 100 year design life.
- f. The applicant shall demonstrate that the downstream channel has the capacity to receive the additional water that will be caused by the diversion of floodwaters as a result of this development as well as convey the flows indicated by the flood studies submitted with this application.

Reason: To ensure that the approval for the proposal is obtained prior to commencement of the works.

57. Prior to the issue of the Construction Certificate, the applicant must create of a positive covenant on the title of the subject property under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the stormwater facilities (box channel culvert and the overland flow path) on and around the lot. The positive covenant shall burden the lot (and the owner of the lot) to maintain the box culvert and overland flow path. Parramatta City Council is to be named as the Authority whose consent is required to release, vary or modify the restriction. The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW. The following documents should be submitted with the positive covenant to the Council:

- a. Detailed maintenance schedule of the proposed box culvert system through the site to be provided.
- b. Details of maintenance access points of entry to the box channel system to be provided.
- c. The proposed overland flow path is to be legally protected to ensure that no fencing, gates, kerbs landscape edges raised service utility boxes or other structures or obstructions are placed within the overland flow path that would block or restrict the free passage of surface flows.

Reason: To protect council assets and ensure free flow of stormwater/ flood water.

58. Approval from the respective authorities shall be obtained prior to the issue of the Construction Certificate. The following documents shall be submitted together with the application for approval:

- a. Detailed design drawings are to be provided to the Roads and maritime services (RMS) and to Sydney Water for their written approval of the proposed works.
- b. Traffic Management Plan is to be prepared and approved by the RMS.
- c. A Soil and Erosion Management Plan is to be prepared and approved.

- d. Written approval to enter and undertake works within private land in Anderson Street is to be obtained from the property owner(s).

Reason: To ensure that the approval from respective authorities are obtained.

Prior to Commencement of Works:

59. The preparation of an appropriate hazard management strategy by an licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure any such proposed demolition works involving asbestos are carried out in accordance with the WorkCover Authority's *"Guidelines for Practices Involving Asbestos Cement in Buildings"*. The strategy shall be submitted to the Principal Certifying Authority, prior to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

60. On demolition sites where buildings are known to contain bonded or friable asbestos material, a standard sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent position on site visible from the street kerb. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site. Advice on the availability of these signs can be obtained by contacting the NSW WorkCover Authority hotline or the website www.workcover.nsw.gov.au.

Reason: To comply with the requirements of the NSW WorkCover Authority

61. Prior to the commencement of demolition work a licensed demolisher who is registered with the WorkCover Authority must prepare a Work Method Statement to the satisfaction of the Principal Certifying Authority (Council or an accredited certifier) and a copy sent to Council (if it is not the PCA). A copy of the statement must also be submitted to the WorkCover Authority.

The statement must be in compliance with AS2601-1991 Demolition of Structures," the requirements of WorkCover Authority and conditions of the development approval, and must include provisions for:

- (a) enclosing and making the site safe. Any temporary protective structures must comply with the "Guidelines for Temporary Protective Structures (April 2001)";
- (b) induction training for on-site personnel;
- (c) inspection and removal of asbestos and contamination and other hazardous materials;
- (d) dust control. Dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with

- continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site;
- (e) disconnection of Gas and Electrical Supply;
- (f) fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed;
- (g) access and egress. No demolition activity shall cause damage to or adversely affect the safe access and egress of this building;
- (h) waterproofing of any exposed surfaces of adjoining buildings;
- (i) control of water pollution and leachate and cleaning of vehicles tyres. Proposals shall be in accordance with the "Protection of the Environmental Operations Act 1997";
- (j) working hours, in accordance with this Development Consent;
- (k) confinement of demolished materials in transit;
- (l) proposed truck routes, in accordance with this development consent; and
- (m) location and method of waste disposal and recycling in accordance with the "Waste Minimisation and Management Act 1995".

The demolition by induced collapse, the use of explosives or on-site burning is not permitted.

Reason: To provide a Work Method Statement.

62. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:

- (a) The location of hazardous materials throughout the site;
- (b) A description of the hazardous material;
- (c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- (d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- (e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- (f) Identification of the disposal sites to which the hazardous materials will be taken.

Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

63. A minimum of five (5) working days prior to any demolition work commencing a written notice is to be given to Parramatta City Council and all adjoining occupants. Such written notice is to include the date when demolition will be commenced and details of the principal contractors name, address, business hours contact telephone number, Council's after hours contact number and the appropriate NSW WorkCover Authority licence.

Reason: To protect the amenity of the area.

64. Prior to demolition commencing, either the Principal Certifying Authority or Council's building surveyor must inspect the site. Should the building to be demolished be known or suspected by reason of the buildings age or otherwise to be found to be wholly or partly clad with bonded or friable asbestos material, approval to commence demolition will not be given until the PCA or/and Council is satisfied that appropriate measures are in place for the handling, storage, transport and disposal of the bonded or friable asbestos material. Prior to commencement of demolition an inspection fee is to be paid in accordance with Council's current fee schedule.

Reason: To ensure proper handling, storage, transport and disposal of asbestos materials.

65. Demolition works involving the removal, repair, disturbance and disposal of more than 10 square metres of bonded asbestos material must only be undertaken by contractors who hold the appropriate NSW WorkCover Authority licence(s) and approvals.

Reason: To comply with the requirements of the NSW WorkCover Authority

66. A Hoarding Application together with the appropriate fee and details is to be submitted to and approved by Council for the enclosure of public space as required by Council's Hoarding Policy.

The hoarding is required to protect persons from construction or demolition works and no works can commence until approval for the hoarding has been obtained. Hoardings in the City Centre Local Environmental Plan area must also address the "Parramatta First - Marketing the City Brand". Details on policy compliance and brand marketing can be obtained by contacting Council's Construction Services on 02 9806 5602.

Reason: To improve the visual impact of the hoarding structure and to provide safety adjacent to work sites.

67. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note and provide protection for Council as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Note: Applications for hoarding permits, vehicular crossing etc will require evidence of insurance upon lodgement of the application.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

68. Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate 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 is appointed within 7 days; and

- (b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

The PCA must determine when inspections and compliance certificates are required.

Reason: To comply with legislative requirements.

69. Prior to work commencing, adequate toilet facilities are to be provided on the work site prior to any works being carried out.

Reason: To ensure adequate toilet facilities are provided.

70. The site must be enclosed with a 1.8 m high security fence to prohibit unauthorised access. The fence must be approved by the Principal Certifying Authority and be located wholly within the development site prior to commencement of any works on site.

Reason: To ensure public safety.

71. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) Stating that unauthorised entry to the work site is prohibited;
- (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (d) Showing the approved construction hours in accordance with this development consent.
- (e) Any such sign must be maintained while the excavation building work or demolition work is being carried out, but must be removed when the work has been completed.
- (f) This condition does not apply to building works being carried out inside an existing building.

Reason: Statutory requirement.

72. A Pedestrian and Traffic Management Plan must be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of demolition and/or excavation. It must include details of the:

- (a) Proposed ingress and egress of vehicles to and from the construction site
- (b) Proposed protection of pedestrians adjacent to the site
- (c) Proposed pedestrian management whilst vehicles are entering and leaving the site
- (d) Proposed route of construction vehicles to and from the site, and
- (e) The Pedestrian and Traffic Management Plan shall be implemented during the demolition, excavation and construction period.

Reason: To maintain pedestrian and vehicular safety during construction.

73. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including

photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters, drainage pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of works. Failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs

Reason: To ensure that the applicant bears the cost of all restoration works to Council's property damaged during the course of this development.

74. Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavation face to twice the excavation depth.

The report should include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that qualified professional based on the excavations for the proposal and the recommendations of the geotechnical report. Where the consulting geotechnical engineer is of the opinion that no dilapidation reports for adjoining structures are required, certification to this effect shall be provided for approval by the Principal Certifying Authority prior to any excavation. A copy of the dilapidation report shall be submitted to Council.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

Reason: Management of records.

75. Prior to the commencement of any excavation works on site the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:
- (a) The type and extent of substrata formations by the provision of a minimum of 4 representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.

- (b) The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated.
- (c) The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
- (d) The existing groundwater levels in relation to the basement structure, where influenced.
- (e) The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.
- (f) Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.
- (g) The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with previous experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent property and structures both during and after construction. The report shall contain site specific geotechnical recommendations and shall specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:
 - (i) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
 - (ii) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
 - (iii) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
 - (iv) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.

- (v) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- (vi) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

Reason: To ensure the ongoing safety and protection of property.

76. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site are to be maintained in a safe and tidy manner. In this regards the following is to be undertaken:

- all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
- all site boundaries are to be secured and maintained to prevent unauthorised access to the site
- all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis
- the site is to be maintained clear of weeds
- all grassed areas are to be mown on a monthly basis

Reason: To ensure public safety and maintenance of the amenity of the surrounding environment.

77. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, storm water drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au see Your Business then Building and Developing then Building and Renovating or telephone 13 20 92. The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to works commencing on site.

Reason: To ensure the requirements of Sydney Water have been complied with.

78. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to received written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

Reason: To prevent any damage to underground utility services.

79. Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to compel all vehicles to stop before proceeding onto the public way.

Reason: To ensure pedestrian safety.

80. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- Protect and support the adjoining premises from possible damage from the excavation
- Where necessary, underpin the adjoining premises to prevent any such damage.

Note: If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

Reason: As prescribed under the Environmental Planning and Assessment Regulation 2000.

81. Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development.

Reason: To ensure soil and water management controls are in place be site works commence.

82. Council's or public property adjoining the construction site must be fully supported at all times during all excavation and construction works. Details of shoring, propping and anchoring of works adjoining Council's or public property, prepared by a qualified structural engineer or geotechnical engineer, must be submitted to and approved by the Principal certifying Authority (PCA), before the commencement of the works. A copy of these details must be forwarded to Council and relevant public authority. Backfilling of excavations adjoining Council's or public property or any void remaining at completion of construction between the building and Council's or public property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

83. Prior to commencement of any work on the council's road, road reserve or footpath, a Road Opening Permit must be obtained from council by lodging the application for Road Opening Permit. Upon completion of the work, the road, road reserve, and footpath shall be reinstated to its original state to the satisfaction of Council and the cost shall be borne by the applicant.

Reason: To ensure Council's approval is obtained prior to commencement of work on council's road, road reserve and footpath and reinstated to its original state upon completion of the works.

During Construction or Works:

84. A copy of this development consent, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.

Reason: To ensure compliance with this consent.

85. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.

Reason: To protect the amenity of the area.

86. No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.

Reason: To ensure pedestrian access.

87. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries.

Reason: To ensure public safety and amenity on public land.

88. All work including building, demolition and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Note – Council may allow extended work hours for properties located on land affected by Parramatta City Centre LEP 2007 in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance.

Such circumstances where extended hours may be permitted include:

- Delivery of cranes required to the site outside of normal business hours;
- Site is not located in close proximity to residential use or sensitive land uses;
- Internal fit out work.

Reason: To protect the amenity of the area.

89. The applicant shall record details of all complaints received during the construction period in an up to date complaints register. The register shall 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 shall be made available to Council and/ or the principal certifying authority upon request.

90. Noise emissions and vibration must be minimised and work is to be carried out in accordance with the NSW Department of Environment, Climate Change & Water's Interim Noise Construction Guidelines 2009 for noise emissions from construction/demolition and earth works.

Reason: To ensure residential amenity is maintained in the immediate vicinity.

91. Where demolition is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the Department of Environment and Climate Change (DECC) licensed waste facility for bonded or friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

Reason: To ensure appropriate disposal of asbestos materials.

92. All bonded and friable asbestos waste material on-site shall be handled and disposed off-site at a Department of Environment and Climate Change licensed waste facility by an DECC licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 1996 and the EPA publication Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999 and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

93. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. The proponent may be required to produce these documents to Council on request during the site works.

Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2005 are met.

94. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

95. The applicant is to notify Council in writing thirty (30) days before the commencement of remediation work.

Reason: To ensure compliance with clause 16 of State Environmental Planning Policy 55 - Remediation of Land.

96. Any soils requiring removal from the site should be classified in accordance with the "Waste Classification Guidelines, Part 1: Classifying Waste" NSWDEC (2009).

Reason: To ensure appropriate disposal of waste.

97. If during any potential site works, significant odours and / or evidence of gross contamination not previously detected are encountered, or any other significant unexpected occurrence, site works should cease in that area, at least temporarily, and the environmental consultant should be notified immediately to set up a response to this unexpected occurrence.

Reason: To ensure appropriate disposal of waste.

98. Acid sulphate soils are to be managed in accordance with the recommendations outlined within the Acid Sulfate Soils Management Plan (and Management Strategy) prepared by Aargus Australia dated February 2012. Appropriate certification that the recommendations have been implemented is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of the Occupation Certificate.

Reason: To protect the amenity of future occupants of the site and adjoining properties.

99. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in the consent shall be removed or damaged during construction including the erection of any fences, hoardings or other temporary works.

Reason: Protection of existing environmental infrastructure and community assets.

100. The vehicular entry/exits to the site within Council's road reserve must prevent sediment from being tracked out from the development site. This area must be laid with a non-slip, hard-surface material which will not wash into the street drainage system or watercourse. The access point is to remain free of any sediment build-up at all times.

Reason: To ensure soil and water management controls are in place before site works commence.

101. Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the developer.

Reason: To protect public safety.

102. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:

Eg. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.
- (d) Kerbside restrictions, construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

Reason: Proper management of public land.

103. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, excavation activity shall NOT commence until the applicant demonstrate that structural /geotechnical engineer's certificate and "certified detail drawings" from a qualified practicing structural/geotechnical engineer, showing methods to be employed to support the excavation adjacent to the neighbouring building foundation and extending further two (2) meters on each end of the foundation, have been submitted to and approved by the principal certifying authority (PCA). The person causing the excavation to be made:

- (a) Must preserve and protect the building from damage;
- (b) If necessary, must underpin and support the adjoining building in an approved manner; and
- (c) Must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land also includes a public road and any other public place.

Reason: To ensure adjoining owner's property rights are protected and protect adjoining properties from potential damage.

104. All tree removals shall be carried out by a qualified Arborist and conform to the provisions of AS4373-2007, Australian standards for Pruning Amenity Trees and Tree work draft code of practice 2007.

Reason: To ensure works are carried out in accordance with Tree work draft Code of practice 2007.

105. No materials (including waste and soil), equipment, structures or good of any type shall be stored, kept or placed within five (5) metres from the trunk or within the drip line of any tree.

Reason: To ensure the protection of the tree(s) to be retained on the site.

106. All excavation within three (3) metres from the tree/s identified to be retained on site is to be supervised by an AQF Level 3 arborist, who shall undertake any remedial work, including the pruning of roots, if necessary.

Reason: To provided adequate protection of trees

107. No service, structure, conduit or the like shall be fixed or, attached to any tree.

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

Prior to the issue of an Occupation Certificate:

108. An application for street numbering shall be lodged with Council for approval, prior to the issue of a Subdivision Certificate, which ever occurs first.

Note: Notification of all relevant authorities of the approved street numbers shall be carried out by Council.

Reason: To ensure all properties have clearly identified street numbering, particularly for safety and emergency situations.

109. A street number is to be placed on the site in a readily visible location, (numbers having a height of not less than 75mm) prior to occupation of the building.

Reason: To ensure a visible house number is provided.

110. The developer shall submit to the Principal Certifying Authority a letter from the telecommunications company confirming that satisfactory arrangements have been made for the provision of telephone and cable television services, prior to the release of the Subdivision Certificate or issuing of any Occupation Certificate.

Reason: To ensure provision of appropriately located telecommunication facilities.

111. Occupation or use, either in part or full, is not permitted until an Occupation Certificate has been issued. The Occupation Certificate must not be issued unless the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia and until all preceding conditions of this consent have been complied with.

Where Council is not the Principal Certifying Authority, a copy of the Occupation Certificate together with registration fee must be provided to Council.

Reason: To comply with legislative requirements.

112. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority that is responsible for critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. Where Council is not the PCA, the PCA is to forward a copy of all records to Council.

The record must include details of:

- (a) the development application and Construction Certificate number;
- (b) the address of the property at which the inspection was carried out;
- (c) the type of inspection;
- (e) the date on which it was carried out;
- (f) the name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (g) whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

Reason: To comply with legislative requirements.

113. Car parking and driveways shall be constructed, marked and signposted in accordance with AS2890.1 –2004 prior to the occupation of the premises.

Reason: To ensure appropriate car parking.

114. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- compare the post-construction dilapidation report with the pre-construction dilapidation report, and
- have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

A copy of this report is to be forwarded to Council.

Reason: To establish the condition of adjoining properties prior building work and any damage as a result of the building works.

115. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Reason: To ensure the requirements of Sydney Water have been complied with.

116. All works approved within the Public Domain Plan are to be carried out to Council's satisfaction before the issue of an Occupation Certificate.

Reason: To ensure public domain works are complete.

117. The artworks are to be installed to the satisfaction of Council prior to the issue of the occupation certificate.
Reason: To ensure that the Arts Plan is implemented appropriately.
118. The Certifying Authority shall arrange for a qualified Landscape Architect/Designer to inspect the completed landscape works to certify adherence to the DA conditions and Construction Certificate drawings. All landscape works are to be fully completed prior to the issue of an Occupation Certificate.
Reason: To ensure restoration of environmental amenity.
119. The landscaping shall be completed in accordance with the consent and approved plans, prior to occupation or use of the premises and shall be maintained at all times.
Reason: To ensure landscaping is completed in accordance with the approved plans and maintained.
120. Any mechanical ventilation system/s installed shall be in accordance with plans and specifications approved by the principal certifying authority (PCA). Certification that the system/s function in accordance with Australian Standard AS 1668 (Parts 1 & 2) must be submitted to the PCA prior to occupation of the building.
Reason: To comply with the Building Code of Australia / relevant Australian Standard.
121. The building must comply with the Category 1 Fire Safety Provision applicable to the proposed use prior to the issue of the Occupation Certificate:
Reason: To comply with legislative requirements of the Environmental Planning & Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000.
122. All redundant laybacks and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate in accordance with Council's **Standard Plan No. DS1**. All costs shall be borne by the applicant, and works shall be completed to the satisfaction of Council prior to the issue of an Occupation Certificate.
Reason: To provide satisfactory drainage.
123. The existing lots shall be consolidated into one (1) lot and the plan of consolidation registered at the NSW Department of Lands. Proof of registration shall be submitted prior to issue of the Occupation Certificate.
Reason: To ensure consolidation occurs and comply with the *Conveyancing Act 1919*.
124. Under the provisions of section 88B of the Conveyancing Act 1919 a **15m** wide drainage easements shall be created along the Southern boundary and south eastern corner of **Lot 2 in DP734955** as shown on the stormwater plan, in favour of Parramatta City Council, to allow for:
- v. The provision of the proposed Box culvert along the Southern boundary of **Lot 2 in DP734955** that is to replace existing council's Stormwater pipe running through the middle of the lot.

- vi. A **15m** wide proposed floodwater overland flow path, along the Southern boundary of **Lot 2** in **DP734955** that is to replace existing natural overland flow path running through the middle of the lot.

The plan of easement shall show the extent of the easement, location of pipeline and size. Proof of registration of the drainage easements with the NSW Department of Lands, must be provided to the Council by the Principal Certifying Authority, prior to the issue of the Occupation Certificate.

Reason: To ensure an appropriate Drainage easement is in place and council asset are protected.

125. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that:

- Stormwater system including On-Site Detention systems have been built according to and comply with the requirements including the OSD storage volume as shown on the approved stormwater plan.
- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- As built On-Site Detention (OSD) storage volume calculated in tabular form (in incremental depth verses segmental area and volume table) and certified by the registered surveyor.
- OSD Works-As-Executed survey certification form and dimensions form (refer to UPRCT Handbook - Form B10 and Form Attachment B).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook – **Form B11** Certificate). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- Approved verses installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- Structural Engineer's Certificate for the OSD tank structure, basement pump-out tank structure, OSD basin (retaining) wall etc.
- The original Work-As-Executed plans and all documents mentioned above have been submitted to Council's Development Services Unit.

Reason: To ensure works comply with approved plans.

126. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88B instrument for protection of on-site detention facilities and to the satisfaction of Council. For existing Titles, the Positive Covenant and the

Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch or a works as executed plan, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

Note: The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW. Documents relating proof of completion of the stormwater system according to the approved stormwater plan and certification of the compliance shall be submitted to the council together with the positive covenant and restriction.

Reason: To ensure maintenance of on-site detention facilities.

127. Prior to the issue of the Occupation Certificate, the applicant must create of a restriction-on-use on the title of the subject property. The restriction is to be over the 100 year ARI flood zone, i.e. the 15m wide overland flow path and shall be identified on the accompanying linen plan, and must prevent the placement of any structures, walls, fences, fill or other items which may impede the 100 year ARI flood, within that zone. Parramatta City Council is to be named as the Authority whose consent is required to release, vary or modify the restriction. The accompanying document should include a copy of the approved flood evacuation plan and procedure.

Reason: To protect the environment and ensure that the flood storage area is not obstructed.

Use of the Site:

128. The hours of operation being restricted to the following:

(a) Motor Showroom

8.30am to 6pm Monday to Friday, 8am to 6pm Saturday and 9am to 5.30pm Sunday

(b) Vehicle Service Area

7am to 6pm Monday to Saturday.

Reason: To confirm the details of the application.

129. A maximum of 33 hoists are to be on the site at any one time.

Reason: To confirm the details of the application.

130. Any external plant/ air-conditioning system shall not exceed a noise level of 5 dBA above background noise level when measured at the side and rear boundaries of the property.

Reason: To minimise noise impact of mechanical equipment.

131. The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

Reason: To ensure the removal of graffiti.

132. All vehicles are to enter and leave the site in a forward direction.

Reason: To avoid traffic and pedestrian conflict.

133. All loading and unloading shall take place within the designated loading areas on the subject property. No loading or unloading of vehicles is to be carried out on Church Street or the adjoining local road network.

Reason: To protect the amenity of the area.

134. To preserve the streetscape, roller shutters are not to be placed over the entrance or the windows of the commercial premises. Any security grill is to be located on the inside of the glass shop front and must be an open grille and see through.

Reason: To provide an appropriate streetscape appearance.

135. A waste storage room provided on the premises, capable of accommodating all garbage, stored liquid, recyclable wastes and associated containers arising from the use of the premises, and accessible by waste collection contractors. Disposal of wastes from the premises shall comply with the approved waste management plan.

All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

Reason: To ensure provision of adequate waste disposal arrangements.

136. Sufficient supplies of appropriate absorbent materials and /or other spill clean up equipment shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods only.

Reason: To ensure that any liquid spills can be contained on site and prevent the contamination of stormwater drains.

137. Servicing, detailing and repairs of vehicles or the storage of vehicle parts are to be conducted in a bunded area within an automotive service workshop. Vehicles awaiting repair, under repair or awaiting delivery, shall not be stored, parked, or otherwise permitted to stand in a public street. All such vehicles shall be accommodated within the premises.

Reason: To protect the amenity of the neighbourhood.

138. An environmental policy and plan shall be drafted for the facility to cover all operations. The policy should establish a commitment to the protection of the environment and the prevention of pollution. This policy shall be signed and dated by the manager and displayed for review by employees, contractors, visitors and customers.

Reason: To ensure that the business establishes a commitment to the protection of the environment.

139. Council being the 'appropriate regulatory authority' must be notified immediately of any pollution incident where material harm to the environment is caused or threatened. This duty extends to persons carrying on an activity, employers and employees, contractors and the occupier of the premises where the incident occurs.

Reason: To comply with the requirements of the Protection of the Environment Operations Act 1997.

140. A trade waste agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.
Reason: To ensure proper disposal of waste water.
141. Covered, bunded work areas, including workshops and lube bays, are to be graded into collection sumps and/or grated drains so that surface effluent generated within the workshop area is directed into a dedicated drainage system for treatment, storage and disposal and/or reuse. If liquid wastes are to be disposed of to the sewer, a trade waste agreement from Sydney Water is to be obtained. A copy of the license is to be forwarded to Council's Environment and Health Unit as proof of appropriate disposal. Alternatively, disposal of waste is to be conducted in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environment Protection Authority's Waste Regulation under The Protection of the Environment Operations Act 1997 (NSW).
Reason: To ensure the proper disposal of waste water.
142. Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 1996 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).
Reason: To prevent pollution of the environment.
143. All liquid wastes (generated by mechanical servicing of vehicles) shall be stored in a covered ventilated, sealed and bunded area constructed of impervious material and designed to hold the contents of the largest container plus 10 %.
Reason: To prevent pollution of the stormwater system.
144. Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).
Reason: To prevent pollution of the environment.
145. All aboveground storages of hazardous materials, oils and chemicals are to be bunded. The bund is to be made of any impervious material and should be roofed and large enough to hold the contents of the largest container plus 10%.
Reason: To ensure that hazardous materials are correctly contained.

146. To ensure correct handling of hazardous materials, Material Safety Data Sheets (MSDS) must be held at the facility for all hazardous materials. These can be obtained free of charge from the supplier.

Reason: To ensure compliance with the Occupational Health & Safety Act 2000 & Regulations

147. The open parking area(s) must drain to a stormwater treatment device capable of removing litter, oil, grease and sediment prior to discharge to the stormwater system, complying with:

- Environment Protection Authority's Environment Protection Manual for Authorised Officers: Technical Section (Stormwater First Flush Pollution); and
- Environment Protection Authority's Managing Urban
- Environment Protection Authority's Managing Urban Stormwater: treatment techniques (1997).

The stormwater treatment device(s) are to be maintained on a regular basis to ensure their functionality. All solid and liquid wastes collected from the device are to be disposed of in accordance with Protection of the Environment Operations Act 1997.

Reason: To prevent pollution of waterways.

148. The operation of the premises is to be conducted in a manner which does not pollute waters as defined by the Protection of the Environment Operations Act 1997.

Reason: To ensure that stormwater drains are not polluted.

149. Sign(s) shall be displayed and maintained adjacent to all stormwater drains on the premises, clearly indicating 'stormwater only'.

Reason: To promote awareness for the protection of waterways.

150. All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act 1997.

Reason: To ensure effective operation of equipment.

151. The use of the premises not giving rise to:

- a. transmission of unacceptable vibration to any place of different occupancy
- b. a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW EPA's Environmental Noise Control Manual, Industrial Noise

Policy 2000 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

152. The operation of the premises not giving rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.

Reason: To prevent loss of amenity to the area.

153. 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.

Advisory Notes:

- (a) Notification and agreement with the adjoining property (tree owner) is required for access to prune the trees in the adjacent property at No. 74 Church Street, Parramatta before any pruning works commence.
- (b) All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site from Church Street before stopping. A construction zone will not be permitted on Church Street.
- (c) A Road Occupancy Licence should be obtained from the RTA for any works that may impact on traffic flows on Church Street during construction activities.
Reason: To comply with RTA requirements.
- (d) All costs associated with the proposed development shall be at not cost to the RTA or Council.
- (e) The building approved as part of this consent may be subject to flooding during storm events greater than the 1:100 year ARI.
- (b) **Further that** a copy of the determination of the application be forwarded to the Roads & Maritime Services (former RTA).