



ASSESSMENT REPORT – Mixed Use Development S79C – Environmental Planning & Assessment Act 1979

SUMMARY

Application details

DA No:	DA/315/2013
Assessment Officer:	Stan Fitzroy-Mendis
Property:	2-8 East Street, Granville Lot 1 DP 712486 (2 East Street), Lot 2 840483 (4 East Street), Lot 1 DP 798201(6 East Street), Lot 4 DP 559058 (8 East Street)
Proposal:	Demolition, tree removal and construction of a 19 storey mixed use development comprising a commercial use on the ground floor and 208 apartments over a basement.
Capital Investment Value:	\$42,526,648
Date of receipt:	30-May-2013
Applicant:	Robert Del Pizzo
Owner:	Mr Adnan Dandan & Mrs Laila Dandan
Submissions received:	No submissions received
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Issues:	Height, Stormwater Management
Recommendation:	Approval

Legislative requirements

Zoning:	B4 Mixed Use
Permissible under:	Parramatta Local Environmental Plan 2011
Relevant legislation/policies:	Parramatta Development Control Plan 2011

BASIX SEPP, Section 94A Plan, Infrastructure SEPP, Sydney Harbour Catchment SREP, Urban Renewal SEPP, SEPP 55, SEPP 65

Variations: Height, (LEP 2011), Building separation (SEPP 65), Unit Mix

Integrated development: No (However concurrence required from Railcorp)

Crown development: No

The site

Site Area: 3,816.8m²

Easements/rights of way: No

Heritage item: No

In the vicinity of heritage items: Yes - 19, 21, and 23 East Street, Granville, Granville RSL, Granville memorial and Granville Memorial Pool

Heritage conservation area: No

Site History

21 January 2013 Pre Lodgment Application PL/5/2013 comprising demolition and construction of 201 residential and commercial units over 4 levels of basement car parking was lodged at Council.

7 March 2013 Pre – lodgment advice given to applicant.

13 March 2013 Parramatta Design Excellence Advisory Panel (DEAP) considered the design under PL/5/2013.

DA history

30 May 2013 DA lodged with Council

4 June 2013 Request for additional information Fees related to RailCorp concurrence, A wind effects report, preliminary acid sulphate soils assessment, provision of alignment plans, design excellence advisory panel fee, and sections;

20 June 2013	Contamination documentation for the site.
12 June to 3 July 2013	Notification and advertising period
18 June 2013	Applicant submits amended plans
10 July 2013	DEAP meeting conducted with endorsed recommendations forwarded to the applicant on 19 July, 2013.
On 22 July 2013	Council officers met with the applicant, owner and their consultants to discuss the primary issues of the proposal being the non-compliance with the height standard and the inadequate design response to the associated DEAP 'Endorsed Recommendation'. The applicant was asked to provide sketch plans detailing design changes.
2 October 2013	Railcorp concurrence

SECTION 79C EVALUATION

SITE & SURROUNDS

The combined site is irregular and has an area of 3,816.8m². Site frontages are 55.09m to East Street, 66.04m to the Western Rail Line (rear) and 65.23m to the Duck Creek concrete stormwater canal. The site slopes approximately 2m to the south (rear) at an average gradient of 3% and contains a west to east cross fall of approximately 2m at an average grade of 3.5%.



Figure 1: Aerial photo showing the subject site. Note Duck Creek stormwater canal to the east and the Western Sydney rail line to the south.

Existing improvements on site include:

- 2 East Street – a single storey building containing a vehicular body repair work business with associated hard stand parking areas;
- 4 East Street – a part one and two storey building containing a motorcycle and scooter repair business with associated hard stand parking areas;
- 6 East Street – a two storey building containing a factory with associated hard stand parking areas; and
- 8 East Street – A two storey building containing an office and factory with associated hard stand parking areas.

Surrounding development includes a two storey factory with a first floor office immediately to the west at 10-12 East Street (Colbest Design – Sportswear Workwear).

The Duck River concrete stormwater canal is located to the east of the site. On the opposite side of the canal is an industrial and warehouse site owned by RailCorp. Access to this Railcorp site is via a concrete and steel bridge over the Duck Creek Canal via East Street. The site shares a rear boundary with the Western Rail Line.

Opposite the site on the northern side of East Street (1- 15 East Street) are a range of buildings from one to two storeys in height containing factories, warehouses and associated offices currently containing a catering company.

The site is on the eastern fringe of the Granville Town Centre. This Centre is bisected by the Western Rail Line. Commercial and retail activity is focused on the southern side of the rail line around the South Street shopping precinct. The site is located on the northern side of the rail line where there are many two storey buildings. These consist of a mixture of mostly light industry, shops and commercial premises interspersed with a few residential buildings. The site is also within walking distance to Granville train station and Parramatta Road.

A portion of the existing industrial building at No, 6 East Street encroaches on the adjoining rail corridor. Owners consent was granted by Railcorp for demolition of this structure by letter dated 2 October, 2013.

THE PROPOSAL

PROJECT DESCRIPTION:

The development comprises:

- Demolition of the all existing structures at 2-8 East Street, Granville;
- Demolition of a portion of building that encroaches on railway land;
- Construction of a 19 storey mixed use building containing 2 commercial tenancies and 208 residential dwellings and 4 levels of basement car parking. Specifically the development contains:
 - two commercial tenancies at the ground floor facing East Street;

- 208 residential dwellings with a dwelling mix of 12x one bedroom dwellings, 148x two bedroom dwellings, 34x two bedroom dwellings plus media room, 13x three bedroom dwellings and a three bedroom dwelling plus media room;
- services and utilities areas such as garbage, electrical and meter rooms;
- 4 levels of basement car parking containing 268 car spaces which consists of 212 resident spaces (20 of which are adaptable spaces), 52 visitor spaces and 4 commercial spaces;
- Associated changes to landscaping including removal of two trees;
- Associated provision of stormwater infrastructure including on-site storm water detention.



Figure 1: Photomontage elevation of the proposal from East Street.

PERMISSIBILITY

The site is zoned B4 Mixed Use under the provisions of Parramatta Local Environmental Plan 2011. The proposal contains two uses being 'commercial premises' and a 'residential flat building'.

Mixed use, Commercial Premises and Residential Flat Buildings are defined as follows:

***mixed use development** means a building or place comprising 2 or more different land uses.*

***commercial premises** means any of the following:*

- (a) *business premises,*
- (b) *office premises,*
- (c) *retail premises.*

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

The proposal satisfies the definition of 'mixed use development', 'commercial premises' and a 'residential flat building' and is permissible under the zoning applying to the land.

REFERRALS

External Referrals

Railcorp

The site adjoins a rail line to the rear. The application was referred to Railcorp for concurrence under Section 86 of the SEPP (Infrastructure) 2007. Correspondence dated 2 October 2013 received from Railcorp provided concurrence to the application subject to conditions.

Details of this referral are contained under the "Infrastructure SEPP" section later within this report.

Endevour Energy

The application was referred to Endevour Energy on 13 June 2013. They advised a substation is required on site to meet electrical demand generated by the proposal.

The applicant responded on 8 July showing Energy Australia specifications for transformers. The applicant has sufficient space for these transformers in the basement and requested that the specifications be incorporated into the approval.

Sydney Water

Council wrote to Sydney Water on 4 June 2013 seeking comment. Sydney water responded by letter dated 7 June, 2013. The letter explained that a feasibility assessment of the site for a similar proposal had been completed. This assessment was applicable to the current proposal. This assessment outlined the steps any applicant would require in order to obtain a s.73 Certificate from Sydney Water.

Internal Referrals

Design Excellence Advisory Panel

Amended Plans

On 13 March 2013 the DEAP considered a development associated with the subject application under PL/315/2012. The relevant DEAP 'Endorsed Recommendations' and the design response submitted under this development application (DA/315/2013) are outlined below:

DEAP 'Endorsed Recommendation'/Comment	Applicant Response
<p>Whilst the Panel acknowledged that this is a pre lodgement application meeting requires plans with full furniture layouts and landscape plan as part of the submission. For a development of this scale and importance, additional 3 dimensional modelling and context analysis should be included as part of the submission with particular emphasis on view catchments.</p>	<p>NB: This response was provided in an email furnished by the applicant pursuant to a Council request.</p> <p>Furniture Layout drawings were prepared (Drawings DA21 and DA22). Landscape plans were prepared and submitted by Greenland Design. Modelling of the building was prepared, examined and used to demonstrate the overall bulk and scale of the development – modelling views are attached in the A3 set for the DEAP to consider. Three photomontages were prepared to consider view catchments.</p>
<p>The Panel agreed there was the opportunity to relax the overall height control of the site as a means of reducing the overall floor plan and minimising the perceived bulk of the overall development without sacrificing overall floor space. Further to this, the opportunity should be explored to express the corner elements of the building as more slender tower forms, with the middle connecting element being recessive both in form and material, and potentially containing openings with landscaped roof terraces.</p>	<p>The proposed design was modified to reflect these comments. The building height was raised by two (2) floor levels to enable a more slender form to be developed generating the appearance of two (2) towers – eastern and western when viewed from the street. Links were then proposed to create common open spaces, pocket gardens, terraces, communal areas, refuge areas and to provide the emphasis on the corner elements with slender tower forms.</p>
<p>The additional top two floors possibly within an increased height limit of 60m should also be treated in a recessive manner, and set back from the main envelope rather than an extrusion of the main envelope form.</p>	<p>The proposed design was modified to generate a more simplified facade treatment and the indentation of the two top floors was considered but ultimately not undertaken. Refer to item below.</p>
<p>On the typical floor plate the excessive stepping of the plan should be reconciled with a more regular façade treatment. This may improve internal planning layouts. (refer to the unit</p>	<p>The proposed design was modified to generate a more simplified and regular facade treatment. The unit layouts were simplified where possible to improve internal planning</p>

<p>layouts either side of the lift lobbies). In addition, this should remove the excessively deep and narrow vertical slots from the building elevations.</p>	<p>layouts. The deep and narrow vertical slots formed by the unit layouts were deleted.</p>
<p>The applicant should consider whether the ground level central foyer opening should be accessible to the public or secured for resident use. The Panel questioned the value in allowing public access through the site to the railway reserve and whether this compromises perceived security for the occupants. There is also the potential to have the ground level lifts opening directing off this central space within the secured perimeter.</p>	<p>The proposed design was modified to generate a central foyer with the entry visible from the street and highlighted with garden entry pergolas to identify the entrance lobbies. The entrance area proposes a secure area, as recommended, with security shutters which can be opened during daylight and closed for security at night. The proposed public court will feature art work and remain the main focal point of the development with the lift lobbies orientated to this space, as recommended.</p>
<p>The Panel thought there was an opportunity for the proponent to undertake a landscape strategy and treatment to the Duck Creek stormwater canal. Appreciating this will be part of a longer term initiative by Council, such treatment should be based on an anticipated activation of that edge and have regard to Council's strategic planning for such stormwater canals.</p>	<p>The proposed design was modified to generate a public boardwalk along the canal with outdoor seating areas, access to a play area, water and art work features along the open rear landscaped area of the development. The boardwalk is elevated and follows the canal. Landscaping has been extended to integrate the canal into the project. The boardwalk wraps around the existing tree and extends from East Street to the rear of the project to continue south on adjoining land in the future.</p>
<p>Many of the apartment layouts for the 2 and 3 bedroom units have bedrooms opening directly off the living spaces which the Panel would discourage.</p>	<p>The proposed design was modified to reduce the number of bedrooms extending from the living areas. However, it is the furniture layouts which illustrate that even when this occurs, the utility of areas is not compromised. The location of bedroom doors along the glazed walls of living rooms is a common feature in many residential apartments.</p>
<p>Consideration of a better resolved waste management and collection strategy should be done in further liaison with Council's engineers. The street crossing and management of street traffic flow for service and</p>	<p>The proposed design was modified to generate only one (1) vehicular crossing (6.1 metres in width as per AS2890.1). Access to the basements is combined with the access to the waste management areas – refer to Drawing</p>

resident vehicles also needs better resolution with the Council's roads.	DA06.
The Panel noted that the allowable FSR for this site is 6:1 which was regarded as excessive. Therefore the Panel would support the proposed FSR, (which is 4.87:1), and would discourage the applicant from further increasing it as the design is developed.	The proposed FSR did increase from 4.87:1 to 5.157:1 by the addition of the two floor levels because the number of lift lobbies increased and the deletion of central units did not delete the same number of lift lobbies. The overall bulk and scale was improved by the proposed modifications and the FSR is still considerably lower than the 6:1 permitted.
The Panel encouraged the applicant to undertake streetscape analysis to improve the ramp/entry stair interface.	The proposed design was modified to generate only one (1) vehicular crossing (6.1 metres in width as per AS2890.1). This improved the elevation 1 along East Street – refer to Drawing DA17.
The Panel required the applicant to provide solar access studies for the living spaces of all apartments and the central common open space to demonstrate SEPP 65 compliance for solar access.	The proposed design was modified to reduce the problems with several unit layouts and now proposes a majority of units orientated to north, east or west – ensuring that all units achieve between 2 – 3 hours of solar access in mid-winter.

On 10 July 2013 the Parramatta Design Excellence Advisory (DEAP) reconvened and considered the subject application. A response to the issues raised by the DEAP was submitted by the applicant on 18 July 2013. A summary of the relevant DEAP Endorsed Recommendations and the applicant's response is provided below:

DEAP 'Endorsed Recommendation'/Comment	Applicant Response
The Panel had, and still has, concerns about the perceived bulk of this proposal. The previous recommendation suggested the possible addition of two extra floors as a means of reducing the overall floor plan without sacrificing overall floor space. A review of the current proposal indicates that two additional floors have been included but with no perceptible decrease in floor plan area. It is suggested that a reduction in the overall floor plate be carried out if the two additional levels are proposed.	The applicant has stated in their correspondence of 18 July 2013 that a reduction to floor plates and recessing of the two upper levels will not be undertaken.

<p>The alternative would be to delete the two additional floors, as the current condition is not supported.</p>	
<p>The Panel had previously recommended that if two additional floor levels are included that they then be treated in a recessive manner and set back from the main envelope rather than appear as an extrusion of the main envelope form. A review of the current proposal indicates that this has not been carried out and the additional floor levels are in fact included in elements that project beyond the face of the main façade. It is considered that if the additional levels remain these must be recessed as noted previously.</p>	<p>Please see above.</p>
<p>The Panel had previously suggested that the typical floor plates reduce the excessive stepping in plan as this would allow for a more regular façade treatment. This should be considered as part of developing an architectural expression that allows the proposed corner elements of the building to read as more slender tower forms. It is felt this could be achieved by exploring a more dominant vertical expression, as the current mix of vertical and horizontal elements does not assist in reducing the perceived bulk and width of the building and in promoting the idea of a more slender form to the towers.</p>	<p>Please see above. Amended plans have been submitted to provide for a more consistent treatment of balcony balustrades to reduce the overall vertical emphasis.</p>
<p>The Panel acknowledges that this is a substantial development and considers it appropriate that envelope studies be developed and presented for consideration to ensure a suitable architectural expression is achieved.</p>	<p>Not provided. NB: It is noted that 3D modelling was provided with the originally submitted documentation.</p>
<p>The Panel recommends that a pedestrian eye view from the intersection of Rowell / Bridge Street and East Street be developed. It is not necessary for it to be a high resolution</p>	<p>Not provided.</p>

<p>photomontage but developed enough to clearly indicate context.</p>	
<p>The Panel notes that the final façade treatment must include suitable solar control devices particularly on the western façade. These should form an integral part of the architectural resolution.</p>	<p>Not provided.</p>
<p>It is felt that a well-articulated vertical expression could also encompass vertical privacy screening as this would also assist in minimising any privacy impacts due to oblique lines of sight between units. These amenity impacts will need to be addressed in the proposal.</p>	<p>Not provided.</p>
<p>It is noted that the Panel's previous recommendation of an FSR limit of 4.87:1 is not what is currently proposed. The current proposal has an FSR of 5.157:1. The Panel still supports the previous advice and believes adherence to this will assist in reducing the perceived bulk of the development.</p>	<p>FSR unchanged.</p>
<p>It is acknowledged that the applicant has modified the ground level central foyer by the addition of a fence or screen that allows for a number of central bi-folding doors to restrict public access after hours. It also appears to have secure gate access for residents. While this is considered to be positive addition, the Panel requires more detailed information as to the design intent of this screen. This is due to its prominence in the entry sequence and as an important streetscape element. Larger scale plans, elevations and 3d views are required to assess this element.</p>	<p>No additional detail provided.</p>
<p>The Panel is concerned that the currently proposed blank four storey high wall with a zero setback on the north western boundary is contributing</p>	<p>Vertical screens and glazing etc. provided on the subject wall area.</p>

to the proposal's perceived bulk. Its prominent location and impact on the streetscape suggest that this should be modified or deleted.	
The height of the roller shutter to the basement along East Street is excessive when considering the overall ground level facade treatment. Consideration should be given to minimising its impact with suitable articulation.	No changes submitted. NB: Amendments to this area are to be submitted pursuant to the meeting conducted on 22 July 2013.
The Panel recommends that apartment layouts be revised to allow for kitchens to be relocated to areas that access views and natural light in order to improve amenity.	No change to apartment layouts.
The Panel suggest that the media rooms proposed in some units be revised to study spaces.	No change to annotated media rooms.
It is recommended that the garbage strategy be revised as it is felt that both tower floor plates should have a garbage room on each floor level. The current proposal for no garbage rooms for the south eastern tower is not supported.	Garbage areas unaltered.
The applicant is to provide solar access studies for all living spaces of all apartments and the central open space to demonstrate SEPP 65 compliance for solar access.	No additional solar access studies submitted.

On 22 July 2013 Council Officers met with the applicant, the owner and their consultants to discuss the primary issues of the proposal being the non-compliance with the height standard and the inadequate design response to the associated DEAP 'Endorsed Recommendation'. The applicant was asked to provide sketch plans detailing the following primary design changes:

- Recess the two upper levels from the main façade by at least 3m.
- Provide for stronger vertical architectural expression of the facades particularly at the corners of the development.
- Greater articulation of the façade associated with the roller door for the basement car park.

Planning Comment: The issues raised by DEAP are partially addressed. The principle issues are the perceived height and bulk and scale of the building.

Traffic & Transport Investigations Engineer

Council's Traffic and Transport Investigations Engineer gave the following advice on 18 July, 2013:

Existing Development

1. The site contains 4 industrial buildings with vehicular access off East Street and is located on the southern side of East Street at the far eastern end of the cul-de-sac, adjacent to the Duck Creek stormwater canal and within the Granville Town centre. The site is located at a distance of approximately 250m walking distance from Granville railway station.

Proposed Development

2. The proposed development seeks approval for demolition, tree removal and construction of a 19 storey mixed used development containing 211m² GFA of commercial floor space (for 2 commercial units on the ground floor) and 208 apartments (12 x 1-bedroom; 182 x 2-bedroom; 14 x 3-bedroom units) over 4 levels of basement carparking.
3. The Traffic Report submitted with the development application was prepared by Varga Traffic Planning Pty Ltd dated 6 May 2013.

Description/Development Control/Design Requirements	Proposal	Comments	Compliance
<p>Parking Requirements - Parramatta DCP 2011 Table A – Minimum Car parking rates “(within 400 metres walking distance of railway station or transitway bus stop with a service frequency of an average of 10 minutes or less during the morning peak hour (7 am - 9 am) in either direction)”</p> <p><i>Residential Component</i></p> <ul style="list-style-type: none"> ➤ 1 space per 1 or 2-bedroom units x 194 = 194 parking spaces ➤ 1.2 spaces per 3- 	<p>1 loading is provided near the driveway access ramp and residents bin room</p>	<p>1 parking space is to be converted to a carshare in accordance with Clause 3.6.1 (C.1) of Parramatta DCP 2011.</p>	<p>Yes</p>

<p>bedroom units x 14 = 16.8 (17) parking spaces</p> <ul style="list-style-type: none"> ➤ 0.25 spaces for visitors x 208 = 52 parking spaces <p><i>Commercial Component</i></p> <ul style="list-style-type: none"> ➤ Minimum of 1 space per 60 square metres of GFA and a maximum of 1 space per 30 square metres of GFA (211m² GFA) = 3.52 (4) parking spaces minimum and 7 parking spaces maximum ➤ Loading bay – 1 space <p><i>Bicycle spaces</i></p> <ul style="list-style-type: none"> ➤ 1 bicycle space per 2 dwellings (residential) and 1 bicycle space per 200m² GFA (commercial) = 105 bicycle spaces ➤ 1 carshare space (in accordance with Clause 3.6.1 (C.1) of Parramatta DCP 2011) <p>Total = minimum of 268 parking spaces (211 residential spaces; 52 visitor spaces; 4 commercial spaces minimum and 7 commercial spaces maximum; and 1 carshare space) plus 105 bicycle spaces; 1 loading bay</p>	<p>16 bicycle racks</p> <p>268 parking spaces (including 192 spaces for residents; 20 disabled parking spaces for residents; 52 visitor parking space, of which 2 spaces are marked as disabled parking spaces for visitors; 4 commercial spaces) and 1 carwash/reverse bay</p>		<p>Yes</p> <p>No (deficiency = 89 bicycle spaces)</p> <p>No</p> <p>Yes</p>
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<p><u>“Business and Retail Premises – Granville Town Centre</u> <i>Minimum of 1 space per 60 square metres of GFA and a maximum of 1 space per 30 square metres of GFA. Where there is a combination of land uses, a maximum of 40% of resident visitor parking can be used in the calculations for retail parking provided that these areas are shared”</i></p> <p><u>Clause 3.6.1 (C.1) of Parramatta DCP 2011</u> <i>Note: 1 carshare parking space is to be provided for any residential development containing more than 50 residential units and is within a 800m radial catchment of a railway station or 400m radial catchment of a bus stop with a service frequency of an average of 15 minutes or less during the morning peak (7am - 9 am) in either direction. Carshare parking spaces must be publicly accessible at all times, adequately lit and sign posted and located off street. Written evidence must be provided with the development application demonstrating that offers of a car space to carshare providers have been made together with the outcome of the offers or a letter of commitment to the service”.</i></p>			
<p>Parking Spaces – Layout and dimensions (Figures 2.2 and 2.5 of AS 2890.1-</p>	<p>The dimensions of the parking spaces and aisle width, as</p>		<p>Yes</p>

<p>2004; AS 2890.6-2009)</p>	<p>shown on the submitted DA plans = 2.4m wide x 5.4m long and aisle width varying from 5.8m to 6.1m</p> <p>At blind aisle, the aisle is extended 1m beyond the last parking space on each row of the parking spaces, and the last parking space to be widened by at least 300mm if it is bounded by a wall or fence.</p> <p>The dimensions and configuration of the disabled parking spaces = dedicated space plus shared space (2.4m wide x 5.4m long each with a bollard installed on the shared space),</p>		<p>Yes</p> <p>Yes</p>
<p>On-site manoeuvring (AS 2890.1-2004 Clause B3; Figures B3 and B7)</p>	<p>Swept path plans have been submitted for vehicle access from the ramp access driveway through to the parking spaces provided in the basement levels.</p>	<p>On-site manoeuvring have been checked in accordance with AS 2890.2-2004 (as per the submitted Traffic Report) and are acceptable on traffic and parking grounds.</p> <p>The aisle widths near the ramp access driveway on basement level 1 between parking spaces V1 and C1 are 5.875m and</p>	<p>Yes</p>

		5.575m (adjacent to the column at V1). The submitted swept turning paths (B99 vehicle circulation) almost encroaches on the column adjacent to V1 space.	
Vehicular Access Driveway entry and exit - Clause 3.2; Tables 3.1 and 3.2 of AS 2890.1-2004	<p>6.1m wide combined entry and exit driveway between kerbs off East Street on the western -most end of the property boundary. Ramp access driveway to all basement levels is 5.5m wide</p> <p>Access to the loading bay (truck turning bay and bin collection), as shown on the ground floor plan (Dwg DA06 – 10/5/13 – Issue A) is acceptable on traffic and parking grounds.</p>		<p>Yes</p> <p>Yes</p>

<p>Driveway gradients - Clause 2.5 and Clause 3.3 of AS 2890.1-2004</p>	<p>The gradients of the driveway and the ramp access to the basement level, as shown on the submitted site details plan (Dwg DA20 10/5/2013 Issue A) , are "1:20 (5%) for 6m from property boundary; 1:16 for 5.6m long; then flat grade for 6.250m; 1:8 (12.5%) for 2m long; 1:5 (20%) for 19m long and 1:8 (12.5%) for 2m long towards the basement level".</p>		<p>Yes</p>
<p>Traffic Generation – Roads and Maritime Services (formerly RTA) Guide to Traffic Generating Developments Traffic generation rates for residential development.</p> <p>Existing development = <i>0.85 peak hour vehicle trips per dwelling</i></p> <p>Proposed development –</p> <p>High density residential</p> <ul style="list-style-type: none"> ➤ <i>0.29 weekday peak hour vehicle trips per dwelling</i> <p>Commercial premises</p> <ul style="list-style-type: none"> ➤ <i>2.0 weekday peak hour vehicle trips per 100m² GFA</i> 		<p><i>Existing</i> development = 27.5 (28) weekday peak hour vehicle trips (industrial developments)</p> <p><i>Proposed</i> development = 60.3 (residential) + 4.22 (commercial) = 64.52 (65) weekday peak hour vehicle trips</p> <p>Net increase in traffic generation = 37 weekday peak hour vehicle trips.</p> <p>Accordingly, it is considered that the increase in traffic to be generated by the proposed development is not expected to have a significant</p>	

		impact on East Street and the surrounding road network.	
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Conclusion

Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on Campbell Street and the surrounding road network. The proposal can be supported on traffic and parking grounds provided that:

- 89 additional bicycle spaces are to be provided on-site in accordance with Parramatta DCP 2011;
- 1 parking space is to be converted to a carshare parking space in accordance with Clause 3.6.1 (C.1) of Parramatta DCP 2011;and

Recommendation

If this DA is to be approved, then standard traffic conditions should be included in the conditions of consent.

Planning Comment: The proposal is satisfactory subject to conditions.

Tree Management & Landscape Officer

The application was referred to Council's Tree Management & Landscape Officer. Comments were received 11 July, 2013 as follows:

Impact on Site Trees

Two (2) trees located in the front of the site are proposed to be removed for this development application. One (1) *Callistemon viminalis* (Bottlebrush) tree is proposed to be retained. A large amount of tree planting is included in the landscape proposal for the site.

Trees to be removed are:

Tree No	Name	Common Name	Location	Reason
1 x	<i>Eucalyptus crebra</i>	Narrow Leaf Ironbark	Front	Poor form/low retention value
1 x	<i>Corymbia citriodora</i>	Lemon Scented Gum	Front	Sparse canopy/low significance & retention value

Reason: To allow appropriate development of the site.

Landscape

The Landscape Plan by Greenland Design Pty Ltd (Drawing No's – 0573.L.01-06/Issue 'A') dated 9 May 2013 submitted to Council has been completed in

accordance with Council's relevant DCP and shall be incorporated into the development consent.

The proposal satisfies the requirements of Council's controls and can be supported.

Planning Comment: The reported conditions of Council's Tree Management & Landscape Officer are incorporated in the Recommendation section of this report.

Development and Catchment Engineer

The application was referred to Council's Catchment and Development Engineer. Amended plans were submitted to address the concerns of these teams. Engineering comments were as follows:

DISCUSSION IN TERMS OF FLOOD RELATED ISSUES

A Flood Assessment Report was prepared and submitted with the Development Application. The report was assessed by Council's Catchment Management Team and several modifications were done to satisfy the flood related requirements. The flood report was further revised twice (Issue C), as per Council's request.

Although the property is identified to be affected by High Hazard Flood, the area affected by flood is only within the first lot (No. 2), which is adjacent to the open channel. The basement access is located at the furthest point from the channel and a free board of 500 mm above the 1 in 100 year designated flood level has also been provided at the basement entry point. In addition to this a Flood Gate has been proposed for the prevention of flooding in major flood events.

In terms of identifying the location of the building lines in terms of the flood affectation, I have already discussed the matter in details with the Architect. The High Hazard Flood Affected area was identified in the Flood Assessment Report and the flood line was established before determining the building lines. The proposal is kept outside the High Hazard Flood Area and the perimeter walls of the Basement Area will be constructed using "Tank Construction" method to prevent any flood waters seeping through the walls.

Considering the current site condition, there are existing huge retaining walls along the boundary fence line with the existing Sydney Water Channel. In addition to this, there are colorbond fences on top of the retaining walls constricting the free flow of flood waters. These retaining walls and the colorbond fences will be removed and the retained soils will be removed to provide adequate flood storage capacities to the flood affected areas. This is a significant improvement to the development site in terms of flood waters within the vicinity. An open pool type fence will be requested for safety and to allow for the free flow of flood waters through the development site.

The ground floor levels are proposed with more than 500 mm free board above the designated 1 in 100 year flood level. The buildings at the ground levels have been designed to have cantilever type constructions to enable the free flow of

flood waters around the building. Considering the existing built up site conditions in terms of flood affectation, the proposal will not make the situation worse. The proposal actually removes many obstructions along the Channel bank and will improve the free flow of flood waters in this area. Therefore, I have no objections to the proposal. Appropriate flood related conditions will be incorporated with the approval.

Discussion for stormwater disposal

Storm water runoff from the entire roof and most of the surfaces will be drained into two OSD tanks and two aboveground detention basins. Stormwater discharge from the detention systems will be first draining into a WSUD (Storm Filter Cartridge Chamber with 12 cartridges) system before discharging into the existing Sydney Water Channel. There are no overland flows expected from adjacent upstream properties. Therefore, I have no objections to the proposal.

Conclusion

The proposal satisfies the requirements of Council's controls and can be supported, subject to the Standard and Special conditions of consent.

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

Urban Design

Urban Design was invited to comment on the alignments plan for 2-8 East Street Granville. Comments were provided on 15 July, 2013 as follows:

The Public Domain Guidelines requires the alignments plan to also include proposed tree pits.

East Street is undergoing urban renewal from light industrial/commercial to mixed use to ensure good amenity for residences, street trees should be planted along the footpath. Therefore it is recommended that the alignments plan show indicatively where street trees could be located along the footpath.

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

Waste Officer

The application was referred to Council's Waste Officer who provided comments on 4 June, 2013. The applicant has provided sufficient information on the management of waste during each stage of development. Adequate waste facilities have been provided for both residential and commercial occupants. The plans indicate garbage suite systems in junction with a dedicated caretaker. These elements facilitate adequate storage and collection of waste. A private contractor is required to service

the development due to its size. The proposal is satisfactory subject to standard conditions.

Planning Comment: The conditions of Council's Waste Officer are incorporated within the Recommendation section of this report.

Environmental Health (Acoustic)

Environmental Health (Acoustic) was invited to comment on the proposal. Comments were provided as follows:

Issues

As proposed development is adjacent to a rail line the Acoustic Assessment must be compiled in accordance with EPA Guidelines.

CONCLUSION

The proposal satisfies the requirements of Council's controls and can be supported, subject to standard and special conditions of consent.

RECOMMENDED CONDITIONS

The recommendations in the Acoustic Impact Assessment for DA Submission, 2-8 East Street, Granville prepared by Vipac Engineers and Scientists Ltd are to be correctly implemented.

Planning Comment: The recommended conditions of Council's Environmental Health (Acoustic) Officer are incorporated in the Recommendation section of this report.

Arts Plan

The proposal was referred to Council's Creative Broker who reviewed the Arts Plan and provided advice on 17 June 2013. Council's creative broker is satisfied with the intent of the Arts Plan. The historical and cultural site analysis identifies the key elements of the site history and through the water feature, suspended artwork and public court sculpture. The balustrading on the deck provides the public with an insight into the relevant and appropriate themes within the context of its site.

However, some reassurances will be needed that the Arts Plan will be implemented and artwork/s installed prior to occupation of the site by the client, as required in the conditions of consent. Therefore the following requirements must be met in full:

1. That the Applicant engages an Artist/s to develop site specific artwork/s which is consistent to the proposed themes and treatment areas outlined in the Arts Plan.

2. On completion of the artwork design stage, the Applicant will be required to submit all additional documentation to Council that details the realisation of the Arts Plan through final design concepts, site plan for artworks, construction documentation and project management prior to its implementation.
3. The artworks are to be completed in full in line with the documentation submitted and the artworks are installed to the satisfaction of Council prior to the issue of the Occupation Certificate.
4. In the use of the site, the water feature as annotated on p 20 of the arts plan shall be maintained in a working and good condition by the body corporate.

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

Environmental Health (Contamination)

Environmental Health (Contamination) was invited to comment on the proposal. Comments were provided as follows:

DISCUSSION

Further to the preliminary contamination assessment (Report No 12869/2-AA, dated 6 May 2013), an additional contamination assessment (Report No 12869/3-AA, dated 26 July 2013) was submitted to Council. The results of soil testing revealed elevated levels of cadmium, copper, lead, nickel and/or zinc concentrations at five bore hole locations, the report stated that levels would not present a risk to human health.

There were inconsistencies found between the two reports provided to Council, the preliminary contamination assessment (Report No 12869/2-AA) showed results where groundwater testing revealed the levels of cyanides to be 14µg/L, which exceeded ANZECC trigger values for fresh water aquatic ecosystems. The latter report (Report No 12869/3-AA), showed results to be <5 µg/L, this adhering to trigger values. The latter report therefore concluded that no groundwater contamination issue was identified at the site.

The report considers the site suitable for the proposed residential development subject to the following:

- *Sampling and testing of soils beneath the buildings with fibro-cement roof after removal.*
- *Sampling and testing of soils in the vicinity and beneath the grease traps and possible underground fuel storage tank after removal.*

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

Heritage

The proposal is in proximity to 19, 21, and 23 East Street, Granville. The subject site is located to the south-east of these heritage items. The site of proposed

development is in vicinity of Granville RSL, Granville Memorial and Granville Memorial pool. A referral to Council's heritage officer resulted in the following:

The site of proposed development is in vicinity of Granville RSL, Granville Memorial and Granville Memorial pool. However, given rail lines in between, any impact will be negligible.

The site is also in vicinity of terraces at 19, 21 and 23 East Street, however, these are to the north and across the street, thus views will not be greatly impacted.

On balance, there are no heritage objections based on the currently available information.

Planning Comment: There are no heritage objections to the proposal.

PUBLIC CONSULTATION

In accordance with Council's notification procedures contained in Appendix 5 of DCP 2011, the proposal was advertised in the local paper and a sign placed on the site with owners and occupiers of surrounding properties given notice of the application for a 21 day period between 22 May 2013 to 13 June 2013. No submissions were received.

Amended Plans Yes

Summary of amendments: Yes

Amended plans were received for the proposed residential flat building. Modifications were as follows:

- Outstanding fees for an external referral to RailCorp;
- A wind effects report;
- preliminary acid sulphate soils assessment;
- provision of alignment plans;
- design excellence advisory panel fee;
- sections;
- Contamination documentation for the site;
- Sketch plans to discuss the primary issues of the proposal being the non-compliance with the height standard;
- Amended plans to address concerns raised by DEAP.

Amended Plans re-advertised or re notified No

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 and do not prejudice neighbours.

ENVIRONMENTAL PLANNING INSTRUMENTS

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. The site is currently used for light industry. A remediation and contamination assessment was undertaken as part of this application. This was referred to Council's Environmental Health Officer. Assessment of the Phase 1 and 2 contamination report found elevated levels of cadmium, copper, lead, nickel, and zinc that exceeded safe levels. Cyanides were also identified. Further information was sought by Council. Council's Environmental Health Officer reviewed the amended documentation and via memo dated 14 August 2013 found the proposal satisfactory subject to standard conditions of consent. The proposal is satisfactory having regard to the relevant matters for consideration under SEPP 55.

STATE ENVIRONMENTAL PLANNING POLICY – BASIX

The application has been accompanied by a BASIX certificate that lists commitments by the applicant as to the manner in which the development will be carried out. The requirements outlined in the BASIX certificate have been satisfied in the design of the proposal. A condition will be imposed to ensure such commitments are fulfilled during the construction of the development.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

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

Clause 45 – Impacts on Electricity Transmission or Distribution

The application is not subject to Clause 45 of the SEPP as the development is not adjacent to an easement for electricity purposes, immediately adjacent to an electricity substation, or within 5m of an exposed overhead electricity power line. Notwithstanding this, a letter was written to Endeavour Energy seeking comment. Endeavour energy noted that an electrical substation was nominated on the plans on the northern eastern corner of the building. An indoor substation is possible provided certain standards are met. The applicant submitted Endeavour Energy specifications for substations as part of amended plans. These substation plans form part of the recommendation.

Clause 86 - Development in Rail Corridors

The site adjoins the western train line. The application therefore requires concurrence from Railcorp. The application was referred to Railcorp for concurrence under Section 86 of the SEPP (Infrastructure) 2007 on 14 May 2013. Concurrence was received on 2 October, 2013:

Clause 86 of ISEPP requires RailCorp to take into consideration the likely effect of the Proposed Development on the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:

- the safety or structural integrity of existing or proposed rail infrastructure facilities;
- the safe and effective operation of existing or proposed rail infrastructure facilities; and
- the measures that are proposed, or could reasonably be taken, to avoid or minimise those potential effects.

RailCorp advises that following the provision of additional information by the applicant.

The proposed development has been assessed in accordance with the requirements of Clause 86(4) being:

a) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:

(i) the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and

(ii) the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and

b) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects. In this regard, RailCorp has taken the above matters into consideration and granted its subject to Council imposing Railcorp conditions.

Planning Comment: All conditions contained within Attachment A of Railcorp's correspondence dated 2 October 2013 are contained within the Recommendation section of this report.

Clause 87 - Impact of rail noise or vibration on non-rail development

The application subject to Clause 87 of the SEPP as the proposal is adjacent to a Western Sydney Railway, Railcorp have reviewed the plans and granted concurrence, subject to standard conditions discussed above.

Clause 101 – Frontage to a Classified Road

The application is not subject to clause 101 of the SEPP as the site does not have frontage to a classified road. The application is not subject to clause 102 of the SEPP as the average daily traffic volume of East Street is less than 40,000 vehicles.

STATE ENVIRONMENTAL PLANNING POLICY (URBAN RENEWAL) 2010

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 (that includes parts of Harris Park, Parramatta and Rosehill as well) 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 site is identified as being within a precinct identified for renewal and revitalisation. Assessment against the relevant provisions of the SEPP are as follows:

Section 3 outlines the aims for the SEPP. The aims of the policy are to establish a process for assessing and identifying sites for urban renewal that are accessible by public transport. The Granville precinct where the site is located is nominated as an urban renewal precinct.

Sections 10(2) to 10(3) requires the consent authority to be satisfied that the development is consistent with the objective of developing the potential precinct for urban renewal. The proposal transforms an underutilized collection of industrial sites into a high density, multistorey mixed use residential building complex. This proposal is close public transport and is consistent with the stated aims above of the SEPP.

STATE ENVIRONMENTAL PLANNING POLICY 65 Design Quality of Residential Flat Development

SEPP 65 applies to the proposal. This Policy aims to improve the design quality of residential flat buildings in New South Wales.

Clause 50 of the Environmental Planning and Assessment Regulation 2000 requires that an application which relates to a residential flat building be accompanied by a Design Verification Statement from a qualified designer. A Design Verification Statement prepared by Robert Del Pizzo, Registered Architect (Registration No. 3972) was submitted with the application. This statement verifies that Robert Del Pizzo supervised the preparation of the development application. The statement also confirms that the proposal has been designed in accordance with the design quality principles of SEPP65.

In accordance with Part 2 of SEPP 65, the design quality principles provide a guide to achieving good design and the means of evaluating the merits of proposed solutions. The design quality principles contained in SEPP 65 are addressed below:

Context

The design of the proposed building responds and contributes to its context, especially having regard to the desired future qualities of the area. The amended scale of the buildings and type of use are compatible with the proposed redevelopment of the precinct and recognises and generally complies with the requirements of Parramatta LEP 2011 and DCP 2011.

Scale

No issues arise in terms of the scale of the proposal. The scale of the buildings are suitable within the locality, with the buildings greater building height proposed between pre-DA and DA submission still being under the height control for the site. See discussion below.

Built form

The design achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, type and the presentation of building elements. The proposed built form is consistent with the context of this site being within an urban renewal precinct.

Density

The proposal results in a density appropriate for the site and its future context as an urban renewal precinct, in terms of floor space yield, number of units and potential number of new residents. The proposed density of the development is sustainable and responds to the availability of infrastructure, public transport, and community facilities while maintaining environmental quality.

Resource, energy and water efficiency

The development provides opportunities as reflected within the submitted Basix Certificate. Energy efficiency is also aided by the use of water/energy efficient fittings, appliances and lighting.

Landscape

The landscaping solutions depicted in the architectural plans are of satisfactory quality.

Amenity

The proposal is considered satisfactory, optimising internal amenity through appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook, efficient layouts and service areas. The proposal provides for an acceptable unit mix for housing choice and provides access and facilities for people with disabilities.

Safety and security

The proposal is satisfactory in terms of future residential occupants overlooking public and communal spaces while maintaining internal privacy.

Social dimensions

This principle essentially relates to design responding to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities and optimising the provision of housing to suit the social mix and provide for the desired future community. The proposal satisfies these requirements.

Aesthetics

The proposed development is appropriate in terms of the composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the resultant building. The proposed building responds to the environment and context, contributing to the desired future character of the area.

Residential Flat Design Code

The Residential Flat Design Code is a resource designed to improve residential flat design. The Code sets broad parameters for good residential flat design by illustrating the use of development controls and consistent guidelines.

The Design Code supports the 10 design quality principles identified in State Environmental Planning Policy No. 65 — Design Quality of Residential Flat Development as outlined above. It supplies detailed information about how development proposals can achieve these principles.

The following table describes the controls relevant to this proposal:

PARAMETER	CONTROL	PROPOSAL	COMPLIANCE
Building Depth	Apartment depth should be between 10-18m	Apartment depth = 9.5m - 17.5m	Partial (see below)
Separation	Suggested separation between adjoining sites for a development 9 storeys and above is as follows: - 24m between habitable rooms/balconies. - 18m between habitable rooms/balconies and non-habitable rooms. - 12m between non-habitable rooms.	<i>10 East Street</i> = 3.5m – 13.3m <i>5 East Street</i> = 29.4m	No Yes
Deep soil zones	Minimum of 25% of open space area of a site should be a deep soil zone (488m ²)	47% (920m ²) (approx.)	Yes
Open Space	25% - 30% of site area should be devoted to communal open space (954m ² – 1145m ²)	37% (1178m ²) (approx.)	Yes
Planting on structures	Minimum Soil Depths of trees with less than 4m canopy diameter – 800mm	Sufficient details provided.	Yes
Safety	Carry out a formal crime risk assessment for all residential developments above 20 dwellings	Statement of Environmental Effects has carried out a CPTED assessment.	Yes

Pedestrian Access	Provide barrier free access to at least 20% of all dwellings.	Barrier free access cannot be provided to 20% of dwellings due to the tower form of the development. Entry is via a central lobby to all dwellings.	No
Vehicle Access	Limit driveway widths to 6m.	Basement Driveway Width = 6.8m	No (satisfactory subject to condition)
Apartment Layout	<p>Single aspect apartments should be limited in depth to 8m from a window.</p> <p>The back of a kitchen should be no more than 8m from a window.</p> <p>The width of cross through apartments over 15m deep should be more than 4m.</p> <p>Minimum Apartment size of 50m² for one bedroom apartments, 70m² for 2 bedroom apartments and 95m² for three bedroom apartments.</p>	<p>Single aspect apartments generally within 8m of a window.</p> <p>Not all kitchens are within 8m of a window.</p> <p>Apartments with a depth greater than 15m are more than 4m in width.</p> <p>Apartment sizes in excess of minimum requirements.</p>	<p>Yes</p> <p>Partial</p> <p>Yes</p> <p>Yes</p>
Balconies	Provide primary balconies for all apartments with a minimum depth of 2m.	Balconies comply.	Yes
Ceiling heights	<p>Minimum 2.7m for residential</p> <p>3.3m for retail.</p>	Minimum heights able to be accommodated.	Yes
Internal circulation	A maximum of 8 dwellings should be provided off a double loaded corridor or central core.	Cores provide for a maximum access to 7 dwellings per floor.	Yes
Storage	<p>1 bedroom 6m³</p> <p>2 bedroom 8m³</p> <p>3 bedroom 10m³</p>	Storage areas provided in basement however these are on average 5.5m ³ .	No (see discussion below)

Daylight Access	Living rooms and private open spaces for at least 70% of apartments should receive two hours direct solar access on winter solstice (if in a dense urban environment).	100% of dwellings will receive two hours of solar access.	Yes
	Limit the number of single aspect apartments with a SW-SE aspect to a maximum of 10% of total units.	No single aspect dwellings face south.	Yes
Natural ventilation	60% of units should be naturally cross ventilated	93% of dwellings are cross ventilated.	Yes
	25% of kitchens within a development should have access to natural ventilation.	33.7% (70 out of 208) of kitchens have access to natural ventilation.	Yes

Building Separation

The proposal does not meet the building separation requirements under SEPP 65. This is because the building takes a twin tower form, rather than a slender tower form. The building form and is uncharacteristic of the existing light industrial area. The B4 Mixed Use zoning for the site, coupled with the 52 metre height control results in a building separation that is unachievable, even on a consolidated lot. The building separation is acceptable in light of the fact that the entire precinct is zoned B4 Mixed Use and is also identified as an urban activation precinct.

Departures in storage for apartments

The proposal has 209 storage areas in the basement levels. These areas will provide individual storage external to the apartments. There is adequate room in the basement to Subject to condition requiring that they meet the minimum requirements under the rules of thumb of SEPP 65, the quantum of storage is satisfactory.

Departures in Driveway Access

There is a minor departure in the vehicle access driveway width to the basement car park. Noting that a garbage truck requires access to the site to remove waste and also noting that traffic have assessed this departure and found it satisfactory, subject to standard conditions of consent, the departure is satisfactory.

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.

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 with the deemed SEPP.

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

The relevant matters to be considered under Parramatta Local Environmental Plan 2011 for the proposed development are outlined below.

COMPLIANCE TABLE		
Development standard	Proposal	Compliance
4.3 - Height of Buildings	<p>The Height of Buildings Map indicates that buildings on this site can be a maximum height of 52m above existing natural ground level.</p> <p>The development has a maximum height of 64.3m.</p> <p>The applicant has submitted a Clause 4.6 variation in support of the departure to the standard and the assessment is discussed elsewhere in this report.</p>	No
4.4 - Floor Space Ratio	<p>The Floor Space Ratio Map indicates that buildings on this site can be a maximum floor space ratio of 6:1.</p>	Yes

	<p>The development provides for the following:</p> <p>Floor Space Ratio = 5.18:1</p>	
4.6 Exceptions to development standards	Height.	Yes
5.6 Architectural roof features	There are no significant architectural roof features.	N/A
5.7 Development below mean high water mark.	The proposal is not for the development of land that is covered by tidal waters.	N/A
5.9 Preservation of trees	Council's Tree Management & Landscape Officer has not raised objection to the proposed tree removal. See previous discussion in the 'Referrals' section of this report.	Yes
5.10 Heritage Conservation	The subject site is not a heritage item or within a local heritage conservation area. The impacts on nearby heritage items have been assessed and are acceptable.	Yes
5.10.8 Aboriginal Places of Heritage significance What is the identified Aboriginal significance of the site?	The site is identified as being of low significance by Council's Aboriginal Heritage Sensitivity Database. Accordingly the proposal is not considered to impact an Aboriginal place of heritage significance.	Yes
6.1 Acid sulphate soils	The Acid Sulphate Soil map designates the area requiring an acid sulphates soils management plan. This was submitted by the applicant. Subject to conditions the proposal is satisfactory in relation to acid sulphate soils.	Yes
6.2 Earthworks	The amount of earth works, specifically that required for the basement car park, are	Yes

	acceptable. Council's Development Engineer has reviewed the application including the proposed amount of excavation including a geotechnical report and considers that the proposed earthworks are satisfactory.	
6.3 – Flood Planning	The site is subject to the 1:20 ARI (AHD 5.06) and the 1:100 ARI (AHD 5.77). The proposal meets the objectives of the control and subject to condition is satisfactory from a flood management perspective.	Yes
6.4 Biodiversity protection Is the site identified as containing biodiversity on the 'Natural Resources – Biodiversity Map'?	The subject site is not identified on this map.	N/A
6.5 Water protection Is the site identified as being riparian land on the 'Riparian Land and Waterways Map'?	The subject site is not identified on this map.	N/A
6.6 Development on landslide risk land	The site is not identified as landslide risk land.	N/A
6.7 Affected by a Foreshore Building Line	The site is not located in the foreshore area.	N/A

Zone Objectives

The proposed development is consistent with the aims and objectives of the R4 High Density Residential zoning applying to the land as the proposed works are suitably located, and are of a bulk and scale that maintains suitable residential amenity for adjoining sites.

Discussion of Non-Compliances

Height

The Height of Buildings Map indicates that buildings on this site can be a maximum height of 52m above existing natural ground level.

The development has a maximum height of 64.3m.

Extent of Departure

The Height control for the site is 52m departing from this control by 12.3m above the 52m height control or 23%.

Urban Design Rationale for height departure

DEAP assessment considered the proposal at pre-DA stage within the context of the site being within an urban renewal precinct. The building as originally submitted was considered by the DEAP to be excessively bulky. The DEAP suggested way to mitigate this bulk as follows:

- Reduce the floor plate of each tower;
- Make the connecting elements between the towers recessive so that the towers present as two elements rather than one bulky mass;
- Chamfer the edges of the building to reduce bulk; and
- Increase the height with that height incorporating recessive elements.
- The additional height in conjunction with the other design changes was to in concert mitigate the impacts of bulk and scale.

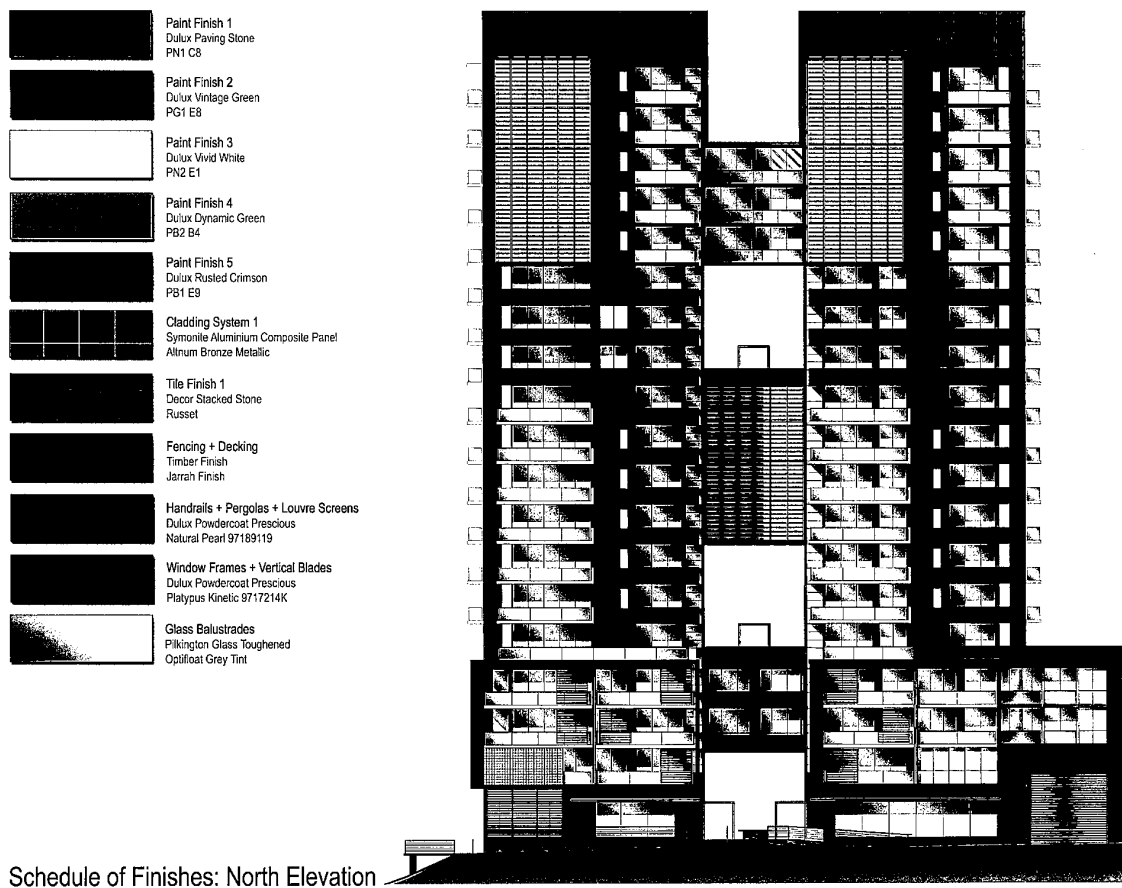


Figure 3: North elevation of the proposal in a figure ground diagram.

Clause 4.6 Exemption to development standards

A Clause 4.6 Exemption to development standards submission was made with the application. In accordance with the provisions of this clause compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved.

The underlying purpose of the development standard

The objectives of the height of buildings development standard is stipulated as:

(1) The objectives of this clause are as follows:

- (a) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan,*
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,*
- (c) to require the height of future buildings to have regard to heritage sites and their settings,*
- (d) to ensure the preservation of historic views,*
- (e) to reinforce and respect the existing character and scale of low density residential areas.*

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

- (2A) Despite subclause (2), any development on land identified with a thick blue line and labelled "Area 1" on the Height of Buildings Map is not to exceed the height determined in accordance with the Table to this clause.*

The applicant's submission with respect to Height is as follows:

The current development proposal is consistent with the above objectives based on the following:

- compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;*
- there are sufficient environmental planning grounds to justify contravening the development standard;*
- the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone.*
- The reason why the height is being breached is because the site is subject to flooding and the design provides for a smaller building footprint, thus achieving a slender building form.*
- In order to develop the site to its highest and best use necessitates the lifting of the building above the flood level but also has primarily come about at a request by Council's Urban Design Staff and reinforced by Council's Design Excellence Advisory Panel (DEAP) who's comments are attached to the planning report at Appendix 2. Both panels indicated that in order to provide a better building form, the buildings footprint should be reduced and the building height increased. While these suggestions were a departure from Council's DCP controls for this form of development, the applicant was willing to depart from this control to create a slender building.*

- *The only flow on effect of reducing the building footprint and extending the buildings height above the height control is a modest increase in the length of shadow to the south, mostly over the railway line. Under the circumstance, the standard is considered to be unnecessary because the encroachment does not causes adverse amenity impacts upon adjoining properties in terms of overshadowing, view loss or unacceptable building bulk and scale.*
- *Further, it is noted that even with a fully complying design scheme, the buildings bulk and*
- *Based on the drawings prepared by Architex, the building height exceed the height control by 6.7m or 12.9%. In a building of this bulk and scale, such variations will not be noticed.*
- *In regards to ensuring the proposed development is compatible with the bulk, scale and character of development in the streetscape along East Street, the following is noted:*
 - *The overall scale of the proposed development when viewed from the surrounding catchment will read as a 19 storey building and as such will be in keeping with the transitional character that this neighbourhood will overtime undergo. This is both envisaged by SEPP (Urban Renewal) 2008 (Granville Precinct) and also Council's planning controls;*
 - *The maximum FSR of 6:1 allowable under Council's LEP cannot be provided for. The FSR proposed is 5.18:1, some 0.82:1 below the maximum FSR standard, accordingly, the FSR and height controls do not match;*
 - *The proposed building exceeds the rule of thumb controls outlined in the NSW Residential Flat Design Code (RFDC) so as to afford future residents in the building and those within existing and future high density residential developments with a level of amenity suitable for the scale of the proposed development, where the RFDC advises the building separation distance should seek:*
 - *To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings;*
 - *To provide visual and acoustic privacy for existing and new residents.*
 - *To control overshadowing of adjacent properties and private or shared open space.*
 - *To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.*
 - *To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.*
- *The proposed development complies with the building setbacks and separation distances and as such it is considered that each of the amenity considerations outlined in the objectives have been met.*
- *The design pays due regard to minimise any view loss from nearby properties or views through corridors along Duck Creek. In this respect, all proposed*

buildings have a separation distance that accords with those contained within the RFDC.

- *In response to ensuring the proposed development has been designed to enable sunlight access to surrounding streets, open space and nearby properties, the RFDC rule of thumb requires residential buildings to achieve the following standard for direct sunlight into apartments:*

“Living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of three hours direct sunlight between 9 am and 3 pm in midwinter. In dense urban areas a minimum of two hours may be acceptable.

The architectural diagrams demonstrate that 74% of the units can achieve a minimum of 3 hours of direct solar access between 9am and 3pm in midwinter and as such, the design of the proposed development inclusive of the breach in height is consistent with this objective in that the proposed development has been designed to ensure sunlight access to surrounding streets, open space and nearby properties is adequately maintained.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest, as it remains consistent with the objectives of the height control. In addition the proposal is consistent with the objectives of the zone.

The proposal provides for the housing needs of the community and contributes to a variety of housing forms within high density residential environment. The development site is in close proximity to public transport. The design concept recognises the key site attributes and provides for an attractive built form that relates to the existing and future site context.

It is understood that the concurrence of the Director General can be assumed in the current circumstances.

Clause 4.6(5)

As addressed it is understood the concurrence of the Director General may be assumed in this circumstance, however the following points are made in relation to this clause:

a) The contravention of the height control does not raise any matter of significance for State or regional environmental planning given the highly unique site attributes that are not replicated in any meaningful way elsewhere within the LGA; and

b) There is no public benefit in maintaining the development standard as it relates to the current proposal given that the proposal is responding to the unique site attributes to provide an appropriate transition between the B4 and R4 land. The departure from the height control is acceptable in the circumstances given

the underlying objectives are achieved and it will not set an undesirable precedent for future development within the locality.

Strict compliance with the prescriptive height requirement is unreasonable and unnecessary in the context of the proposal and its particular circumstances. The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The proposal will not have any adverse effect on the surrounding locality, which is characterised by residential and mixed use development of comparable height and character. The proposal promotes the economic use and development of the land consistent with its zone and purpose. Council is requested to invoke its powers under Clause 4.6 to permit the variation proposed.

The objection is well founded and taking into account the absence of adverse environmental, social or economic impacts, it is requested that Council support the development proposal.

ASSESSMENT

The objectives and purpose behind the development standard have been met and the allowance of a departure in the maximum height requirement has no unreasonable impacts that would frustrate the objectives of the Environmental Planning and Assessment Act, 1979. Furthermore, compliance with the standard in this case is unreasonable and unnecessary as the purpose of the standard has been achieved with the proposed design in its overall context. Although the proposed development exceeds the height requirement, it has been demonstrated that the additional height will not be out of context with the adjoining built form over time, the physical impacts are acceptable, and there are no loss of significant views. The variation will not be interpreted as an inconsistency given the transitions between the two height controls adjoining the site.

The Clause 4.6 variation is considered acceptable for the following reasons:

- The proposed development is consistent with the relevant objectives of the height development standards under Parramatta Local Environmental Plan 2011 as it minimises visual impact, disruption of views, loss of privacy and loss of solar access to existing development;
- The site adjoins a creek to the east, further to the east are industrial buildings, to the south is a railway corridor, and further to the south is a park and swimming complex. The proposed building height is acceptable in this circumstance as the additional height does not adversely impact the amenity of neighbouring sites;
- The proposed development is consistent with the zone objectives as it provides a mixture of compatible land uses, integrates residential in accessible locations so as to maximise public transport patronage and encourage walking and cycling and encourages development that contributes to an active, vibrant and sustainable neighbourhood; and

- The subject site has been identified as an Urban Renewal precinct under State Environmental Planning Policy (Urban Renewal) 2010.

It is therefore considered that the applicant's written request has adequately addressed that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard.

HOUSEKEEPING DRAFT AMENDMENTS TO PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

Under the provisions of section 79C(1)(a)(ii) of the Environmental Planning & Assessment Act 1979, any draft environmental planning instrument that is, or has been placed on public exhibition is a relevant matter for consideration in the assessment of a development application. Any such assessment must consider the degree of weight placed upon such provisions and whether the implementation of the draft LEP is certain and imminent. It must also consider the effect of any savings provisions contained within the instrument.

The subject site is included in draft Housekeeping amendments to Parramatta Local Environmental Plan 2011. Draft Parramatta LEP 2011 was placed on public exhibition between 1 August 2013 and 31 August 2013 and is therefore a draft environmental planning instrument for the purposes of section 79C(1)(a)(ii) of the Act.

The draft amendments do not affect the permissibility of this type of development.

DEVELOPMENT CONTROL PLANS

PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

Development Control	Proposal	Compliance
2. SITE PLANNING		
2.4 Site Considerations		
2.4.1 Views and Vistas		
Development is to preserve views of significant topographical features such as ridges and natural corridors, the urban skyline, landmark buildings, sites of historical significance and areas of high visibility, particularly those identified in Appendix 2 Views and Vistas. Refer also to Views and Vistas in the Granville Town Centre in Part 4.1.6.	The site is not identified as having views and vistas or containing views identified as being significant in Appendix 2. The site is not located in a Conservation Area.	Yes
2.4.2 Water Management		

<p><i>2.4.2.1 Flooding</i></p> <p>Is the site flood affected by local or mainstream flooding?</p> <p>If yes refer to section 2.4.2 of DCP 2011 for detailed controls.</p>	<p>A portion of the site in proximity to Duck Creek Canal is identified as being affected by the 1:20 year and 1:100 year flood. The development and catchment engineering comments above assess this project and find it satisfactory.</p>	<p>Yes</p>
<p><i>2.4.2.2 Protection of Waterways</i></p> <p>Does the site adjoin a waterway?</p> <p>If yes does proposed landscaping comprise of local indigenous species?</p>	<p>The site adjoins a waterway.</p>	<p>Yes</p>
<p><i>2.4.2.3 Protection of Groundwater</i></p>	<p>It is unlikely that the excavation for the basement car park will impact upon groundwater. Notwithstanding this, a geotechnical report is required before the issue of a Construction Certificate.</p>	<p>Yes</p>
<p>2.4.3 Soil Management</p>		
<p><i>2.4.3.1 Sedimentation</i></p> <p>Are there adequate erosion control measures?</p>	<p>Conditions have been imposed to ensure that the development will minimise sedimentation of waterways and not unduly contribute to wind blown soil loss.</p>	<p>Yes</p>
<p><i>2.4.3.2 Acid sulphate soils</i></p>	<p>Refer to LEP table above.</p>	<p>Yes</p>
<p><i>2.4.3.3 Salinity</i></p> <p>Is the site identified as being of moderate or high salinity potential or of known salinity by the 'Salinity Study Map for Western Sydney 2006'?</p> <p>If yes, have investigations been undertaken in accordance with the Western Sydney Salinity Code of Practice 2003?</p>	<p>The site appears to be identified as being of a low to moderate salinity potential.</p> <p>The application includes a basement carpark. Subject to conditions, the works will not impact or be impacted by salinity.</p> <p>The landscaping is appropriate</p>	<p>Yes</p>

<p>If yes, does landscaping comprise of low water use species and are irrigation systems low water usage?</p>	<p>for the salinity hazard and appropriate conditions have been included in the recommended conditions to ensure that appropriate construction techniques are utilised to ensure the structural integrity of building work is not compromised.</p>	
<p>2.4.4 Land Contamination</p>		
<p>Is the site identified as or likely to be contaminated? If yes have the requirements of SEPP 55 been satisfied?</p>	<p>Given the history of light industrial uses on the site, it is likely that the site is contaminated. Accordingly an assessment has been made by Council's Environmental Health team. The proposal is satisfactory, subject to conditions.</p>	<p>Yes</p>
<p>2.4.5 Air Quality</p>		
<p>Have appropriate controls been placed on the development to ensure that during demolition and construction that the development does not contribute to increased air pollution?</p>	<p>Standard conditions have been imposed to ensure that the potential for increased air pollution has been minimised. These conditions include measures which seek to protect neighbouring amenity with regard to dust emissions during demolition and construction.</p>	<p>Yes</p>
<p>2.4.6 Development on Sloping Land</p>		
<p>Does the design of the development respond to the slope of the land?</p>	<p>The development site does not contain any substantive slope and the basement level is contained below ground. The design responds adequately to the minimal slope of the land. No significant terracing or other design features are required, as the site is relatively level.</p>	<p>Yes</p>
<p>2.4.7 Biodiversity</p>		

<p><i>2.4.7.1 General</i></p> <p>Is vegetation removal appropriate?</p> <p>Does the landscape plan incorporate indigenous planting listed in Appendix 3?</p>	<p>The removal of existing vegetation and trees is acceptable. Council's Tree Management and Landscape Officer has not raised concern to the proposed tree removal, subject to conditions.</p> <p>The landscape plan submitted with the application is considered acceptable.</p>	<p>Yes</p>
<p><i>2.4.7.2 Development on land abutting the E2 Environmental Protection zone and W1 Natural Waterways zone</i></p> <p>Does the site adjoin land zoned E2 or W1?</p> <p>If yes, does the development satisfy the design principles?</p>	<p>The site does not adjoin land zoned E2 or W1.</p>	<p>N/A</p>
<p>2.4.6 Public Domain</p> <p>Does the building appropriately address the public domain?</p> <p>Does the development provide appropriate passive surveillance opportunities?</p> <p>Have appropriate public domain enhancements including street tree planning, footpath construction or reconstruction been included as conditions of consent?</p>	<p>The building has appropriate address to East Street with a distinguishable entry that adequately addresses the public domain.</p> <p>The balconies and windows of the units fronting East Street and Duck Creek Canal address the street, promoting natural surveillance from within the units to the front setback and public domain.</p> <p>Standard conditions incorporated in the consent requiring the payment of a bond to ensure that the nature strip is maintained and in the event that it is damaged due to the works associated with the proposal that Council be reimbursed for the damages.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

3. DEVELOPMENT PRINCIPLES		
3.1 Preliminary Building Envelope		
3.1.3 – Preliminary Building Envelope Table		
<p><i>Height</i></p> <p>Maximum height is shown on the Parramatta LEP 2011 - Height of Buildings Map – 52 m</p>	<p>The development has a maximum height of 64.3m.</p>	<p>No (see Discussion in LEP)</p>
<p><i>Floor space ratio</i></p> <p>The maximum FSR for the site is 6:1.</p>	<p>The FSR of the development is 5.18:1.</p>	<p>Yes</p>
<p><i>Minimum site frontage</i></p> <p>Minimum 60m for sites greater than 3,200 sqm (Granville Town Centre)</p>	<p>The site has a street frontage of 66m.</p>	<p>Yes</p>
<p><i>Front setback</i></p> <p>3m (Granville Town Centre)</p>	<p>Proposed = 7.2m</p>	<p>Yes</p>
<p><i>Side Setback</i></p> <p>1.5m (min) (Harris Park Strategic Precinct)</p>	<p>4.5m (min)</p>	<p>Yes</p>
<p><i>Rear Setback</i></p> <p>15% site length</p> <p>Required = 11.6m</p>	<p>12m or 15%</p>	<p>Yes</p>
<p><i>Deep Soil Zone</i></p> <ul style="list-style-type: none"> - 40% of the site required to be landscaped; - 30% of landscaped area to be deep soil; - 	<p>47% (920m²)</p> <p>12% (488 sqm)</p>	<p>Yes</p> <p>No (discussed below)</p>
3.2.2 Building Façade and Articulation		
<p>Are the height, bulk and scale of the proposed building consistent</p>	<p>The bulk of the building is consistent with the desired</p>	<p>Yes</p>

with the building patterns in the street?	future character of the area as an urban activation precinct.	
<p>Are the building facades modulated in plan and elevation and articulated to reduce the appearance of building bulk and to express the elements of the building's architecture?</p> <p>Does the building exceed the building envelope?</p> <p>If yes, by more than:</p> <ul style="list-style-type: none"> • 800mm for balconies and eaves: • 600mm for Juliet balconies and bay windows <p>Does the development have a multiple stair/lift cores to encourage multiple street entries?</p>	<p>The facades of the development are appropriately modulated with the incorporation of balconies, windows, varied wall positions and changes in materials.</p> <p>Yes (Height)</p> <p>Not applicable</p> <p>The site has only one street frontage to East Street.</p>	<p>Yes</p> <p>No (see LEP comments above)</p> <p>N/A</p> <p>Yes</p>
3.2.3 Roof Design		
<p>Does roof form minimise the bulk and scale of the building?</p> <p>Does the roof form respond to the local context, in particular scale and pitch?</p>	<p>The proposal incorporates a flat roof design for the building.</p> <p>The contemporary roof form is compatible with the future development within the area.</p>	<p>Yes</p>
3.2.5 Streetscape		
<p>Does the development respond to the existing character and urban context of the surrounding area in terms of setback, design, landscape, visual and bulk and scale?</p> <p>Does the development provide an address to the laneway?</p> <p>Is the development within 3m of the laneway edge?</p>	<p>While it is acknowledged that the development is inconsistent with the prevailing low density light industrial development adjoining the site currently it is consistent with the future development envisaged within the area.</p> <p>N/A – there is no laneway</p> <p>N/A – there is no laneway</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p>

Are the mail boxes visually integrated with the development and located conveniently for access by residents and deliverers?	Mail boxes are located within the pedestrian access to the building. This location will not adversely impact the existing streetscape character.	Yes
3.2.6 Fences		
Is the front fence a maximum height of 1.2metres? Are front fences a common element in the locality? Note: Where noise attenuation or protection of amenity require a higher fence, front fences may be permitted to a maximum height of 1.8 metres however they must be setback 1m from the boundary to allow landscape screening to be provided.	The plans indicate fences to Duck Creek Canal. These require removal to ensure that flood mitigation measures are maintained. This is reflected in conditions of consent.	Yes
3.3 Environmental Amenity		
3.3.2 Private and Communal Open Space		
Is a minimum of 10m ² of private open space provided per dwelling with minimum dimensions of 2.5m?	All dwellings have a balcony with a minimum width of 2m and achieve a minimum area of 10m ² . Some balconies widths are 2.4 m but all achieve the minimum area requirements.	Yes
A minimum of 10m ² of communal open space per dwelling is to be provided = 680m ² Is landscaped communal open space provided on the site?	The development provides for 1,178m ² of communal open space resulting in 5.7m ² per dwelling being provided	Yes
3.3.3 – Visual and Acoustic Privacy		

<p>Does the development achieve required separation between habitable rooms/non habitable rooms?</p> <p>Non-habitable to non-habitable = min 3m</p> <p>Habitable to non-habitable = min 9m</p> <p>Habitable to habitable = min 12m</p>	<p>The proposed development does not comply with the minimum separation distances within the development site. This is because the development form is a twin tower form. The proposal meets the separation distances external to the site however.</p> <p>DEAP raised no issue with the twin tower apartment form. In this context the proposed tower form is reasonable subject to the adherence to the recommendations of the acoustic study accompanying the application.</p>	<p>No</p>
<p>3.3.4 – Acoustic Amenity</p>		
<p>Is the development located within proximity to noise-generating land uses such as major roads and rail corridors?</p> <p>If yes have habitable rooms of dwellings affected by high levels of external noise been designed to achieve internal noise levels of no greater than 50dBA?</p>	<p>The site is located in the vicinity of a the Western Rail Line. An acoustic report formed part of the application. This has been Council's Environmental Health Officer. Conditions including noise management requirements form part of the recommendation.</p>	<p>Yes</p>
<p>3.3.5 Solar Access and Cross Ventilation</p>		
<p><i>Solar Access</i></p> <p>Do the dwellings receive a minimum of 3 hours sunlight to habitable rooms and in at least 50% of the private open space areas between 9am and 3pm on 21 June?</p>	<p>74% of units receive 3 hours solar access to primary living spaces.</p> <p>Based upon the shadow diagrams submitted with the application, the proposed development will overshadow the railway line to the south.</p> <p>At 9:00am there will be some</p>	<p>Yes</p>

<p>Will adjoining properties receive a minimum of 3 hours sunlight to habitable rooms and 50% of their private open space areas between 9am and 3pm on 21 June?</p> <p>Are living areas, such as kitchens and family rooms located on the northern side of dwelling with service areas such as laundries and bathrooms to the south or west?</p>	<p>overshadowing to Granville Park and Aquatic Centre.</p> <p>by 12:00pm this shadow shortens to fall along the Rail Line and Railway Parade.</p> <p>By 3:00pm shadows fall along an existing industrial area and Carlingford rail line.</p> <p>Internally, the living areas within the building have been optimised to ensure adequate solar access to achieved to most units.</p>	<p>Yes</p>
<p><i>Cross Ventilation</i></p> <p>Is the maximum building depth 14m?</p> <p>Is the minimum floor to ceiling height 2.7m?</p>	<p>Apartment depth = 9.5m - 17.5m</p> <p>Minimum 2.7m floor to ceiling heights nominated</p> <p>All dwellings are naturally cross ventilated.</p>	<p>Partial (discussed below)</p> <p>Yes</p>
<p>3.3.6 – Water Sensitive Urban Design</p>		
<p>Is the on-site detention system appropriately designed to minimise and control nuisance flooding and to provide safe passage for less frequent floods?</p>	<p>Council's Development Engineer has reviewed the development including the proposed stormwater management and has not raised objection, subject to conditions.</p>	<p>Yes</p>
<p>3.3.7 – Waste Management</p>		

Is the waste management plan satisfactory?	The Waste Management Plan is satisfactory, detailing the types and amounts of waste that will be generated by the development and the methods of removal and disposal.	Yes
3.4 Social Amenity		
3.4.1 Culture & Public Art		
Has a public art plan been provided with the application?	An arts plan has been provided.	Yes
3.4.2 Access for People with disabilities		
Does the development contain adequate access for people with a disability?	All dwellings are visitable and able to be accessed for people with disabilities.	Yes
Safety and Security		
<p>Has the development been designed in accordance with crime prevention principles?</p> <p>Are the building entries orientated to the street?</p> <p>Are habitable rooms located at the front of dwellings?</p>	<p>The proposal does not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur. The primary front entrance faces towards the street and street facing balconies promote natural surveillance from within the development to the front setback and public domain.</p>	Yes
3.4.5 Housing Diversity and Choice		
<p><u>UNIT MIX</u></p> <p>1 bedroom 10% - 20%</p> <p>2 bedroom 60% - 75%</p> <p>3 bedroom 10% - 20%</p> <p>This mix may be refined having regard to:</p> <ul style="list-style-type: none"> the location of the development in relation to public transport, public facilities, employment areas, schools, universities and retail centres; population trends; and whether the development is for the purpose of public housing or 	<p>1 bed (12) = 5.7%</p> <p>2 bed (148) = 71%</p> <p>2 bed + media room (34) = 16.3%</p> <p>3 bed + media room (13) 6%</p> <p>There is a non-compliance with an excess provision of one and two bedroom units and a deficiency of 3 bedroom units. The dwelling mix provides acceptable housing diversity given its proximity to facilities and transport and is consistent with</p>	<p>No</p> <p>Yes</p> <p>No</p> <p>No but acceptable</p>

<ul style="list-style-type: none"> the applicant is a community housing or non-profit organisation. <p>ADAPTABLE DWELLINGS Have any adaptable dwellings been provided?</p>	<p>the objectives of 3.4.5 of the DCP.</p> <p>20 x adaptable dwellings have been provided which is in excess of 10% required under the DCP</p>	Yes
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3.5 Heritage		
<p>Development must comply with the objectives, principles and controls in Part 4 and any relevant objectives, principles and controls in Parts 2 and 3 of this DCP. Where there is any inconsistency Part 4 will prevail.</p>	<p>The site is not a heritage item nor is it in a conservation area. The proposal is in proximity to several heritage at 19, 21, and 23 East Street respectively. It is also separated by the Western Railway by Granville RSL, Granville memorial and Granville Memorial Pool. A heritage assessment has been undertaken and found to be satisfactory subject to conditions.</p>	Yes

3.6 Movement & Circulation		
3.6.2 Parking and Vehicular Access		
1 car share space required.	No car share space provided.	No (acceptable subject to conditions)

3.6.2 - Parking and Vehicular Access		
<i>Bicycle Parking</i>		
1 bicycle space per 2 dwellings to be provided (105 bicycle spaces required)	Bicycle racks nominated in the basement and the front setback but unable to discern number.	No (acceptable subject to conditions)
<i>Minimum Car Parking Rates – Residential</i>	Provided	
<ul style="list-style-type: none"> 1 space per 1 or 2 bedroom unit 1.2 spaces per 3 bedroom units. 0.25 spaces per dwelling for 	264 residential car spaces provided (52 of which are visitor spaces)	Yes

<p>visitor car parking (a car wash bay may be used as a visitor space)</p> <p>12x one bedroom dwellings = 12 car space.</p> <p>182x two bedroom dwellings = 182 spaces</p> <p>14x three bedroom dwellings = 16.8 spaces</p> <p>0.25 x 208 dwellings = 52 visitor car spaces required</p> <p>Total car spaces required = 263 residential car spaces (52 of which are visitor spaces)</p> <p>NB: Rounded to nearest whole number.</p>		
<p><i>Minimum Car Parking Rates – Retail</i></p> <p>1 space per 30m² of gross floor area.</p> <p>1x loading bay per 400m² of gross floor area.</p> <p>214.6m² of retail floor area = 7car spaces required.</p> <p>214.6m² of retail floor area = 1x loading bays required.</p> <p>NB. Final figures rounded to nearest whole number. Car parking rates calculated for a retail premise, as this indicates the highest possible parking rates for the commercial use.</p>	<p>Provided =</p> <p>4 retail car spaces provided.</p> <p>No loading bay</p>	<p>No (addressed by conditions)</p>
<p>TOTAL SPACES REQUIRED = 270 spaces and 1 x loading bay</p>	<p>Provided 268 car spaces with a truck turning bay and garbage loading area.</p>	<p>Yes</p>
<p>4. SPECIAL PRECINCTS</p>		
<p>4.1 – Town and Neighbourhood Centres</p>		

4.1.6 – Granville Town Centre		
<p><i>Front Setback</i></p> <p>= 3m setback for the first 4 storeys = 6m setback for the remaining storeys</p> <p>NB: Balconies may encroach the upper level setback (levels 5 and 6 only for a maximum depth of 1m (i.e. 5m).</p>	<p><i>Provided</i></p> <p>First 4 storeys = 3.9m (minimum)</p> <p>5th Storey and above = 5.7m -7.35m (minimum)</p>	<p>Yes</p> <p>Partial (discussed below)</p>
<p><i>Rear Setback</i></p> <p>12m (for developments over 25m in height)</p>	<p><i>Provided</i></p> <p>11.2m – 20.9m</p>	<p>Partial (discussed below)</p>
<p><i>Side Setbacks</i></p> <p>= 0m for the first 4 storeys = 9m for habitable rooms and 6.5m for non-habitable rooms for the remaining storeys</p>	<p><i>Provided</i></p> <p>First 4 storeys = 0m – 10.8m</p> <p>5th Storey and Above = 7.8m – 11.3m</p>	<p>Yes</p> <p>Partial (discussed below)</p>
<p><i>Canal Setback = 6-8m landscaped setback</i></p>	<p><i>Provided</i></p> <p>6.6m to canal</p>	<p>Yes</p>
<p><i>Minimum Frontage</i></p> <p>>3200m² = 60m</p>	<p><i>Provided</i></p> <p>55.095m</p>	<p>No (discussed below)</p>
<p><i>Deep Soil Zone</i></p> <p>= 30% of the site.</p>	<p>24% (920m²) (approx.)</p>	<p>No (discussed below)</p>
<p><i>Landscaped Area</i></p> <p>= 40% of the site</p>	<p>24% (920m²) (approx.)</p> <p>NB: As the soil depth above the ground floor basement slab is less than 1m the ground floor turfed areas and planters are not included in landscaped area calculations.</p>	<p>No (discussed below)</p>
<p><i>Development Between Parramatta Road and Railway Line</i></p>		

<p>>15m height and large floor plates – Development expressed as separate building elements.</p> <p>>15m height - the horizontal dimension of any building façade must not exceed 35m.</p>	<p>Development presents as two residential towers linked by central breezeways. NB: This view is only from a direct north or south view line. The development has significant bulk when viewed at oblique angles.</p> <p>Façade provides for articulation ensuring that no one area is 35m in horizontal length.</p>	<p>Partial (discussed below)</p> <p>Yes</p>
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3.7.2 Site Consolidation and Isolated Sites

<p>Does the development encourage site consolidation to promote the efficient use of the land and to avoid the creation of isolated sites?</p>	<p>The proposed development does not result in the creation of any isolated sites.</p>	<p>Yes</p>
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Strategic Precinct

The subject site is located within the Granville Town Centre Precinct.

Many of the objectives here relate to urban activation through consolidation of lots, and the development of mixed use buildings close to public transport. The proposal meets these requirements.

DISCUSSION OF DEPARTURES

Minimum Frontage and driveway width

The subject site comprises four lots. Council's control requires a larger frontage for larger lots. The underlying objective is to ensure adequate access and streetscape presentation. The proposal has a frontage of 55 metres, where a frontage of 60 metres is required under the control. The frontage is considered acceptable in that adequate pedestrian and vehicular access is achieved, and the proposal with its podium and twin tower form, is consistent with the future streetscape of the area. The proposal has a marginally larger driveway width than stipulated in Council's development control plan. This increase is 0.8 metres greater than the maximum six metre width. This departure is acceptable to both traffic and planning in light of more efficient maneuvering, including for a garbage truck, which will have to rely on a turn table in order to maneuver in a forwards direction through the site.

Setbacks

The proposal has partial compliance to the front, side and rear setback controls outlined in the table above. The form of the development with a four level podium with asymmetrically placed twin towers above result in partial non

compliances to the setback controls. The overall context of the area is one of transition from a lower scale light industrial precinct, to a high density residential precinct. Specifically this area is one of only a handful in the entire state that is nominated as part of the State Environmental Planning Policy (Urban Renewal) 2010 nominated for renewal and revitalization for transit orientated development. In this context and due to the surrounding area also being zoned B4 Mixed Use the partial departures in setbacks are appropriate.

Dwelling Mix

The proposal has a disproportionately high number of two bedroom units. Noting that the site is nominated as an urban activation precinct under the Urban Renewal State Environmental Planning Policy (SEPP). Urban Renewal State Environmental Planning Policy (SEPP). This is also sometimes referred to as transit oriented development. Sections 10(2) to 10(3) requires the consent authority to be satisfied that the development is consistent with the objective of developing the potential precinct for urban renewal. The proposal transforms an underutilized collection of industrial sites into a high density, multistorey mixed use residential building complex. This proposal is close to public transport and is consistent with the stated aims of the SEPP. In this context a predominance of 2 bedroom units is considered acceptable as it will facilitate uptake of transit oriented development.

Communal Open Space

In response to Council's concerns over adequate communal open space, the applicant amended their plans to provide communal open spaces at ground and upper levels of the building. These open space areas, interspersed at various upper levels afford residents the opportunity to enjoy communal areas without having to travel to the ground floor. This design feature in concert with the total deep soil landscape area of 1,149 sqm (30% of site area) is considered adequate for the site.

Deep Soil Zone

The proposal departs from the deep soil zone numeric requirements by achieving 12% instead of the minimum 30% requirement. The proposal incorporates deep soil planting areas along the canal frontage and to the rear of the site. Due to the twin tower configuration of the proposal with mid and upper level connections, there is no opportunity to provide deep soil planting between the two towers. The applicant has partially addressed this issue by including mid-level communal open space areas. The proposal also incorporates an extensive basement car parking area. This includes a large truck turning bay. This turning bay accommodates a garbage truck. The basement car park has a larger footprint than the tower elements. This also limits the capacity for deep soil planting. Due to the above reasons, the departure in deep soil planting is acceptable.

Cross ventilation and internal amenity

The proposal has apartment depths between 9.5m and 17.5m. The depths are acceptable in the context of overall building design. Compliance with the BCA

requirements is achieved, and due to land constraints including proximity to a major rail line, the proposed depths are acceptable in the context of the overall development.

PARRAMATTA S94A DEVELOPMENT CONTRIBUTIONS PLAN 2008

The proposal requires the payment of S94A development contributions (1% levy) based upon the estimated cost of works. The submitted cost estimate prepared by a quantity surveyor listed the cost of works (including exemptions) as \$42,526,648. As such, a Section 94A contribution of \$425,266.48 is required to be paid before the issue of a Construction Certificate.

A condition requiring the payment of this contribution has been incorporated within the Recommendation section of this report.

PARRAMATTA CITY COUNCIL 2012/2013 SECURITY BONDS FOR THE PROTECTION OF CIVIL INFRASTRUCTURE

In accordance with Council's 2012/2013 Schedule of Fees and Charges, the developer will be required to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. The following Security Bonds are required to be paid prior to the release of a Construction Certificate.

Nature strip and roadway \$20,000

Street Trees \$4000

Hoardings \$10,000

The application will require the installation of hoardings during construction.

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

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Additional matters a consent authority must take into consideration

Regulation 92(1)(b) requires that the provisions of AS2601 must be taken into consideration in the case of an application for the demolition of a building.

Note: "AS 2601" means the document entitled Australian Standard *AS 2601-1991: The Demolition of Structures*, published by Standards Australia, and as in force at 1 July 1993.

Conditions have been incorporated within the Recommendation section of this report requiring compliance with AS2601 for any demolition works.

Compliance with Building Code of Australia

Regulation 98(1)(a) requires prescribed conditions in relation to a development consent for development that involves any building work, being that the work must be carried out in accordance with the requirements of the Building Code of Australia.

Regulation 98(1)(b) requires prescribed conditions in relation to a development consent for development in the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

The above conditions have been incorporated within the Recommendation section of this report.

Condition relating to shoring and adequacy of adjoining property

Regulation 98E requires prescribed conditions if the development involves an 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 person's own expense:

- (a) protect and support the adjoining premises from possible damage from the excavation, and
- (b) where necessary, underpin the adjoining premises to prevent any such damage.

The above condition has been incorporated within the Recommendation section of this report.

COASTAL ZONE MANAGEMENT PLAN

There are no Coastal Zone Management Plans applicable to the site.

LIKELY IMPACTS

The likely impacts of the proposed development have been addressed within this report.

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 LEP2011.
- The development will have positive social and economic benefits in terms of creating additional resident population to support local businesses and services and will provide greater housing choice within the City of Parramatta.
- 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

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

APPROVAL SUBJECT TO CONDITIONS

- (a) **That** Western Sydney Joint Regional Planning Panel as the consent authority support the variation to Clauses 4.3 of the PLEP 2011 under the provisions of clause 4.6.
- (b) **That** the Western Sydney Joint Regional Planning Panel as the consent authority grant development consent to Development Application No. DA/315/2013 for the demolition, tree removal and construction of a 19 storey mixed use residential and commercial development comprising a commercial use on the ground floor and 208 apartments over a basement car park including landscaping and site works at 2-8 East Street, Granville for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the following conditions:

General Matters

APPROVAL SUBJECT TO CONDITIONS

That Council as the consent authority determine the application by granting development consent under Section 80(3) of the Environmental Planning and Assessment Act 1979. Upon strict compliance with all conditions appearing in Schedule 1 and with the issue of confirmation to that effect in writing from Council, the “deferred commencement” consent shall revert to development consent, inclusive of all conditions appearing in Schedule 2, pursuant to Section 80(1) of the Act.

- The development is to be carried out in compliance with the following plans as amended by annotation and documentation listed below and endorsed with Council's stamp.

Drawing N°	Dated
Site Analysis DA01A	10/5/13
Basement Level 4 DA02A	10/5/13
Basement Level 3 DA03A	10/5/13
Basement Level 2 DA04A	10/5/13
Basement level 1 DA05B	21/6/13
Ground Floor Level DA06B	21/6/13
Level 1 DA07B	21/6/13
Typical Levels 2 & 3 DA08	21/6/13
Level 4 DA09B	21/6/13
Typical Levels 5 & 6 DA10B	21/6/13
Typical Levels 7-10 DA11B	21/6/13
Typical Levels 11-13 DA12B	21/6/13
Typical Levels 14-16 DA13B	21/6/13
Typical Levels 17-18 DA14B	21/6/13
Roof Plan DA16A	10/5/13
Site elevations DA17C, DA18C	18/7/13
Section a-a DA19C	18/7/13
Site Details DA20B	18/6/13
Site Calculation Diagrams DA23A	10/5/13
Alignment Levels Plan	18/6/13
Alignments Plan C01A	June 2012
Longitudinal section existing lip of gutter line C02A	18/6/13
Cross Section C03A	18/5/13
Standard Drawings and Details	18/6/13
Schedule of Finishes: North elevation	Undated
Landscape Plan – Ground Floor	9/5/13
Landscape Plan – Level 1	9/5/13
Landscape Plan – Level 2	9/5/13
Landscape Plan – Level 4	9/5/13
Landscape Plan – Level 11	9/5/13
Landscape Details & Specification	9/5/13
Stormwater Plan Cover Sheet SW00A	9/5/13
Concept Stormwater Design SW01A, SW02A	9/5/13
Concept Stormwater Design Catchment Plan SW03A	9/5/13
Concept Stormwater Design Details & Calculation Sheet SW04A	9/5/13
Concept Stormwater Design Typical WSUD Stormfilter Device	9/5/13
Survey Plan Reference: 29671	3/4/12
Endeavour Energy Standard Layout for a	30/7/05

Drawing N°	Dated
single transformer indoor distribution substation Number 297557 Issue A	
Endeavour Energy Standard layout for a two transformer indoor distribution substations Number 297558 Issue B	8/7/05
Document(s)	Undated
Statement of Environmental Effects	Undated
Water and Sewer Servicing Strategy REF: 13135	Undated
Traffic and Parking Assessment Report	6/5/13
Pedestrian Wind Environment Statement	26/6/13
SEPP 65 Design Verification Statement	15/4/13
Housing Energy rating report No. 15110006	9/5/13
Geotechnical Investigation	30/4/13
Flood Risk Management Report Issue C	24/9/13
Contamination Report	6/5/13
Nathers Certificate	9/5/13
Public Arts Plan	May 2013
Acoustic Impact Assessment	30/4/13
Access Report	11/5/13
Arboricultural Impact Assessment	16/4/13

2. 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.

3. 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.

4. 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

5. 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.

6. All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings and recommendations detailed in the following documents:
- Geotechnical Report by Geotechnique Pty Ltd dated 30 April 2013 - Ref 128691/1-AA
 - Structural Report by Wehbe Consulting dated 1 August 2013 - ST356
 - The following drawings prepared by McDonald Sheet Piling dated 31.07.2013:
 - Drawing No. MDSP-13-109-01
 - Drawing No. MDSP-13-109-02
 - Drawing No. MDSP-13-109-03
 - Drawing No. MDSP-13-109-04
 - Drawing No. MDSP-13-109-05
 - Drawing No. MDSP-13-109-06

Reason: Rail Corp condition.

Prior to the release of a Construction Certificate:

7. Parking spaces are to be provided in accordance AS 2890.1, AS2890.2 and AS 2890.6 and with the approved plans referenced in condition 1, except that 1 parking space is to be converted to a carshare parking space and is to be marked and provided on site, which is to comply with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements and Australian Standards.

8. 105 bicycle spaces/racks are to be provided on-site and used accordingly.

Reason: To comply with Council's parking requirements.

9. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To ensure appropriate vehicular manoeuvring is provided

10. 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 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.
Reason: To comply with Australian Standards and ensure pedestrian safety.
11. The following items are to be submitted to RailCorp for review and endorsement prior to the issuing of a Construction Certificate or the commencement of works (whichever occurs first):
 - An assessment of the effect of construction/excavation induced settlement due to groundwater drawdown with water movement below the toe of the proposed sheet. If it is identified that settlement as a result of water drawdown affects the settlement below the rail, a track monitoring plan will be required to be submitted to RailCorp for endorsement. The Principle Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from RailCorp that this condition has been complied with.
 - All piling and excavation works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
 - No rock anchors/bolts are to be installed into RailCorp's property.
 - No modifications may be made to that approved design without the consent of RailCorp.
12. An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled ~Development Near Rail Corridors and Busy Roads - Interim Guidelines.
 - Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
 - The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of RailCorp.

- The Principle Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

Reason: RailCorp Condition

13. Tree to be retained is:

Tree No	Name	Common Name	Location	DBH Diameter at breast height (mm)	Minimum Tree Protection Zone (m)
1 x	<i>Callistemon viminalis</i>	Bottlebrush	Front	500	5.0

Details are to be provided to the Principle Certifying Authority prior to the issuance of the Construction Certificate.

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

14. Trees to be removed are:

Tree No	Name	Common Name	Location
1 x	<i>Eucalyptus crebra</i>	Narrow Leaf Ironbark	Front
1 x	<i>Corymbia citriodora</i>	Lemon Scented Gum	Front

Details are to be provided to the Principle Certifying Authority prior to the issuance of the Construction Certificate.

Reason: To allow appropriate development of the site.

15. Prior to finalising the Construction Drawings for submission, a Geotechnical Report shall be prepared specifically for the development site, by a suitably qualified Geotechnical Engineer. The Structural & Foundation designs and the excavation methods proposed for the development shall be assessed in accordance with the recommendations made in the Geotechnical Report. In this regard, a Structural Certification from a suitably qualified structural engineer shall be submitted with the application for Construction Certificate, addressing that the final design drawings are prepared in accordance with the recommendations of the Geotechnical Report. A copy of the Geotechnical Report shall be submitted for approval by the Principal Certifying Authority (PCA). The Geotechnical / Civil engineering report should address (but is not limited to) the following:

- 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.
- ii. 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.
 - iii. 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).
 - iv. The existing groundwater levels in relation to the basement structure, where influenced.
 - v. 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.
 - vi. 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.

The geotechnical report must be prepared by a suitably qualified consulting Geotechnical / Hydro Geological 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 C of AS 2870 - 1996.

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

16. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing No. [DS9 & DS10]. Disused crossing shall be removed and constructed with kerb and gutter. Details must accompany an application for a Construction Certificate to the satisfaction of Principal Certifying Authority with the application for the Construction Certificate.

Reason: To ensure appropriate vehicular access is provided.

17. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by 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); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

The application for a driveway crossing requires the completion of the relevant application form and accompanied by plans, grades/levels and specifications. A fee in accordance with Council's adopted 'Fees and Charges' will need to be paid at the time of lodgement.

Note 1: 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.

Note 2: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

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

18. Prior to commencement of any excavation work on council's road, nature strip or concrete footpath, a Road Opening Permit shall be obtained from council by lodging the application for a Road Opening Permit. Upon completion of the work, the road, the nature strip, and concrete footpath shall be reinstated to its original state to the satisfaction of Council.

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

19. 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.

20. 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.

On Site Detention

21. No work shall start on the storm water 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 drainage plans are consistent with the following approved drainage related concept plans:

- Concept Stormwater Design – Basement Level 4 Plan, Drawing No. SW01, Sheet 2 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.
- Concept Stormwater Design – Ground Floor Plan, Drawing No. SW02, Sheet 3 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.
- Concept Stormwater Design – Catchment Plan, Drawing No. SW03, Sheet 4 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.

- Concept Stormwater Design – Details & Calculation Sheet, Drawing No.SW04, Sheet 5 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.
- Concept Stormwater Design – Typical WSUD Stormwater Device, Drawing No.SW05, Sheet 6 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.

(Please Note: The DA approved Concept drainage Plans are concept in nature only and not to be used as construction drawings).

- b. The proposed On-Site Detention (OSD) System has been designed 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.
- d. Detailed drainage plan with full cross sectional details of OSD tank in relation to the buildings, pits, connections etc, OSD Detailed Design Submission and OSD Detailed Calculation Summary Sheet for the detention system are submitted. All access covers to the OSD tank, DCP and the basement pump holding tank are hinged and secured with non-corrosive child proof locking devices. To enable cross ventilation to the OSD tank, adequate grated openings are incorporated in the final design.
- e. Structural details and a Certificate of Structural Compliance of the proposed OSD Tank and the pump holding underground tank, cover slabs are included with the final drawings submitted with the Construction Certificate application.
- f. The OSD tank walls are designed by a qualified practicing Structural Engineer certifying that the walls and its foundations are structurally adequate.
- g. The final drainage plans submitted for Construction Certificate Application are in accordance with the Architectural drawings and layouts approved by Council with the Development Application. The basement perimeter walls are designed based on tank construction method to prevent any flood waters entering the basement, as specified in the Flood Assessment Report.

Reason: To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding. To ensure the pump holding tank & associated cover slab and walls are structurally adequate.

Sydney Water Approval for Stormwater Disposal

- 22. Prior to issue of the Construction Certificate, an approval shall be obtained from Sydney Water, for the stormwater connection and disposal into their Stormwater Channel, adjacent to the development site. In this regard the Final Stormwater Plan indicating the details of the discharge outlet pipe connection in to the channel shall be submitted to Sydney Water for their approval.

Reason: To ensure Sydney Water requirements are met.

Removal of Boardwalks and Decks in High Hazard Flood Affected Areas

- 23. Due to the High Hazard Flood affected areas, all external raised public Boardwalk and Deck structures shall be removed in the final Construction

Drawings submitted for approval. The flood affected area shall be kept clear of all structures. Any pathways constructed for the access within the flood affected areas shall be constructed at the natural ground level with suitable materials that cannot be washed away by flood waters. Vegetation in the High Hazard Flood area should also be confined to that of small stature which presents minimal obstruction to, yet remains stable in high velocity / turbulent conditions. In this regard the final Landscape Plan submitted for Construction Certificate approval shall be revised accordingly.

Reason: To ensure the High Hazard Flood Affected areas are kept clear of any obstructions.

Confirmation of Ground floor levels and Basement Access Level

24. Prior to issue of the Construction Certificate, the Principal Certifying Authority shall ensure the Final Finished Ground Floor Levels and the basement access / entry point levels are in accordance with recommendation of the Flood Assessment Report, Issue C, dated 24.08.2013, prepared by SCG Consultant Pty Ltd.

Reason: To ensure the recommended floor levels are achieved in the final Construction plans.

25. In order to maximise visibility in the basement carpark, the ceiling shall be painted white. This requirement shall be shown on the Construction Certificate plans.

Reason: To protect public safety.

26. 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.

27. All land titles within the site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to a Construction Certificate being issued.

Reason: To comply with the *Conveyancing Act 1919*.

28. Prior to finalising the Construction Drawings for submission, a Geotechnical Report shall be prepared specifically for the development site, by a suitably qualified Geotechnical Engineer. The Structural & Foundation designs and the excavation methods proposed for the development shall be assessed in accordance with the recommendations made in the Geotechnical Report. In this regard, a Structural Certification from a suitably qualified structural

engineer shall be submitted with the application for Construction Certificate, addressing that the final design drawings are prepared in accordance with the recommendations of the Geotechnical Report. A copy of the Geotechnical Report shall be submitted for approval by the Principal Certifying Authority (PCA). The Geotechnical / Civil engineering report should address (but is not limited to) the following:

- vii. 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.
- viii. 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.
- ix. 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).
- x. The existing groundwater levels in relation to the basement structure, where influenced.
- xi. 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.
- xii. 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.

The geotechnical report must be prepared by a suitably qualified consulting Geotechnical / Hydro Geological 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:

- vii. No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- viii. 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.
- ix. 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.
- x. 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.
- xi. Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- xii. 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 C of AS 2870 - 1996.

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

29. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing No. [DS9 & DS10]. Disused crossing shall be removed and constructed with kerb and gutter. Details must accompany an application for a Construction Certificate to the satisfaction of Principal Certifying Authority with the application for the Construction Certificate.

Reason: To ensure appropriate vehicular access is provided.

30. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by 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); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

The application for a driveway crossing requires the completion of the relevant application form and accompanied by plans, grades/levels and specifications. A fee in accordance with Councils adopted 'Fees and Charges' will need to be paid at the time of lodgement.

Note 1: 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.

Note 2: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

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

On Site Detention

31. No work shall start on the storm water 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 the final drainage plans are consistent with the following approved drainage related concept plans:

- Concept Stormwater Design – Basement Level 4 Plan, Drawing No. SW01, Sheet 2 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.
- Concept Stormwater Design – Ground Floor Plan, Drawing No. SW02, Sheet 3 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.
- Concept Stormwater Design – Catchment Plan, Drawing No. SW03, Sheet 4 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.
- Concept Stormwater Design – Details & Calculation Sheet, Drawing No. SW04, Sheet 5 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.
- Concept Stormwater Design – Typical WSUD Stormwater Device, Drawing No. SW05, Sheet 6 of 6, Revision No. A, dated 09.05.2013, prepared by Consulting Engineer, S & G Consultants Pty Ltd.

(Please Note: The DA approved Concept drainage Plans are concept in nature only and not to be used as construction drawings).

- b. The proposed On-Site Detention (OSD) System has been designed 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.
- d. Detailed drainage plan with full cross sectional details of OSD tank in relation to the buildings, pits, connections etc, OSD Detailed Design Submission and OSD Detailed Calculation Summary Sheet for the detention system are submitted. All access covers to the OSD tank, DCP and the basement pump holding tank are hinged and secured with non-corrosive child proof locking devices. To enable cross ventilation to the OSD tank, adequate grated openings are incorporated in the final design.
- e. Structural details and a Certificate of Structural Compliance of the proposed OSD Tank and the pump holding underground tank, cover slabs are included with the final drawings submitted with the Construction Certificate application.

- f. The OSD tank walls are designed by a qualified practicing Structural Engineer certifying that the walls and its foundations are structurally adequate.
- g. The final drainage plans submitted for Construction Certificate Application are in accordance with the Architectural drawings and layouts approved by Council with the Development Application. The basement perimeter walls are designed based on tank construction method to prevent any flood waters entering the basement, as specified in the Flood Assessment Report.

Reason: To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding. To ensure the pump holding tank & associated cover slab and walls are structurally adequate.

Sydney Water Approval for Stormwater Disposal

- 32. Prior to issue of the Construction Certificate, an approval shall be obtained from Sydney Water, for the stormwater connection and disposal into their Stormwater Channel, adjacent to the development site. In this regard the Final Stormwater Plan indicating the details of the discharge outlet pipe connection in to the channel shall be submitted to Sydney Water for their approval.

Reason: To ensure Sydney Water requirements are met.

- 33. In order to maximise visibility in the basement carpark, the ceiling shall be painted white. This requirement shall be reflected on the Construction Certificate plans.

Reason: To protect public safety.

- 34. 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.

- 35. No permanent elements of the basement wall or associated drainage shall be encroaching on adjoining properties or Council's Road reserve. Where any shoring is to be located on or is supporting Council's 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 temporary 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.

Note 1: This development consent is for works wholly within the property. Development consent does not imply approval of works outside of the property regardless of whether the information is shown on the development application plans.

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

36. Should any proposed work be undertaken where it is likely to disturb or impact upon a utility installation (e.g. power pole, telecommunications infrastructure, etc.) written confirmation from the affected utility provider 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 utility installation shall be borne in full by the applicant/developer.

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

37. In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds are required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate has not been issued or not required.

38. The bond may be paid, by EFTPOS, bank cheque, credit card or be an unconditional bank guarantee.
Should a bank guarantee be the proposed method of submitting a security bond it must:
- a) Have no expiry date;
 - b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent **DA/315/2013**;
 - c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

39. Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

Bonds shall be provided as follows:

Nature strip and roadway \$ 20,000

Street Trees \$4,000

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

Advisory note: Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building and Developing then Quick Check;
 - Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building, and;
 - Developing then Building and Renovating or telephone 13 20 92.
40. A monetary contribution comprising \$425,266.48 is payable to Parramatta City Council pursuant to Section 94A of the *Environmental Planning and Assessment Act, 1979* and the *Parramatta Section 94A Development Contributions 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: In accordance with the Section 94A Plan.
41. Prior to the issuing of the Construction Certificate details are to be submitted to the Principle Certifying Authority that the footings and slabs of the development have been designed to withstand the impacts of salinity. The design of the development is to take into consideration the guidelines within the Department of Infrastructure, Planning and Natural Resources document - *Western Sydney Salinity Code of Practice 2003*.
Reason: To ensure appropriate safeguards against salinity.
42. Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. The soil investigation must be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.
- A site audit statement must be issued at the completion of the investigation by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.
- Reason:** To ensure that the land is suitable for its proposed sensitive use and poses no risk to the environment and human health.
43. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.
- **Reason:** To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.
44. Following excavation and removal of any underground storage tank the land shall be assessed in accordance with the NSW Environment Protection Authority's Guidelines for Assessing Service Station Sites (1994). A report on the investigation is to be supplied to Council's Environment and Health unit.

- At the completion of the investigation a site audit statement shall be issued by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

Reason: To ensure that the land is left in a safe and healthy condition.

45. Following excavation and removal of any underground storage tank the land must be assessed in accordance with the NSW Environment Protection Authority's Guidelines for Assessing Service Station Sites (1994). A report on the investigation is to be supplied to Council's Environment and Health unit.

At the completion of the investigation a site audit statement must be issued by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

Reason: To ensure that the land

46. If required by Rail/Corp, prior to the issue of a Construction Certificate the applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should fail services be identified within the subject development site the Applicant must discuss with RailCorp as to whether these services are to be relocated or incorporated within the development site.

Reason: Railcorp Condition.

47. Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (e.g. roof terraces and external fire escapes) that are and are within 20m of the rail corridor, the Applicant is required to install measures (e.g. awning windows, louvres, enclosed balconies etc.) which prevent the throwing of objects onto tile rail corridor. The Principle Certifying Authority shall not issue the Construction Certificate until it /has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.

Reason: Railcorp Condition.

48. Prior to the issue of a Construction Certificate the Applicant is to provide RailCorp with a report from a qualified structural engineer demonstrating that the structural design of tile development satisfies the requirements of AS5100. The Principle Certifying Authority shall not issue the Construction Certificate until it has received written confirmation from RailCorp that it has received and endorsed this report and the Principle Certifying Authority has also confirmed that the measures recommended in engineers report have been indicated on the Construction Drawings.

Reason: Railcorp Condition.

49. Prior to the issuing of a Construction Certificate the Applicant is to submit to RailCorp a plan showing all craneage and other aerial operations for the development and must comply with all RailCorp requirements The Principle

Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

50. That the Applicant engages an Artist/s to develop site specific artwork/s which is consistent to the proposed themes and treatment areas outlined in the Arts Plan referred to in condition No.1.

Reason: To provide public art in accordance with Council's policies.

51. All basement storage areas must have a minimum storage of 6 cubic metres for studio and one bedroom apartments, 8 cubic metres for two bedroom apartments, and 10 cubic metres for all three bedroom and greater. Details are to be provided to the Principal Certifying Authority prior to the issuance of the construction certificate.

52. On completion of the artwork design stage, the Applicant will be required to submit all additional documentation to the principle certifying authority. This documentation must detail the realisation of the Arts Plan through final design concepts, site plan for artworks, construction documentation and project management prior to its implementation. The proposed artwork must be approved by Council's Arts Planner prior to the issue of the Construction Certificate.

Reason: To provide public art in accordance with Council's policies.

Prior to Commencement of works

53. A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to Parramatta City Council with the payment of the bond/s to the Civil Assets Unit. The dilapidation report is required to report on any existing damage to kerbs, footpaths, roads, nature strip, street trees and furniture bounded by all street frontage/s of the development site to the centre of the road.

Reason: To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner so as not to cause any disruption or possible accidents to the public.

54. 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.

55. The site must be enclosed with a 1.8m 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.

56. 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.

57. The preparation of an appropriate hazard management strategy by a 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.

58. 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.

59. 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, e.g. 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.

60. 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.

61. 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 lodgment of the application.

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

62. 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.

63. Council 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 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. Backfilling of excavations adjoining Council property or any void remaining at completion of construction between the building and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

64. A Tree Protection Zone (TPZ) is to be established prior to any works commencing around the street trees that are to be retained. The area is to be enclosed with protective fencing consisting of 1.8m high fully supported chain-wire link or welded mesh fence. The area enclosed shall be a designated a "No-Go Zone" and is required to be kept weed and grass free for the entire duration of works. "Tree Protection Zone" signage is to be attached to protective fencing; this must include the name and contact details of the site Arborist.

Reason: To protect the street trees to be retained on the site during tree protection signage construction works.

65. Prior to works commencing, tree protection signage shall be attached to each tree protection zone, displayed in a prominent position and the sign repeated where the fence changes direction, Each sign shall contain in a clearly legible form, the following information:
- (a) That the tree protection zone is a No Go Zone
 - (b) This fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted
 - (c) The name, address, and telephone number of the developer and site Arborist.

Reason: To protect existing trees during the construction phase.

66. 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.

67. Council 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 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. Backfilling of excavations adjoining Council property or any void remaining at completion of construction between the building and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

68. In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

The bond may be paid, by EFTPOS, bank cheque, or be an unconditional bank guarantee.

Should a bank guarantee be lodged it must:

- a) Have no expiry date;
- b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/395/2013;
- c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

Bonds shall be provided as follows:

Bond Type	Amount
Hoarding - (see Schedule of Fees and charges (\$2500 -\$10,000 per street frontage in 2012/2013 financial year)	\$10,000
Street Furniture - (\$2000 per item in 2012/2013 financial year)	\$ Nil
Nature Strip and Roadway - (applies to all developments with a cost greater than \$50K and swimming pools regardless of cost. See Schedule of Fees and Charges,\$1000 - \$20,000 per street frontage in 2012/2013 financial year)	\$ \$20,000
Street Trees - (\$2000 per street tree 2012/2013 financial year rate)	\$4,000

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to Parramatta City Council with the payment of the bond/s.

The dilapidation report is required to document/record any existing damage to kerbs, footpaths, roads, nature strips, street trees and furniture within street frontage/s bounding the site up to and including the centre of the road.

Reason: To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner so as not to cause any disruption or possible accidents to the public.

69. 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.

70. Prior to any excavation and or stump grinding 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.

71. 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 and for a minimum three (3) month period after the completion of the project, where necessary.

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

72. 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.

73. 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.

74. Prior to the commencement of works, the Applicant shall peg-out the common boundary with RailCorp's property and/or easement to ensure that there is no encroachments in relation to the new works. This work is to be undertaken by a registered surveyor.

Reason: Railcorp Condition.

75. Prior to the commencement of works, a joint inspection of the rail infrastructure and property in the vicinity of the project (especially the retaining wall and rail track formation) is to be carried out by representatives from Rail/Corp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed, The submission of a detailed dilapidation report will be required unless otherwise notified by Rail/Corp.
Reason: Railcorp Condition.
76. Prior to any demolition works commencing the Applicant shall enter into an Agreement with RailCorp to control the demolition of the existing encroachments within the rail corridor.
Reason: Railcorp Condition.
77. Prior to any demolition works commencing a Risk Assessment Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed demolition works are to be submitted to RailCorp for review and comment on the impacts on rail corridor. Demolition works shall not commence until written confirmation has been received from RailCorp confirming that this condition has been satisfied.
Reason: Railcorp Condition.
78. Prior to any excavation and/or construction works commencing a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the excavation and/or construction works are to be submitted to RailCorp for review and comment on the impacts on rail corridor. Demolition works shall not commence until written confirmation has been received from RailCorp confirming that this condition has been satisfied.
Reason: Railcorp Condition.
79. During all stages of the development extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
Reason: Railcorp Condition.
80. Given the site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from RailCorp.
Reason: Railcorp Condition.
81. Rainwater from the roof must not be projected and/or falling into the rail corridor and must be piped down the face of the building which faces the rail corridor.
Reason: Railcorp Condition.
82. No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with RailCorp.
Reason: Railcorp Condition.

83. Landscaping and fencing along the rail corridor shall meet RailCorp's requirements. The Principle Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from RailCorp that this requirements has been met.
Reason: Railcorp Condition.
84. No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from RailCorp. To obtain approval the applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor.
Reason: Railcorp Condition.
85. The trees identified on the approved plans as being retained shall be protected prior to and throughout the demolition/construction process in accordance with the relevant conditions of this consent.
Reason: To ensure the protection of the tree(s) to be retained on the site.
86. A Tree Protection Zone (TPZ) is to be established prior to any works commencing around the tree that is to be retained. The area is to be enclosed with protective fencing consisting of 1.8m high fully supported chain-wire link or welded mesh fence. The area enclosed shall be designated a "No-Go Zone" and is required to be kept weed and grass free for the entire duration of works. "Tree Protection Zone" signage is to be attached to protective fencing; this must include the name and contact details of the site Arborist.
Reason: To protect the trees to be retained on the site during construction works.
87. Prior to works commencing, tree protection signage shall be attached to each tree protection zone, displayed in a prominent position and the sign repeated where the fence changes direction, Each sign shall contain in a clearly legible form, the following information:
- (a) That the tree protection zone is a No Go Zone.
 - (b) This fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted.
 - (b) The name, address, and telephone number of the developer and site Arborist.
Reason: To protect existing trees during the construction phase.
 - (c) The consent from Council is to be obtained prior to any pruning works being undertaken on any tree, including trees located in adjoining properties. Pruning works that are to be undertaken must be carried out by a certified AQF Level 3 Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.
Reason: To ensure the protection of the tree(s) to be retained.

During Construction or Works:

88. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any fire electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.

Reason: Railcorp Condition.

89. All approved tree removals shall be carried out by a by a certified AQF Level 3 Arborist and conform to the provisions of Tree Work draft Code of practice 2007. The developer is responsible for all tree removal and stump grinding.

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

90. All trees supplied above a 25 L container size for the site must be grown and planted in accordance with *Clarke, R 1996 Purchasing Landscape Trees: A guide to assessing tree quality. Natspec Guide No.2*. Certification that trees have been grown to Natspec guidelines is to be provided upon request of Council's Tree Management Officer. **NOTE:** All tree planting shall be located a minimum of two (2) metres to any boundary or underground services and shall have a minimum container size of 45 litres.

Reason: To minimise plant failure rate and ensure quality of stock utilised

91. All trees planted within the site must have an adequate root volume to physically and biologically support the tree. No tree within the site shall be staked or supported at the time of planting.

Reason: To ensure the trees are planted within the site area able to reach their required potential.

92. 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 on or adjacent to the site.

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

93. All excavation within three (3) metres from the tree identified to be retained on site shall 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

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

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

95. 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.

96. 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.

97. Noise from the construction, excavation and/or demolition activities associated with the development shall comply with the NSW Department of Environment and Conservation's Environmental Noise Manual and the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

98. 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) including the interim noise manual. Dust nuisance to surrounding properties should be minimised.

Reason: To protect the amenity of the area.

99. 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.

100. 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.

101. All work including building, demolition and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring 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.

102. A Waste Data file is to be maintained, recording building/demolition contractor's 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.

103. A survey certificate is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate shall indicate the location of the building in relation to all boundaries, and shall confirm the floor level prior to any work proceeding on the building.

Reason: To ensure the development is being built as per the approved plans.

104. 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.

105. 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.

106. Prior to any works commencing on the driveway crossover and prior to the issue of any Occupation 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); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

In order to apply for a driveway crossing, you are required to complete the relevant application form with supporting plans, levels and specifications and pay a fee in accordance with Council's adopted 'Fees and Charges' at the time of payment.

Note 1: 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.

Note 2: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

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

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

Reason: To ensure proper management of Council assets.

108. 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 ensure maintenance of Council's assets.

109. No trees on public property (footpaths, roads, reserves, etc.) 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.

110. 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 street tree.

Reason: To ensure the protection of the trees to be retained on the site.

111. All excavation within three (3) metres from the street trees identified to be retained on site shall 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

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

Reason: To ensure the protection of the trees.

113. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600 mm in height or within 900 mm of any property boundary.

Reason: To minimise impact on adjoining properties.

114. All stormwater drainage shall comply with AS3500.3. The installation of new stormwater drainage components must be completed by a licensed contractor in accordance with AS3500.3 and the Building Code of Australia.

Reason: To protect the environment.

115. 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.

116. All footings and walls adjacent to a boundary must be set out by a registered surveyor. Prior to commencement of any brickwork or wall construction a surveyor's certificate must be submitted to the Principal Certifying Authority indicating the position of external walls in relation to the boundaries of the allotment.

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

117. Trees to be retained are referred to in the following table:

Tree No	Name	Common Name	Location	DBH Diameter at	Minimum Tree Protection
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				breast height (mm)	Zone (m)
1 x	<i>Callistemon viminalis</i>	Bottlebrush	Front	500	5.0

Reason: To allow appropriate development of the site.

Compliance with the Recommended Floor Levels

118. The Principal Certifying Authority shall ensure the finished ground floor levels and the basement entry point levels are confirmed and Certified by a Registered Surveyor, at the formwork stage, prior to pouring concrete for the floor slabs. The ground floor levels and basement entry point level shall be in accordance with the recommended levels, as specified in the Flood Assessment Report.

Reason: To ensure compliance with recommended Finished Ground Floor Levels, before preceding the construction of the upper floors.

Prior to the release of an Occupation Certificate:

119. Prior to the commencement of works and prior to the issue of the Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project (especially the retaining wall and rail track formation) is to be carried out by representatives from Rail/Corp and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed, The submission of a detailed dilapidation report will be required unless otherwise notified by Rail/Corp.

Reason: Railcorp Condition.

120. If required by RailCorp, the Applicant is to provide written evidence that the area previously occupied by the encroachments has not been contaminated, and if proven to be contaminated, to be remediated at the Applicants cost. The timing of any remediation to be determined by RailCorp. The Principle Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from RailCorp confirming that this condition 11 has been satisfied.

Reason: Railcorp Condition.

121. The developer must provide a plan of how future maintenance of the development facing the rail corridor is to be undertaken. The maintenance plan is to be submitted to RailCorp prior to the issuing of the Occupancy Certificate. The Principle Certifying Authority shall not issue an Occupation Certificate until written confirmation has been received from. RailCorp advising that the maintenance plan has been prepared to its satisfaction.

Reason: Railcorp Condition.

122. A convex mirror is to be installed within the basement 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 prior to the issuance of the occupation certificate.

Reason: To ensure safety of drivers.

123. 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.

124. All roof water and surface water is to be connected to an approved drainage system complying with Council's specifications and policy requirements. The Principal Certifying Authority shall ensure that:

- There will be no damage or overhang as a result of this proposed development over the existing easements to drain water throughout the site.
- The overland flow from upstream catchment running above the surface of these easements to the street shall not be blocked by any solid structure such as a wall or a wall etc.

Reason: To ensure satisfactory stormwater disposal.

125. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600 mm in height or within 900 mm of any property boundary.

Reason: To minimise impact on adjoining properties.

126. 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.

127. 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 the following documentation is completed and submitted:

- 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 (depth verses volume table).
- OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- Approved verses installed Drainage Design (OSD) Calculation Sheet.
- 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 and adequate information are available for Council to update the Upper Parramatta River Catchment Trust.

128. Prior to issue of the Occupation Certificate a certificate shall be submitted to the PCA This certificate shall be prepared by a suitably qualified engineer with experience in structural design stating that the OSD tanks have been inspected and constructed in accordance with the approved structural details.

129. 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.

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

130. 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.

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 coordinator, since building of water/sewer extensions can be timed consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of the plan of subdivision.

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

131. A written application for release of the bond(s), quoting Council's development application number and site address is required to be lodged with Council's Civil Assets Team prior to the issue of any occupation certificate or completion of demolition works where no construction certificate has been applied for.

The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction.

Once the site and adjacent public road reserve has been inspected and in the case of any damage occurring it has been satisfactory repaired Council will advise in writing that this condition has been satisfied and will organise for the bond to be released. The occupation certificate shall not be released until the PCA has been provided with a copy of the letter advising either that no damage was caused to Council's Assets or that the damage has been rectified.

Reason: To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner.

Advisory Note: Council's Civil Assets Team will take up to 21 days from receipt of the request to provide the written advice

132. 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.

133. 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;
- (d) the date on which it was carried out;
- (e) the name and accreditation number of the certifying authority by whom the inspection was carried out; and

- (f) whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

Reason: To comply with legislative requirements.

134. Prior to the issue of any Occupation Certificate, the developer is to provide evidence that satisfactory arrangements with the NBN Co have been made where relevant and implemented at no cost to Council for the provision of broadband access to the development.

Reason: To ensure that appropriate provision has been made to accommodate broadband access to the development.

NOTE: For more information contact NBN Co.

Development Liaison Team:

Call 1800 881 816

Email newdevelopments@nbnco.com.au

Web www.nbnco.com.au/NewDevelopments

135. 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.

136. 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.

137. 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.

138. Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. 475090M_02, will be complied with prior to occupation.

Reason: To comply with legislative requirements of Clause 97A of the Environmental Planning & Assessment Regulation 2000.

139. An Operational Management and Maintenance Report is required to be lodged with the Occupation Certificate application as a separable section of the Stormwater Drainage Plan to provide an outline of the proposed long term

operational management and maintenance requirements of the stormwater system on the site. As a guide the maintenance report is required to cover all aspects of on-site facilities associated with the management of stormwater quality and is to outline the following requirements:

- (i) aims and objectives (including water quality and filter media parameters);
- (ii) a plan showing the location of the individual components of the system
- (iii) manufacturer's data and product information sheets for any proprietary products
- (iv) location of inspection and monitoring points shown clearly on the plan
- (v) describe inspection/maintenance techniques and the associated rectification procedures
- (vi) A schedule or timetable for the proposed regular inspection and monitoring of the devices, (Council recommends a visual inspection at least 3 times per year between October and May the following year, with a maximum of 3 months between successive inspections). Inspection should be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm
- (vii) record keeping and reporting requirements
- (viii) review and update requirements

The report is required to be prepared by a suitably qualified and experienced professional to the satisfaction of Council and utilise the maintenance checklists located in the 'Product Design Manual' or (in the Water Sensitive Urban Design Technical Design Guidelines for South East Queensland).

In this regard, the approved report is required to be implemented in perpetuity to the satisfaction of Council. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s.

140. 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 the following documentation is completed and submitted:

- 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 (depth verses volume table).
- OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- Approved verses installed Drainage Design (OSD) Calculation Sheet.

- 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 and adequate information are available for Council to update the Upper Parramatta River Catchment Trust.

141. 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.

142. 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.

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

143. All land titles within the site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to an Occupation Certificate being issued.

Reason: To comply with the *Conveyancing Act 1919*.

144. Submission of a letter confirming satisfactory arrangements have been made for the provision of electricity services from Endeavour Energy or an approved electricity provider.

Reason: To ensure appropriate electricity services are provided.

145. Prior to issue of the Occupation Certificate the PCA shall ensure that all visitor parking spaces are nominated within a distance of the width of six (6) car spaces from the basement entry. A sign shall be erected at the end of the visitor car parking area clearly indicating that there is "Resident Parking Only Past this Point".

Reason: To avoid visitor entry into resident parking areas.

146. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) 2011 including:
- a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
 - b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
 - c) The walls being cement rendered to a smooth, even surface and coved at all intersections;
 - d) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet.

Reason: To ensure provision of adequate waste storage arrangements

147. 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:

- 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 (depth verses area and volume table).
- OSD Works-As-Executed survey certification form and dimensions form (refer to UPRCT Handbook - Form B10 & Form Attachment B).
- Certificate of Hydraulic Compliance from a qualified Hydraulic Engineer (refer to UPRCT Handbook – Form B11 Certificate).
- A Certificate of Structural Adequacy and Compliance for both the OSD tank & pump holding tank cover slabs are submitted from a suitably qualified Structural Engineer.
- Approved verses installed Drainage Design (OSD) Calculation Sheet.

- 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 and adequate information are available for Council to update the Upper Parramatta River Catchment Trust Data Base.

148. 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. An additional clause shall be included with the Positive Covenant, for the maintenance of the basement pump system. Typical examples of the Positive Covenants and the Restriction can be obtained from Council's Development Unit. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on an A4 size scale sketch attached as an additional Annexure to the request forms. Alternatively, a Work-s-Executed Plan may be submitted without the additional annexure. The 88E instruments shall be submitted to Council for approval, prior to lodgment with the Land and Property Information Office. Registered title documents showing the covenants and restrictions must be submitted to the Principal Certifying Authority, prior to issue of an Occupation Certificate.

Reason: To ensure maintenance of on-site stormwater detention system and pump facilities.

149. Reconstruction of the existing footpath with 1.2 m wide by 80 mm thick concrete footpath across the East Street property frontage within the road reserve. All disused vehicular crossings shall be removed and replaced with integral concrete kerb and gutters. Details of the proposed footpath works and the kerb & gutter works (Drawings) shall be submitted to and approved by Council's Infrastructure Division prior to commencement of any works in the public area. Proof of completion of construction work shall be submitted to the satisfaction of Council, prior to release of the occupation certificate. All costs are to be borne by the applicant.

Reason: To provide pedestrian passage.

150. All individual parcels of land holding a separate title within the development site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to an Occupation Certificate being issued.

Reason: To comply with the *Conveyancing Act 1919*.

151. A written application to Council's Civil Assets Team for the release of a bond must quote the following:

- Council's Development Application number; and
- Site address.

The bond is refundable only where Council is satisfied the public way has been adequately reinstated, and any necessary remediation/rectification works have been completed.

An Occupation Certificate is not to be issued until correspondence has been issued by Council detailing the bond has been released.

Reason: To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner.

152. A Flood Evacuation Report and Procedure shall be prepared by an appropriate Consulting Engineer. This report shall be based on the recommendations made in the Flood Assessment Report, Issue C (Revised to include Council Comments), dated 24.09.2013, prepared by SCG Consultants Pty Ltd. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak storm event (i.e. first floor of the building etc.). The report shall be submitted the Principal Certifying Authority, prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate, when forwarded to Council.

Reason: To make property owners / occupants aware of the procedure in the case of flood.

153. Prior to the issue of the Occupation Certificate, the applicant must install a pool type safety fence along the Sydney Water Channel, to prevent any entry to the channel. Suitable Flood Warning Signs shall be displayed at easily visible locations to warn people of the potential of flooding in the area.

Reason: To ensure adequate Flood Warning Signs are in place for the flood affected areas within the development site.

154. In order to be effective, the Proposed Flood Gate must operate as intended whenever required for the duration of all triggering events for the entire life of the proposed development. Appropriate contract maintenance arrangements would need to be put in place for all regular testing, operation and maintenance on gate, raising / lift mechanism, seals, power supply and backup power supply to maximise potential for as required operation. A frequent Maintenance Contract Agreement with suitable maintenance contractor shall be made. Details of the agreement shall be submitted to the Principal Certifying Authority, prior to the issue of the Occupation Certificate. A copy of the Contract shall also be submitted to Council for records.

Reason: To ensure appropriate maintenance contract agreement is in place for the long term regular maintenance of the proposed flood gate.

Compliance with Development consent

155. The Occupation Certificate shall not be issued until documentary evidence of compliance with the entire Development Consent No. **DA/315/2013** has been submitted to Principal Certifying Authority.
Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and conditions of consent.
156. Prior to the issuing of an Occupation Certificate the Applicant is to submit the as-built drawings to RailCorp and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into RailCorp property or easement.
157. The Principle Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.
158. The artworks are to be completed in full in line with the documentation submitted and the artworks are installed to the satisfaction of Council prior to the issue of the Occupation Certificate.

The Use of the Site:

159. 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.
160. 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.
161. Separate waste bins are to be provided on site for recyclable waste.
Reason: To provide for the appropriate collection recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.
162. All waste storage areas are to be maintained in a clean and tidy condition at all times.
Reason: To ensure the ongoing management of waste storage areas.
163. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.
Reason: To ensure waste is adequately stored within the premises
164. A single antennae for the purpose of receiving television signals and a single satellite dish for the purpose of receiving satellite signals shall be installed for

the entire building and not affixed to balconies or walls of individual units, and shall not be visible from the Weston Street frontage.

Reason: To ensure the amenity of the units and visual amenity of the building

165. All landscape works shall be maintained for a minimum period of two (2) years after the final completion, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

166. In the use of the site, the water feature as annotated on p 20 of the arts plan shall be maintained in a working and good condition by the body corporate

Reason: To provide public art in accordance with Council's policies.